

P.O. Box 30052  
Lansing, Michigan 48909



Phone: (517) 373-0120

**Michigan Supreme Court  
Office of the Clerk**

June 1, 2020

Michael Ward, #128267  
Macomb Corr Facility  
34625 26 Mile Rd  
Lenox Twp, MI 48048

Re: Attempt to file complaint for superintending control against AGC re AGC #20-0107

This is in response to papers we recently received from you.

You have an outstanding balance owed to this Court in *Ward v Macomb Corr Facility Warden*, SC 157435. Under MCL 600.2963(8), we cannot accept for filing another civil appeal or original action from you until you pay the outstanding balance in that earlier civil matter.

I've enclosed your papers.

Respectfully,  
/s/ Inger Z. Meyer  
Deputy Clerk

IZM  
Enclosures  
Copy via email: Attorney Grievance Commission; J. Pallas P42512

Appx A

State of Michigan  
IN THE SUPREME COURT

MICHAEL WARD #128267,

MSC: \_\_\_\_\_

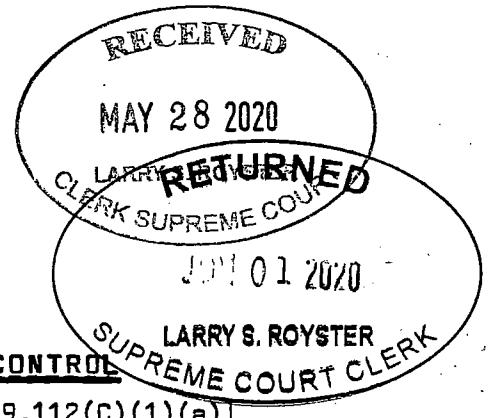
Plaintiff-Appellant,

AGC#: 20-0107

v.

MICH. ATTORNEY GRIEVANCE COMM'N.;  
Michael V. Goetz, AGC Admin.;  
Robert E. Edick, AGC Dep Admin.;  
Cynthia C. Bullington, AGC Asst Dep Admin.;  
JOHN S. PALLAS, Asst Mich Atty Gen.,

Defendants-Appellee's.



COMPLAINT FOR SUPERINTENDING CONTROL

[From AGC refusal to investigate under MCR 9.112(C)(1)(a)]

Disclosure: Since year 1990, Plaintiff has filed 102 actions and 98 appeals, unrelated to this complaint.

I. INTRODUCTION

1. This is a Complaint for Superintending Control against the above named Attorney John S. Pallas, and AGC Administrator's who have demonstrated bias in favor of Atty Pallas, when summarily refusing to review the complaint and investigate; where the complaint on its face, when liberally construed for this pro-se prisoner litigant, makes out a prima facie case of professional misconduct upon Plaintiff's allegations.

The allegations revolve around Atty Pallas having procured an affidavit from one of his clients in the federal habeas corpus action of Ward v. Wolfenberger, #2:03-cv-72701, knowing the whole of the affidavit was false in attesting to outcome determinative material

State of Michigan  
IN THE SUPREME COURT

MICHAEL WARD #128267,

Plaintiff-Appellant,

v.

MICH. ATTORNEY GRIEVANCE COMM'N.;  
Michael V. Goetz, AGC Admin.;  
Robert E. Edick, AGC Dep Admin.;  
Cynthia C. Bullington, AGC Asst Dep Admin.;  
JOHN S. PALLAS, Asst Mich Atty Gen.,

Defendants-Appellee's.

MSC: S/ LARRY S. ROYSTER  
AGC#: 20-0107

JUN 01 2020

RECEIVED  
LARRY S. ROYSTER  
CLERK SUPREME COURT

MAY 28 2020

RECEIVED  
LARRY S. ROYSTER  
CLERK SUPREME COURT

APPELLANT'S PRO-SE MOTION  
TO WAIVE OR SUSPEND 100% OF FILING/ENTRY/MOTION FEES 1/

NOW COMES Appellant, MICHAEL WARD, pro-se, pursuant to MCR 2.002(D), and moves the Court to waive or suspend all fees (filing/entry/motion) during the course of this litigation, for good cause and reason as follows:

1. Appellant is a state prisoner, currently unemployed and without funds or means of access funds with which to pay any portion of any fee. He is truly destitute; yet has a constitutional RIGHT OF ACCESS to the Court. U.S. Const., Am 1, 14; Mich. Const, 1963, art. 1, §§ 2, 3, 17. See, attached affidavit of indigency; and certificate of prison account.

