

Court of Appeals, State of Michigan

ORDER

Ebony Crystal Malcom v Wayne Circuit Court Judge

Docket No. **333397**

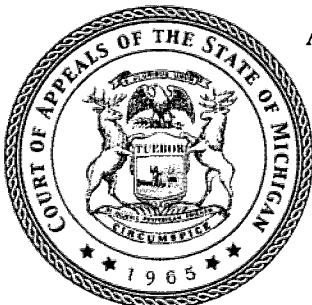
LC No. **15-012572-CZ**

Michael J. Talbot, Chief Judge, acting under MCR 7.211(E)(2), orders:

The motion for reconsideration is GRANTED, and the June 24, 2016 order is VACATED.

The motion to waive fees pursuant to MCR 7.202(4) and MCR 7.204(B)(2) is DENIED because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees. Appellant is not required to pay an initial partial fee. MCL 600.2963(7). Further, appellant has manifested her intent to proceed with this appeal by refile her returned pleadings while expressly accepting that she will be liable for eventual payment of the \$375 entry fee through deductions from future deposits to her prisoner account. Appellant may not file another new civil appeal or original action in this Court until such time that either the Department of Corrections remits or appellant pays the entire outstanding balance due. MCL 600.2963(8).


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



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

JUL 15 2016

Date


Chief Clerk