

Court of Appeals, State of Michigan

ORDER

Darren D Johnson v Department of Corrections

Docket No. **328672**

LC No. **15-015592-AV**

Donald S. Owens, Judge, acting under MCR 7.211(E)(2), orders:

The objections to this Court's August 28, 2015 order submitted by appellant on September 4, 2015 are recognized as a motion for reconsideration of that order, and the motion is DENIED. Appellant was granted relief per MCL 600.2963(7) in being allowed to proceed with this appeal by refiling his returned pleadings without being required to pay an initial partial filing fee. Nothing in MCL 600.2963(7) can reasonably be considered to allow this Court to additionally dispense with the requirement of eventual payment of the \$375 entry fee through deductions from future deposits to appellant's prisoner account as required by MCL 600.2963(3). Indeed, appellant's apparent position in the motion for reconsideration is contrary to one of the obvious core purposes of MCL 600.2963 of requiring a prisoner of the Department of Corrections to be responsible for eventual payment of the entry fee for an appeal that he or she files in a civil action.

By refiling his returned pleadings, appellant has manifested his intent to continue with this appeal even if reconsideration of the August 28, 2015 order is denied. Thus, the Clerk's Office is directed to notify the Department of Corrections to begin deductions from future deposits to appellant's prisoner account for payment of the \$375 entry fee in accordance with the August 28, 2015 order.



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

SEP 11 2015

Date


Chief Clerk