IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Paul Aguirre v Department of Corrections**
Docket No. **289043**
L.C. No. **08-000288 AH**

Donald S. Owens, Judge, acting under MCR 7.211(E)(2), orders:

The motion to waive fees pursuant to MCR 7.202(4) and MCR 7.206(D)(1)(d) is DENIED because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees. Any future motions filed with this Court must be accompanied by the full filing fee.

Within 21 days of the certification of this order, plaintiff shall pay to the Clerk of the Court the filing fee of 375.00 and the motion fee of 100.00 for the motion to waive fees, titled affidavit of indigency, because the prisoner account statement shows a balance equal to or in excess of this amount. MCL 600.2963(2). Additionally, **plaintiff shall submit a copy of this order and refile the pleadings with the payment**. Failure to comply with this order will result in the appeal not being filed in this Court.

The Clerk of this Court shall furnish two copies of this order to plaintiff and return plaintiff's pleadings with this order.

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

DEC 12 2008
Date

Sandra Schultz Mengel
Chief Clerk