

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Gamal Ali Hilton v Manistee Circuit Court Judge**

Docket No. **316350**

L.C. No. **00-000000**

Amy Ronayne Krause, Judge, acting under MCR 7.211(E)(2), orders:

The motion for reconsideration is GRANTED, and this Court's May 31, 2013 order is VACATED. The motion to waive fees pursuant to MCR 7.202(4) and MCR 7.206(D)(1)(d) is DENIED because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees. Plaintiff is not required to pay an initial partial fee. Further, plaintiff has already refiled his returned pleadings. However, for this complaint to be filed, **plaintiff shall submit a copy of this order and a signed statement that he wishes to proceed with this case within 21 days of the date of this order.** By doing this, plaintiff becomes responsible for paying the \$375 filing fee and may not file another new civil appeal or original action in this Court until such time that either the Department of Corrections remits or plaintiff pays the entire outstanding balance due. MCL 600.2963(8). The Clerk's Office is directed to treat any such signed statement submitted by plaintiff expressing a desire to continue with this case as complying with this order and making plaintiff liable for eventual payment of the \$375 entry fee. Any language in such a statement attempting to disavow responsibility for eventual payment of the entry fee is to be disregarded. Failure to comply with this order shall result in the complaint not being filed in this Court and plaintiff not being responsible for paying the filing fee.

If plaintiff provides the signed statement required by this order, monthly payments shall be made to the Department of Corrections in an amount of 50 percent of the deposits made to plaintiff's account until the payments equal the balance due of **\$375**. This amount shall then be remitted to this Court. Again, plaintiff may not file either a new civil appeal or an original action until plaintiff pays the entire outstanding balance due. MCL 600.2963(8).

The Clerk of this Court shall furnish two copies of ~~this order~~ ^{to plaintiff}.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

AUG 01 2013

Date

Chief Clerk