

**Court of Appeals, State of Michigan**

**ORDER**

**Gene T Favors v R Masker**

Docket No.   **336771**

LC No.       **16-000225-MP**

---

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.211(E), orders:

On the Court's own motion, the claim of appeal is **DISMISSED** because appellant, a prisoner under the jurisdiction of the Department of Corrections, filed the subject claim of appeal even though he owes an outstanding balance to this Court in *Gene T Favors v Dept of Corrections*, Docket Number 262613. A prisoner who is under the Department's jurisdiction cannot file another civil appeal or original action until the prisoner pays the outstanding balance owed in an earlier civil appeal or original action filed while under the Department's jurisdiction. MCL 600.2963(8).

The motion for prior fee(s) and cost(s) erased is **DENIED**. While MCL 600.2963(7) allows for this Court to dispense with the initial partial filing fee that would otherwise be required by MCL 600.2963(3) for a prisoner who lacks assets or means to pay an initial partial filing fee for a present case that is that is immaterial to the applicability of MCL 600.2963(8) to bar appellant from proceeding with this appeal based on outstanding fees owed for a prior case. Also, MCL 600.2963(8) does not set any time limit on its applicability based on the age of the outstanding fees owed to a court.

The motion to waive fees is **DISMISSED** as moot.



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

**MAR 17 2017**

Date

Chief Clerk