

Court of Appeals, State of Michigan

ORDER

Shannon Marie Yeager v C Michael Gorte

Docket No. **343330**

LC No. **17-034269-NM**

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

The motion to waive fees is DENIED. As to appellant Shannon Marie Yeager the motion is denied because review of her affidavit concerning financial status shows the ability to pay. As to appellant Steven Douglas Twietmeyer the motion is denied because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees. For this appeal to proceed as to both appellants the \$375 entry fee shall be paid within 21 days of the date of this order and appellant Twietmeyer shall refile the pleadings being returned to him with this order within that 21-day period.

Alternatively, for this appeal to proceed as to appellant Twietmeyer only, he may, within 21 days of the date of this order, pay to the Clerk of the Court an initial partial filing fee of **\$53**, submit a copy of this order with the payment, **and refile the pleadings which are being returned with this order.** If appellant Twietmeyer timely files the partial fee and refiles the pleadings, he may not file another new civil appeal or original action in this Court until such time that either the Department of Corrections remits or he pays the entire outstanding balance due. MCL 600.2963(8). Further, if he does so, monthly payments shall be made to the Department of Corrections in an amount of 50 percent of the deposits made to his account until the payments equal the balance due of **\$322**. This amount shall then be remitted to this Court.

The Clerk of this Court shall furnish two copies of this order to appellant Twietmeyer (and one copy to the other parties) and return appellants' pleadings to appellant Twietmeyer with this order.



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

JUN 26 2018

Date


Chief Clerk