

Court of Appeals, State of Michigan

ORDER

Martin Antonio Solomon v Wayne County Sheriff

Docket No. **348705**

LC No. **00-000000**

Christopher M. Murray, Chief Judge, acting under MCR 7.203(F)(1), orders:

The Court orders that the original complaint for habeas corpus is DISMISSED for lack of jurisdiction. In this regard, the Court takes judicial notice that by the time the complaint was filed on April 25, 2019, i.e., the date it was received by the Clerk's Office of this Court, plaintiff was no longer in the custody of defendant Wayne County Sheriff but rather was in the custody of the Department of Corrections. See MRE 201(b); MCR 7.202(2). Thus, this Court lacks jurisdiction over the present original complaint for habeas corpus because plaintiff was not in the custody of defendant on the date the original complaint was filed. MCR 3.303(D)(1).

The motions for immediate consideration and to waive fees are also DISMISSED as moot.





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

MAY 07 2019

Date



Chief Clerk