

**Court of Appeals, State of Michigan**

**ORDER**

**David Marshall Campbell v Roscommon Circuit Court**

Docket No. **322123**

LC No. **78-001095-FY**

---

E. Thomas Fitzgerald, Judge, acting under MCR 7.211(E)(2), orders:

Plaintiff's pleading titled "Objections" filed on June 23, 2014 is recognized as a motion for reconsideration of this Court's June 13, 2014 order. The motion is DENIED because plaintiff's petition for mandamus was properly recognized as an original complaint for mandamus filed in this Court per MCR 7.206. Further, contrary to plaintiff's position, such an original complaint for mandamus would necessarily initiate a new civil action in this Court even if it relates to an underlying criminal case. MCR 3.301(A)(1)(c).

Under the circumstances it is unclear if plaintiff wishes to proceed with this case in accordance with this Court's June 13, 2014 order which would require plaintiff to be liable for eventual payment of the \$375 entry fee to this Court. Thus, on the Court's own motion, it is ORDERED that, if plaintiff wishes to proceed with this case in accordance with the June 13, 2014 order and thereby become liable for eventual payment of the full \$375 entry fee, he shall submit a signed statement expressing his wish to proceed with this case to the Clerk's Office of this Court within 21 days of the date of this order. If such a signed statement is not provided, the Clerk's Office shall return the \$35 check provided on June 20, 2014 and the \$50.57 check provided on July 31, 2014 to plaintiff and close out this file, and plaintiff will not be liable for payment of an entry fee. If the indicated signed statement is provided, the Clerk's Office shall retain the partial payments and credit them toward the \$375 entry fee and notify the Department of Corrections to make appropriate deductions from plaintiff's prisoner account pursuant to this Court's June 13, 2014 order until the full \$375 entry fee is collected.



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

**AUG 08 2014**

Date

*Jerome W. Zimmer Jr.*  
Chief Clerk