IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Perry Alan Davis v Department of Corrections**
Docket No. **287447**
L. Ct. No. **06-001464-AA**

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 7.205(B)(7) is DENIED because MCL 600.2963 requires the payment of an initial, partial filing fee if a prisoner under the supervision of the Department of Corrections files a civil action with this Court.

Within 21 days of the certification of this order, appellant shall pay the entry fee of $375.00 and the motion fee of $100.00, for a total of $475.00, to the Clerk of this Court because his prisoner account statement shows a balance in excess of $375. MCL 600.2963(2). 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 delayed application for leave to appeal not being filed in this Court.

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

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

NOV 2 0 2008
Date

Sandra Schultz Mengel
Chief Clerk