

# Order

Michigan Supreme Court  
Lansing, Michigan

March 31, 2017

Stephen J. Markman,  
Chief Justice

155339(32)

Robert P. Young, Jr.  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Joan L. Larsen,  
Justices

TERAH LEE STAMPS, a/k/a  
TERAH LEE STAMPS BEY,  
Plaintiff-Appellant,

v

SC: 155339  
COA: 334483

MACOMB CORRECTIONAL FACILITY  
WARDEN,  
Defendant-Appellee.

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On order of the Chief Justice, plaintiff-appellant's motion for reconsideration of the order of March 17, 2017, is denied because it does not appear that the order was entered erroneously. Although *Smith v Bennett*, 365 US 708 (1961), holds that an application for a writ of habeas corpus cannot be rejected based on the prisoner's inability to pay the full filing fee at the time of filing, plaintiff-appellant's prison account statements indicated that he had sufficient funds to pay the initial partial filing fee under MCL 600.2963. Therefore, the Court did not err in administratively closing this case when plaintiff-appellant failed to pay the initial fee and provide a written statement acknowledging his responsibility to pay the balance of the filing fee.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 31, 2017

Clerk