2. The right of access to the courts is a "fundamental personal right," and thus a law trammeling upon that right should be examined with strict scrutiny. See, e.g., Harper v Va. State Bd. of Elections, 383 U.S. 663, 670 (1996) (holding strict applied where the right involved was "fundamental," even though the class of persons affected was otherwise non-suspect).

3. The Supreme Court in Boddie v Connecticut, 401 U.S. 371 (1971) concluded that  DUE PROCESS did prohibit a State from denying, solely because of inability to pay, ACCESS to its courts. Boddie was an action challenging requirements for payment of the court fees and costs for service of process that restricted their access to the courts in an effort to bring an action for divorce. Thus, the Court held that a State court not, consistent with the obligations imposed on it by the  DUE PROCESS CLAUSE of the Fourteenth Amendment, pre-empt the right to dissolve this legal relationship without affording all citizens access to the means it had prescribed for doing so.

In short, the Boddie Court's majority opinion by Harlan, J., held that a

1/ See, attached, ACCESS TO COURTS, 52 L Ed 2d 779, 797, § 10 (Right to waiver of costs of seeking Discretionary review)

P.O. Box 30052  
Lansing, Michigan 48909



Phone: (517) 373-0120

**Michigan Supreme Court  
Office of the Clerk**

June 17, 2020

Michael Ward, #128267  
Macomb Corr Facility  
34625 26 Mile Rd  
Lenox Twp, MI 48048

Re: Attempt to file complaint for superintending control against AGC re AGC #20-0107

This is in response to further papers we recently received from you.

As explained in our 06/01/2020 letter, you have an outstanding balance owed to this Court in *Ward v Macomb Corr Facility Warden*, SC 157435. Under MCL 600.2963(8), this office cannot accept for filing another civil appeal or original action from you until you pay the outstanding balance in that earlier civil matter.

I've enclosed your papers.

Respectfully,  
/s/ Inger Z. Meyer  
Deputy Clerk

IZM

Enclosures

Copy via email: Attorney Grievance Commission; J. Pallas P42512

App't B

State of Michigan  
IN THE SUPREME COURT

MICHAEL WARD #128267,

MSC: \_\_\_\_\_

Plaintiff-Appellant,

AGC#: 20-0107

v.

MICH. ATTORNEY GRIEVANCE COMM'N.;  
Michael V. Goetz, AGC Admin.;  
Robert E. Edick, AGC Dep Admin.;  
Cynthia C. Bullington, AGC Asst Dept Admin.;  
JOHN S. PALLAS, Asst Mich Atty Gen.,  
Defendants-Appellee's.



PLAINTIFF-APPELLANT'S MOTION FOR RECONSIDERATION,  
alternate,  
THAT THE CHIEF JUSTICE EXERCISE  
SUPERINTENDING CONTROL OVER  
DEPUTY CLERK INGER Z. MEYER

TO: MSC CHIEF JUSTICE

NOW COMES Plaintiff-Appellant, MICHAEL WARD, an indigent/financially destitute state prisoner, proceeding pro se at this time, and pursuant to the Court's MCR governing reconsideration and superintending control, 1/ moves the Chief Justice to declare MCL 600.2963(8) facially, and/or as applied to this Plaintiff, UNCONSTITUTIONAL, as depriving access to the court, due process and equal protection. This motion is predicated upon the following facts and controlling authorities:

A. See Federal Judge Enslen's concern about depriving indigents of access to the courts, when owing outstanding fees,

1/ It is requested the Chief Justice "liberally construe" the appropriate court rule for him, (People v Wendt, 107 Mich App 269, 273 (1981); Haines v Kerner, 404 U.S. 519, 520-21 (1972)), given extraordinary circumstances beyond his layman status. Specifically, the Macomb Corr Fac (prison) is under COVID 19 lockdown/quarantine status, and as such, Plaintiff has no access to the prison law library; hence, cannot locate or cite the appropriate court rule.

Date: 5/21/20

Re: Michael Ward v Attorney Grievance Comm'n., et al.,

MSC:

AGC: 20-0107

Dear MSC Clerk:

ENCLOSED for filing and the Court's consideration are one (1) original of the following:

1. Plaintiff-Appellant's Pro-se MOTION to waive or suspend 100% of filing/entry/motion fees, w/affidavit of indigency, and certificate of prison account;
2. COMPLAINT for Superintending Control;
3. BRIEF in support of complaint for superintending control;
4. APPENDIX of Exhibits in support of Complaint/Brief for superintending control;
5. NOTICE of HEARING.

Thank you for your time and assistance in processing this matter.

