IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **State Treasurer v Scott Borkowski**
Docket No. **318153**
L.C. No. **13-034714-CZ**

Amy Ronayne Krause, Judge, acting under MCR 7.211(E)(2), orders:

The motion to waive fees pursuant to MCR 7.202(4) and MCR 7.204(B)(2) is DENIED because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees.

Within 21 days of the certification of this order, appellant shall pay to the Clerk of the Court the entry fee of $375 because the prisoner account statement shows a spendable balance equal to or in excess of this amount. MCL 600.2963(2). In this regard, while the prisoner account statement reflects that the bulk of the funds in the account are frozen, it nevertheless indicates that an amount in excess of $375 remains available to appellant. Additionally, **appellant 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 and appellant not being responsible for paying the filing fee.

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

A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

SEP 3 0 2013
Date

Jerome W. Zimmer Jr.
Chief Clerk