

Court of Appeals, State of Michigan

ORDER

In re Jackson

Docket No. 339724

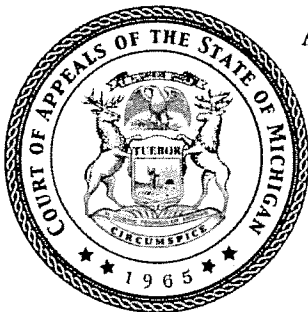
LC No. 09-003370-01-FC

Colleen A. O'Brien
Presiding Judge

Mark T. Boonstra

Thomas C. Cameron
Judges

The Court orders that the motion for reconsideration is DENIED. Plaintiff does owe this Court an outstanding fee of \$400 in *In re Jackson*, Docket Number 332096, pursuant to this Court's April 7, 2016 and April 29, 2016 orders in that file. Further, MCL 600.2963 is not limited in its applicability to civil actions concerning prison conditions but rather applies to any "civil action" filed by a prisoner as a plaintiff in a court of this state. The present original action for superintending control is such a civil action. MCR 3.301(A)(1)(a). Thus, MCL 600.2963(8) applies to bar the present civil action based on the outstanding fee plaintiff owes in Docket Number 332096. Nothing in MCL 600.2963(8) conditions its applicability on whether a prisoner has funds to pay outstanding fees owed to this Court for a prior case subject to MCL 600.2963, and plaintiff has not presented substantial legal argument to support a conclusion that application of MCL 600.2963(8) to bar the present original action is unconstitutional.



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

OCT 19 2017

Date


Chief Clerk