Sincerely,



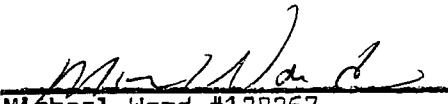
Michael Ward #128267

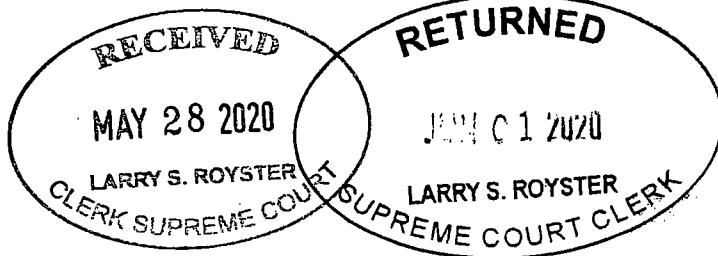
Macomb Corr Fac  
34625 26 Mile Rd  
Lenox Twp., MI 48046

Plaintiff-Appellant/Pro-per

CERTIFICATE/PROOF OF SERVICE

I, MICHAEL WARD, pursuant to MCR 2.114 (and see, 18 USC § 1746), certify and declare that on 5/20, I placed a copy of the above identified pleadings #1-5, in the U.S. Mail, 1st class postage prepaid addressed to all party Defendant's of interest: MICHAEL V. GOETZ, AGC Administrator; ROBERT E. EDICK, AGC Dep Admin.; CYNTHIA C. BULLINGTON, AGC Asst Dep Admin.; who are located at: 535 Griswold, Suite 1700, Detroit, MI 48226; and to Defendant JOHN S. PALLAS, Asst Mich. Attorney General, Appellate Div., 525 W. Ottawa St., P.O. Box 30217, Lansing, MI 48909.

  
Michael Ward #128267  
Plaintiff/Affiant



State of Michigan  
IN THE SUPREME COURT

MICHAEL WARD #128267,

Plaintiff-Appellant,

v.

MICH. ATTORNEY GRIEVANCE COMM'N.;  
Michael V. Goetz, AGC Admin.;  
Robert E. Edick, AGC Dep Admin.;  
Cynthia C. Bullington, AGC Asst Dep Admin.;  
JOHN S. PALLAS, Asst Mich. Atty. Gen.,

Defendants-Appellee's.

MSC: S/ LARRY S. ROYSTER  
AGC#: 20-0107

JUN 01 2020

RECEIVED  
CLERK SUPREME COURT

RECEIVED  
MAY 28 2020

LARRY S. ROYSTER  
CLERK SUPREME COURT

APPELLANT'S PRO-SE MOTION  
TO WAIVE OR SUSPEND 100% OF FILING/ENTRY/MOTION FEES <sup>1/</sup>

7.319(B)(7)

NOW COMES Appellant, MICHAEL WARD, pro-se, pursuant to MCR 2.002(D), and moves the Court to waive or suspend all fees (filing/entry/motion) during the course of this litigation, for good cause and reason as follows:

1. Appellant is a state prisoner, currently unemployed and without funds or means of access funds with which to pay any portion of any fee. He is truly destitute; yet has a constitutional RIGHT OF ACCESS to the Court. U.S. Const., Am 1, 14; Mich. Const. 1963, art. 1, §§ 2, 3, 17. See, attached affidavit of indigency; and certificate of prison account.
2. The right of access to the courts is a "fundamental personal right," and thus a law trammeling upon that right should be examined with strict scrutiny. See, e.g., Harper v Va. State Bd. of Elections, 383 U.S. 663, 670 (1996) (holding strict applied where the right involved was "fundamental," even though the class of persons affected was otherwise non-suspect).
3. The Supreme Court in Boddie v Connecticut, 401 U.S. 371 (1971) concluded that DUE PROCESS did prohibit a State from denying, solely because of inability to pay, ACCESS to its courts. Boddie was an action challenging requirements for payment of the court fees and costs for service of process that restricted their access to the courts in an effort to bring an action for divorce. Thus, the Court held that a State court not, consistent with the obligations imposed on it by the DUE PROCESS CLAUSE of the Fourteenth Amendment, pre-empt the right to dissolve this legal relationship without affording all citizens access to the means it had prescribed for doing so.

In short, the Boddie Court's majority opinion by Harlan, J., held that a

<sup>1/</sup> See, attached, ACCESS TO COURTS, 52 L Ed 2d 779, 797, § 10 (Right to waiver of costs of seeking discretionary review)

APPENDIX D

State denies due process of law to INDIGENT PERSONS under the Fourteenth Amendment, by refusing to permit them to bring [civil] actions except on payment of court fees and service of process costs which they are UNABLE TO PAY. And see, Tennessee v Lane, 541 U.S. 509, 523 (2004)(The Due Process Clause also requires the States to afford certain civil litigants a "meaningful opportunity to be heard" by removing obstacles to their full participation in judicial proceedings.).

