Court of Appeals, State of Michigan

ORDER

Douglas Jackson v Michigan Supreme Court Deputy Clerk

Docket No. **353726**

LC No. **00-000000**

Christopher M. Murray, Chief Judge, acting under MCR 7.211(E)(2), orders:

The original complaint for mandamus is DISMISSED because plaintiff, a prisoner under the jurisdiction of the Department of Corrections, filed the subject original complaint even though he owes this Court an outstanding balance in *In re Jackson*, Docket Number 332096. Per statute, 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). Further, plaintiff's submission to this Court received June 22, 2020 does not establish that application of MCL 600.2963(8) to bar this case is unconstitutional. The present action seeking mandamus relief against the deputy clerk of a higher court is not a complaint for superintending control over a lower court as to a criminal case. See *In re Jackson*, 326 Mich App 629, 631; 929 NW2d 798 (2018).

The motion to waive fees is also DISMISSED as moot.

Christopher Murray

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

July 14, 2020
Date

Jerome W. Zimmer Jr.
Chief Clerk