

# Order

Michigan Supreme Court  
Lansing, Michigan

December 10, 2018

Stephen J. Markman,  
Chief Justice

158812(21)

Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Kurtis T. Wilder  
Elizabeth T. Clement,  
Justices

VERNON LENARD KATO,  
Plaintiff-Appellant,

SC: 158812  
COA: 344089

v

DEPARTMENT OF CORRECTIONS,  
Defendant-Appellee.

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On order of the Chief Justice, the motion to waive fees is considered and it is DENIED because MCL 600.2963 requires that a prisoner pursuing a civil action be liable for filing fees.

Within 21 days of the certification of this order, plaintiff shall pay to the Clerk of the Court an initial partial filing fee of \$8.00, which is 50 percent of his average monthly deposits for the past twelve months. Appellant must also submit a copy of this order with the payment and must refile the pleadings that are being returned with this order as acknowledgement of his responsibility to pay the balance of the filing fee. Failure to comply with this order shall result in the appeal being administratively dismissed.

If appellant timely complies with this order, monthly payments shall be made to the Department of Corrections in the amount of 50 percent of the deposits made to appellant's account until the payments equal the balance due of \$375.00. That amount shall then be remitted to this Court.

Pursuant to MCL 600.2963(8), appellant shall not file a new civil action or appeal in this Court until the entry fee in this case is paid in full.

The Clerk of the Court shall furnish two copies of this order to appellant and return a copy of appellant's pleadings with this order.



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.

December 10, 2018

Clerk