4. The EQUAL PROTECTION CLAUSE of the Constitution stipulates that "[n]o State shall ... deny within its jurisdiction the equal protection of the laws" and these protections apply equally against acts of State Governments and the Federal Government. U.S. Const., Am 14, § 1; Bolling v Sharpe, 347 U.S. 497, 500 (1954); U.S. v Paradise, 480 U.S. 149, 166 n.16 (1987). In Boddie, Id., Justice Brennan, J. concurred on the ground that while denying indigents access to the courts for non-payment of a fee is a denial of due process, it is also a denial of EQUAL PROTECTION of the laws, and NO DISTINCTION CAN BE DRAWN BETWEEN DIVORCE SUITS AND OTHER ACTIONS. See also, Burns v Ohio, 360 U.S. 252 (1959)(holding that a State cannot require an indigent to pay a filing fee before being allowed to appeal in one of its courts); Bullock v Carter, 405 U.S. 134 (1972); M.L.B. v S.L.J., 519 U.S. 102 (1996); Ross v Moffit, 417 U.S. 600, 611 (1974)(unfairness results if indigents are singled out by the States and denied meaningful access to the appellate system because of their POVERTY).

a) Under these equal protection principles, "'all persons subjected to ... legislation shall be treated alike, under like circumstances and conditions, both in the privileges conferred and in the liabilities imposed.'" Enquist v Dr. Dept. of Agric., 553 U.S. 591, 602 (2008).

b) See Federal Judge Enslin's concern about depriving indigents of access to the courts, when owing outstanding fees, addressing MCL 600.2963(8), and stating: "The court is nevertheless TROUBLED that this prisoner, and others like him, appear to be indigent and appear to have lawsuits dismissed due to FEE BALANCES which they cannot cure given their indigency. Should THIS PATTERN PERSIST, then eventually the U.S. Supreme Court would be obliged to address why defendant judge's are not providing equal access to the courts to indigent prisoners." (Emphasis added.). Bridges v Collette, 2008 U.S. Dist. LEXIS 58, at \*7 (WD Mich.). <sup>2/</sup>

5. Christopher v Harbury, 536 U.S. 403, 413 (2002), the Supreme Court said "In denial-of-access cases challenging fees that POOR plaintiff's cannot afford

<sup>2/</sup> Insofar as the "outstanding fee" provision of MCL 600.2963(8) is concerned; that provision is UNCONSTITUTIONAL on its face, and/or as applied to this financially destitute prisoner Plaintiff, and this Court should so find/declare, establishing constitutional precedent.

to pay, the object is an an order requiring waiver of a fee to open the courthouse door for desired litigation ...". Finally, in Tessmer v Granholm, 333 F 3d 683, 698 (CA6 2003), the court citing to Burns v Ohio, supra., 360 U.S. at 257, reaffirmed that "Once the State chooses to establish appellate review ... it may not foreclose indigents from access to ANY PHASE of that procedure because of their POVERTY." Further, "Appellate process must be fair and may not be implemented in a manner that discriminates based on indigency." Tessmer, at 700.

WHEREFORE, Appellant respectfully prays the Court grant his motion, and either waive or suspend 100% of any and all fees (filing/entry/motion), in order to afford Appellant his constitutional rights of "access," "due process," and "equal protection" under the law.

Date: 5/21/20

Respectfully submitted,

Michael Ward

Michael Ward #128267

Macomb Corr Fac

34625 26 Mile Rd

Lenox Twp., MI 48048

Plaintiff-Appellant/Pro-per

appellate review operation of a for review of a complete rec- was requested the absence of review based on "ipt," consisting indictment, the bailiff's oath, is, and various es of the court, transcript of evi- l argument of se, the defend- latter form of nted attorney, quest that he had failed to be defendant's of that his ap- he court noted leprived of all effective ap- re.

t a state may close indigent any phase of iew, the court 2 US 477, 9 L d that a state tenth Amend- a indigent de transcript of defensor or behalf, where supreme court he denial of a only if a de- In the instant clined to rep- appeal to the denial of his nobis, believ- unsuccessful, ned to order e defendant's appointment ively preclud- appealing the ie defendant s relief in a h found that d denied the of the law. In appeals' affirm-

ance of that decision, the Supreme Court noted that the state provision in question conferred upon a state officer outside the judicial system power to take from an indigent all hope of any appeal whatsoever, a procedure which, based on indigency alone, did not meet constitutional standards.

