IN THE MICHIGAN COURT OF APPEALS

ORDER

AMENDED

Re: **Michael Marr v Department of Corrections**
Docket No. **280870**
L.C. No. **06-630116-AH**

William C. Whitbeck, Chief Judge, acting under MCR 7.211(E)(2), orders:

The motion for reconsideration is GRANTED. The order dated October 15, 2007, is VACATED, and appellant is not required to pay an initial partial fee. However, plaintiff must file a copy of this order within 21 days of the certification of this order if he wants his complaint for a writ of habeas corpus to go forward. By doing this, plaintiff becomes responsible for paying the **$375** filing fee and he may not file another appeal or original action in this Court until such time that either the Department of Corrections remits or he pays the entire outstanding balance due. Failure to comply with this order shall result in the appeal not being filed in this Court and appellant not being responsible for paying the filing fee.

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 **$375**. This amount shall then be remitted to this Court. Again, plaintiff may not file either an original action or an appeal until he pays the entire outstanding balance due.

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 2 9 2007
Date

Sandra Schultz Mengel
Chief Clerk