

**Court of Appeals, State of Michigan**

**ORDER**

**Dennis Patrick Bird Jr v Gus Harrison Co Facility Warden**

Docket No. **335468**

LC No. **16-005585-AH**

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Michael F. Gadola, Judge, acting under MCR 7.211(E)(2), orders:

The motion for reconsideration is DENIED. MCL 600.2963(1) plainly applies to this appeal in a civil action regardless of whether the civil action relates to an underlying criminal case.

The Court concludes that, by paying the \$26 initial partial filing fee and refileing his returned pleadings on November 21, 2016, appellant has indicated his intent to proceed in accordance with the November 10, 2016 fee order if the motion for reconsideration is denied. Thus, the Clerk's Office is directed to appropriately process the \$26 payment and to notify the Department of Corrections to begin appropriate deductions from future deposits to appellant's prisoner account to collect the \$349 remaining balance.



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

DEC 08 2016

Date

  
Chief Clerk