#### § 10. Right to waiver of costs of seeking discretionary review

It has been held that a state unconstitutionally denies an indigent prisoner access to its appellate procedure where it denies the prisoner an opportunity to seek discretionary review from a state appellate court because the prisoner is unable to pay that court's filing and docket fees.

Thus, in *Burns v Ohio* (1959) 360 US 252, 3 L Ed 2d 1209, 79 S Ct 1164, 10 Ohio Ops 2d 404, 84 Ohio L Abs 570, the court held that a state's refusal to permit an indigent prisoner to seek discretionary review from the state's supreme court because the prisoner was unable to pay that court's filing and docket fees was an unconstitutional denial to the prisoner of access to the state's appellate procedure. Although the state argued that the prisoner had received appellate review of his conviction in the state's court of appeals, the court found that once a state chooses to establish appellate review in criminal cases, it may not foreclose indigents from access to any phase of that procedure because of their poverty, and that this principle is no less applicable where the state has afforded an indigent defendant access to the first phase of its appellate procedure, but has effectively foreclosed access to the second phase of that procedure solely because of the defendant's indigency. Nor did it make any difference that leave to appeal to the state's supreme court was a matter of discretion, the court stated, since indigents must have the same opportunities as nonindigents to invoke the discretion of the state supreme court, there being no rational basis for assuming that indigents' motions for leave to appeal will be less meritorious than those of other defendants.

in which the Supreme Court did not use "right of access" terminology, it was held that a state could not constitutionally require the payment of statutory filing fees by an indigent prisoner before a petition for a writ of habeas corpus or the allowance of an appeal in habeas corpus proceedings would be docketed, since such a requirement would deny the prisoner equal protection of the laws guaranteed by the Fourteenth Amendment, even though habeas corpus may be a civil action for procedural purposes and even though the prisoner might have a remedy in federal court for the vindication of federal rights allegedly denied by the state.<sup>22</sup>

#### § 11. Right to counsel in discretionary appeal

The Supreme Court has held that a state's procedure whereby counsel is appointed for an indigent defendant for his initial appeal as a matter of right, but not for subsequent discretionary review in the state's supreme court and in the Supreme Court of the United States, does not deprive the defendant of meaningful access to the courts.

In *Ross v Moffitt* (1974) 417 US 600, 41 L Ed 2d 341, 94 S Ct 2437, the court held that a state did not deny an indigent defendant adequate access to the appellate system by refusing to appoint counsel to represent him in petitioning the state's supreme court and the Supreme Court of the United States for discretionary review of his conviction. The state permitted all defendants an appeal as of right to an intermediate court of appeals but, except for a limited class of cases within which the defendant's case was not included, permitted review in the state's supreme court only when that court found that (1) the subject matter of the appeal had significant public interest; or (2) the cause involved legal principles of major significance to the jurisprudence of the state; or (3) the decision of the state's court of appeals appeared likely to be in conflict with a decision of

☆ COMMENT: In a subsequent case

22. *Smith v Bennett* (1961) 365 US 708, 6 L Ed 2d 39, 81 S Ct 895.

AFFIDAVIT OF INDIGENCY/INABILITY TO PAY FEES

I, MICHAEL WARD, having been duly sworn, depose and say that I am entitled to relief on the merits of my complaint against the Atty Griev Comm'n.; and further state that I have no funds or means to acquire funds with which to pay any fee, past, present or future, now or in the foreseeable future. In support, I state as follows:

1. Are you presently employed?

Answer: NO - last date of employment: 7/14/05

approx. salary/month: \$500.00 (all used to pay bills)

2. Have you received within the past twelve months, any money from a business, profession, self-employment, rent payments, interest or dividends; pensions, annuities, or life insurance payments; gifts or inheritances, or other source?

Answer: NO

3. Do you own any real estate, stocks, bonds, notes or other valuable property?

Answer: NO

4. Do you own any cash or do you have money in a checking or savings account?

Answer: NO

5. List the persons who are dependent upon you for support; state your relationship to those persons, and indicate how much you contribute toward their support.

Answer: NO DEPENDENTS

6. NOTE: Referring to the attached "certificate of prison account," all monthly prison earnings are collected at the rate of 100% by the Dept of Corrections, and applied toward outstanding debt; leaving me each month with a \$0.00 spendable; and a substantial NEGATIVE average monthly balance of \$ - 81.77. THEREFORE, I am unable to make any initial or partial payment toward any fee, now or in the foreseeable future.

Subscribed & Sworn to before me  
this 19<sup>th</sup> day of May, 2020.

