

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **Eugene Kirk v Department of Corrections**

Docket No. **281628**

L.C. No. **04-005199**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The complaint for habeas corpus is **DISMISSED** for lack of jurisdiction because plaintiff has failed to demonstrate that a judge in the county that he is detained in has refused to issue a writ of habeas corpus. See MCR 3.303(A)(2).



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

DEC 27 2007

Date

*Sandra Schultz Mengel*

Chief Clerk