

# Court of Appeals, State of Michigan

## ORDER

In re Jones

Docket No. 325007

LC No. 98-042937-FC

Kirsten Frank Kelly  
Presiding Judge

Jane E. Markey

Michael J. Riordan  
Judges

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The Court orders that the motion for reconsideration is DENIED. Under *Keenan v Dep't of Corrections*, 466 Mich 204, 204-205; 644 NW2d 756 (2002), this Court properly dismissed the present case based on MCL 600.2963(8). Further, MCL 600.2963(7) cannot reasonably be considered to allow this Court to waive MCL 600.2963(8). Additionally, plaintiff has not established that application of MCL 600.2963(8) to bar the present case from proceeding is unconstitutional. The circumstances and holdings in *James v Strange*, 407 US 128, 140-142; 92 S Ct 2027; 32 L Ed 2d 600 (1972), and *Bearden v Georgia*, 461 US 660; 103 S Ct 2064; 76 L Ed 2d 221 (1983), differ considerably from the present matter.



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

MAR 25 2015

Date

A handwritten signature in cursive script, reading "Jerome W. Zimmer Jr.", is written over a horizontal line. Below the line, the text "Chief Clerk" is printed.

Chief Clerk