Lisa A. Walsh  
NOTARY PUBLIC

LISA A. WALSH  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF MACOMB  
MY COMMISSION EXPIRES Dec 5, 2020  
ACTING IN COUNTY OF

Michael Ward  
Michael Ward #128267  
Affiant/Appellant

D4

STATE OF MICHIGAN

CERTIFICATE OF PRISONER ACCOUNT ACTIVITY  
AND AFFIDAVIT REGARDING SUSPENSION OF PRISONER FEES/COSTS

Prisoner-Plaintiff/Petitioner/Appellant name and number  
MICHAEL WARD, #128267

v

Defendant's/Respondent's/Appellee's name  
MICH. ATTY. GRIEVANCE COMM'N;  
MICHAEL V. GOETZ; ROBERT E.  
EDICK; CNYTHIA C. BULLINGTON;  
JOHN S. PALLAS

CERTIFICATE OF PRISONER ACCOUNT ACTIVITY

I am employed by the Michigan Department of Corrections at the facility identified below, at which the prisoner identified as the Plaintiff/Petitioner/Appellant is currently incarcerated.

Attached is a computer printout which accurately reflects the current spendable balance and all activity within this prisoner's account during the preceding twelve months or, if the prisoner has been incarcerated for less than twelve months, for the period of incarceration. Code "C" on the printout represents a withdrawal from the account and code "D" represents a deposit to the account. The attached printout reflects, for the reported period, an average monthly account deposit (i.e., total deposits divided by number of months) of \$0 and an average monthly account balance (i.e., total deposits minus total withdrawals divided by number of months) of \$-81.77. There is a current spendable account balance of \$0

Date: 5-18-2020

P Johnson Acct Tech

Signature/Title

Macomb Correctional Facility

Correctional Facility

**Note: Bottom section to be completed by prisoner and sent by prisoner to a Michigan court along with State civil pleading/claim of appeal.**

AFFIDAVIT REGARDING SUSPENSION OF PRISONER FEES/COSTS

1. I am the Plaintiff/Respondent/Appellant in the attached pleading/petition/claim of appeal. *✓ waiver or 100%*
2. I am asking the court for suspension of filing fees and costs because I am indigent as reflected in the Certificate of Prisoner Account Activity and attached computer/print-out.

Prisoner's Signature Michael Ward #128267

Plaintiff-Appellant/Pro-Per

Subscribed and sworn to before me, a Notary Public,

this 19 day of May, 2020

Lisa A. Walsh

My Commission Expires:

LISA A. WALSH  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF MACOMB  
MY COMMISSION EXPIRES Dec 5, 2020  
ACTING IN COUNTY OF

CSJ-276 7/07

D5

Date: 6/9/20

To: Chief Justice

Re: Michael Ward v Atty Griev. Comm'n., et al.,  
MSC: \_\_\_\_\_  
AGC: 20-0107

Dear Clerk & Chief Justice:

ENCLOSED for filing and the CHIEF JUSTICE'S CONSIDERATION, is one (1) original of the below pleading. As indicated below, service has been made upon Dep Clerk Meyer, and the AGC parties:

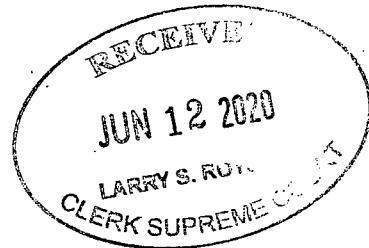
1. PLAINTIFF-APPELLANT'S MOTION FOR RECONSIDERATION; alternate, THAT THE CHIEF JUSTICE EXERCISE SUPERINTENDING CONTROL OVER DEPUTY CLERK INGER Z. MEYER, w/attached Exhibits in support.
2. Certificate/Proof of Service. See, below.

Thank you for your time and assistance in processing this matter. I look forward to hearing from you soon.

Sincerely,

  
Michael Ward #128267  
Macomb Corr Fac  
34625 26 Mile Rd.  
Lenox Twp., MI 48048

Plaintiff-Appellant/Pro-per



CERTIFICATE/PROOF OF SERVICE

I, MICHAEL WARD, having been duly sworn by way of my signature herein below, to certify and declare that on 6/9/20 I placed in the U.S. Mail, 1st class postage prepaid, a copy of the above identified PLAINTIFF-APPELLANT'S MOTION FOR RECONSIDERATION; alt., THAT THE CHIEF JUSTICE EXERCISE SUPERINTENDING CONTROL OVER DEPUTY CLERK INGER Z. MEYER, w/attached exhibits; and the herein Certificate/Proof of Service, addressed to: MSC CHIEF JUSTICE, P.O. Box 30052, Lansing, MI 48909; INGER Z. MEYER, Dep Clerk MSC, P.O. Box 30052, Lansing, MI 48909; MICH. ATTY GRIEVANCE COMM'N., Attn: Michael Goetz (Admin); Robert Edick (Dep Admin); Cynthia Bullington (Asst Dept Admin), Buhl Bldg., 535 Griswold, Suite 1700, Detroit, MI 48226; JOHN S. PALLAS, Asst Mich Atty General, P.O. Box 30217, Lansing, MI 48909.  
MCR 2.114  
28 U.S.C. § 1746

