

Order

Michigan Supreme Court
Lansing, Michigan

June 12, 2024

Bridget M. McCormack,
Chief Justice

167196 (13)

David F. Viviano,
Chief Justice Pro Tem

COREY ALLAN ASKEW,
Plaintiff-Appellant,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 167196
COA: 369034
Ingham CC: 18-000845-FC

OAKS CORRECTIONAL FACILITY
WARDEN,
Defendant-Appellee.

On order of the Chief Justice, the motion to waive fees is DENIED because MCL 600.2963 requires a prisoner pursuing a civil action to pay a partial fee of either 50% of the average monthly deposits or the average monthly balance for the past 12 months, whichever is greater. Plaintiff-appellant is not required to pay an initial partial fee given his average account deposit and balance.

The Clerk of the Court is directed to provide two copies of this order and one copy of the application filed with the Court to plaintiff-appellant. For the appeal to continue, plaintiff-appellant must submit to the Court within 21 days one copy of the order and the returned application as acknowledgement of his responsibility to pay the \$375.00 fee. Failure to do so will result in the appeal being administratively dismissed.

If plaintiff-appellant timely submits the order and application, monthly payments shall be made to the Department of Corrections in an amount of 50 percent of the deposits made to plaintiff-appellant's account until the payments equal the balance due of \$375.00. That amount shall then be remitted to this Court.

Pursuant to MCL 600.2963(8), plaintiff-appellant cannot file further appeals in civil actions in this Court until the fee in this case is paid in full.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 12, 2024

Clerk

Order

Michigan Supreme Court
Lansing, Michigan

June 14, 2024

Bridget M. McCormack,
Chief Justice

167205 (39)

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

JAMES HORNSBY,
Plaintiff-Appellant,

SC: 167205
COA: 368860
Lapeer CC: 23-056577-AH

v

DEPARTMENT OF CORRECTIONS,
Defendant-Appellee.

On order of the Chief Justice, the motion to waive fees is DENIED because MCL 600.2963 requires that a prisoner pursuing a civil action to pay a partial fee of either 50% of the average monthly deposits or the average monthly balance for the past 12 months, whichever is greater. The Clerk of the Court is directed to provide two copies of this order and one copy of the application filed with the Court to plaintiff-appellant.

Within 21 days of the date of this order, plaintiff-appellant must send to the Court:

1. the initial partial filing fee of \$23.00, which is approximately 50% of appellant's average monthly deposits;
2. one copy of this order;
3. the application that was returned to appellant.

By doing so, plaintiff-appellant becomes responsible to pay the full \$375 filing fee. If plaintiff-appellant fails to timely comply with this order, the application will be administratively dismissed and the case closed. If appellant timely complies with this order, the Department of Correction shall retain 50% of future monthly deposits made to plaintiff-appellant's account until the \$352.00 balance is paid. Upon collecting the balance, the department shall remit this amount to this Court.

Under MCL 600.2963(8), plaintiff-appellant may not file a new civil action or appeal in this Court until the filing fee in this case is paid in full.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 14, 2024

Clerk

Order

Michigan Supreme Court
Lansing, Michigan

August 16, 2024

Bridget M. McCormack,
Chief Justice

167205

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

JAMES HORNSBY,
Plaintiff-Appellant,

SC: 167205
COA: 368860
Lapeer CC: 23-056577-AH

v

DEPARTMENT OF CORRECTIONS,
Defendant-Appellee.

On order of the Chief Justice, given plaintiff-appellant's failure to timely pay the partial fee of \$23 as required by the Court's order of June 14, 2024, the Clerk of the Court is directed to administratively dismiss the application and close the file.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

August 16, 2024

Handwritten signature of Larry S. Royster in black ink.

Clerk