

Court of Appeals, State of Michigan

ORDER

In re Thomas

Docket No. 343984

LC No. 91-045668-FC

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

The motion to waive fees is DENIED because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees.

The \$150 initial payment provided by plaintiff exceeds the initial partial filing fee that would have been required under MCL 600.2963(3). Thus, to proceed with this case, plaintiff shall submit a copy of this order **and shall refile the pleadings which are being returned with this order.** If plaintiff timely refiles the pleadings, plaintiff may not file another new civil appeal or original action in this Court until such time that either the Department of Corrections remits or plaintiff pays the entire outstanding balance due. MCL 600.2963(8). Failure to refile the pleadings shall result in the original complaint not being filed in this Court and plaintiff not being responsible for paying the filing fee or electronic filing system fee. Thus, if plaintiff does not refile the pleadings in accordance with this order, the Clerk's Office shall refund to him the \$150 initial payment.

If plaintiff timely refiles the pleadings, monthly payments shall be made to the Department of Corrections in an amount of 50 percent of the deposits made to plaintiff's account until the payments equal the balance due of **\$250** for payment of the \$400 total of the \$375 filing fee and \$25 electronic filing system fee. The balance due shall then be remitted to this Court.

The Clerk of this Court shall furnish two copies of this order to plaintiff and return plaintiff's pleadings with this order.



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

JUN 08 2018

Date


Chief Clerk