  
Michael Ward #128267  
Affiant  
Plaintiff-Appellant/Pro-per

App't E

State of Michigan  
IN THE SUPREME COURT

MICHAEL WARD #128267,

MSC: \_\_\_\_\_

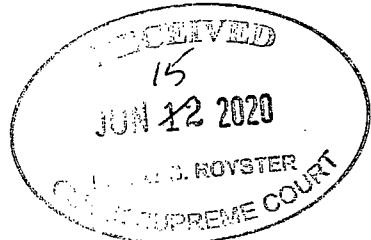
Plaintiff-Appellant,

AGC#: 20-0107

v.

MICH. ATTORNEY GRIEVANCE COMM'N.;  
Michael V. Goetz, AGC Admin.;  
Robert E. Edick, AGC Dep Admin.;  
Cynthia C. Bullington, AGC Asst Dept Admin.;  
JOHN S. PALLAS, Asst Mich Atty Gen.,

Defendants-Appellee's.



PLAINTIFF-APPELLANT'S MOTION FOR RECONSIDERATION,  
alternate,  
THAT THE CHIEF JUSTICE EXERCISE  
SUPERINTENDING CONTROL OVER  
DEPUTY CLERK INGER Z. MEYER

TO: MSC CHIEF JUSTICE

NOW COMES Plaintiff-Appellant, MICHAEL WARD, an indigent/financially destitute state prisoner, proceeding pro-se at this time, and pursuant to the Court's MCR governing reconsideration and superintending control, 1/ moves the Chief Justice to declare MCL 600.2963(8) facially, and/or as applied to this Plaintiff, UNCONSTITUTIONAL, as depriving access to the court, due process and equal protection. This motion is predicated upon the following facts and controlling authorities:

A. See Federal Judge Enslen's concern about depriving indigents of access to the courts, when owing outstanding fees,

1/ It is requested the Chief Justice "liberally construe" the appropriate court rule for him, (People v Wendt, 107 Mich App 269, 273 (1981); Haines v Kerner, 404 U.S. 519, 520-21 (1972)), given extraordinary circumstances beyond his layman status. Specifically, the Macomb Corr Fac (prison) is under COVID 19 lockdown/quarantine status, and as such, Plaintiff has no access to the prison law library; hence, cannot locate or cite the appropriate court rule.

addressing MCL 600.2963(8), and stating: "The court is nevertheless TROUBLED that this prisoner, and others like him, appear to be indigent and appear to have lawsuits dismissed due to FEE BALANCES which they cannot cure given their indigency. Should THIS PATTERN PERSIST, then eventually the U.S. Supreme Court would be obliged to address why defendant judge's are not providing equal access to the courts to indigent prisoners." (Emphasis added.). Bridges v Collette, 2008 U.S. Dist. LEXIS 58, at \*7 (WD Mich.).

1. Service of this motion has been made upon Deputy Clerk Inger Z. Meyer; AGC parties; and John Pallas.

2. On 5/21/20 Plaintiff mailed to the MSC Clerk a Motion to waive or suspend 100% of filing/entry/motion fees, with attachments in support. See, said motion w/attachments, as duplicated and attached hereto, as EXHIBIT "B".

a) Accompanying that motion to waive/suspend fee's, was the primary Complaint for Superintending Control, against AGC, re: AGC #20-0107. A copy of which the Clerk has retained in the Clerk's file.

b) The motion to waive/suspend fee's, and complaint for superintending control was served on all appropriate parties. See, attached Certificate/Proof of Service, EXHIBIT "C".

c) The said motion and complaint was stamped by the Clerk as "received" 5/28/20, and "returned" 6/1/20.

3. On 6/1/20 Deputy Clerk Inger Z. Meyer returned said motion and complaint to Plaintiff. He received it at the prison on 6/4/20. Deputy Clerk Meyer summarily returned, WITHOUT FILING

said motion and complaint for reason: "You have an outstanding balance owed to this Court in Ward v Macomb corr Fac Warden, SC: 157435. Under MCL 600.2963(8) we cannot accept for filing another civil appeal or original action from you until you pay the outstanding balance in that earlier civil matter."

4. It is not that Plaintiff has money to pay fee's, but just chooses not to; rather, as his attached affidavit (EXH. B(4)), and certificate of prison account (EXH. B(5)), clearly demonstrate, he is truly destitute, without any financial means with which to pay current or outstanding fee's. See, attached "Affidavit of Indigency/Inability to Pay Fee's." Therein that affidavit, as corroborated by the certificate of prison account, Plaintiff has \$0.00 average monthly deposit; a NEGATIVE \$-81.77 average monthly account balance; and a \$0.00 spendable.

5. MCL 600.2963(8) is discriminatory because it applies ONLY to "prisoners."

6. The Clerk was put on NOTICE that Plaintiff challenged the "constitutionality" of MCL 600.2963(8), yet took no steps to bring the challenge to the Court's attention, and seek guidance. See, EXH. B(1), p.2, fn.2

7. Based on controlling Federal Authorities, cited in the attached motion (EXH. B-B(3)), and duplicated herein below, summary denial of access to this Court, where Plaintiff has proven by uncontested documentation, his financial inability to pay outstanding fee's, when other wealthy prisoner's who can pay off outstanding fee's are permitted access and the filing of their complaint's in this Court; applying strict scrutiny to MCL

600.2963(8), without exception, as a bar to Plaintiff's access (filing of his motion and complaint), lends to ancillary violations of his constitutional right to Due Process of Law, and Equal Protection/Treatment under the Law. U.S. Const., Am's 1, 5, 14; Mich. Const. 1963, Art. I, §§ 2, 3, 17.

8. MCL 600.2963(8) IS UNCONSTITUTIONAL ON ITS FACE, AND/OR "AS APPLIED" TO THIS PLAINTIFF, WHO HAS DEMONSTRATED HIS FINANCIAL INABILITY TO PAY OUTSTANDING FEE'S:

A) Here, the State of Michigan (Legislature and MSC thru its own rule making), has chose to "establish appellate review," and exercise its discretion in appeals taken from Attorney Grievance Commission (AGC) decisions. Here, the MSC jurisdiction was properly invoked under Mich. Const. 1963, Art. I, § 17; Art. VI, §§ 4, 5, 28; MCR 3.302(D)(1), 7.304(A), 7.306(A)(2), 9.122(A)(2).

a) The right of access to the courts is a "fundamental personal right," and thus a law trammeling upon that right should be examined with strict scrutiny. See, e.g., Harper v. Va. State Bd. of Elections, 383 U.S. 663, 670 (1996)(holding strict applied where the right involved was "fundamental," even though the class of persons affected was otherwise non-suspect).

b) The Supreme Court in Boddie v. Connecticut, 401 U.S. 371 (1971) concluded that DUE PROCESS did prohibit a State from denying, solely because of inability to pay, ACCESS to its courts. Boddie was an action challenging requirements for payment of the court fees and costs for service of process that restricted their access to the courts in an effort to bring an action for divorce. Thus, the Court held that a State court not, consistent with the

obligations imposed on it by the DUE PROCESS CLAUSE of the Fourteenth Amendment, pre-empt the right to dissolve this legal relationship without affording all citizens access to the means it had prescribed for doing so.

In short, the Boddie Court's majority opinion by Harlan, J., held that a State denies due process of law to INDIGENT PERSONS under the Fourteenth Amendment, by refusing to permit them to bring [civil] actions except on payment of court fees and service of process costs which they are UNABLE TO PAY. And see, Tennessee v Lane, 541 U.S. 509, 523 (2004)(The Due Process Clause also requires the States to afford certain civil litigants a meaningful opportunity to be heard by removing obstacles to their full participation in judicial proceedings.).

c) The EQUAL PROTECTION CLAUSE of the Constitution stipulates that "[n]o State shall ... deny within its jurisdiction the equal protection of the laws" and these protections apply equally against acts of State Governments and the Federal Government. U.S. Const., Am 14, § 1; Bolling v Sharpe, 347 U.S. 497, 500 (1954); U.S. v Paradise, 480 U.S. 149, 166 n.16 (1987). In Boddie, Id., Justice Brennan, J. concurred on the ground that while denying indigents access to the courts for non-payment of a fee is a denial of due process, it is also a denial of EQUAL PROTECTION of the laws, and NO DISTINCTION CAN BE DRAWN BETWEEN DIVORCE SUITS AND OTHER ACTIONS. See also, Burns v Ohio, 360 U.S. 252 (1959)(holding that a State cannot require an indigent to pay a filing fee before being allowed to appeal in one of its courts); Bullock v Carter, 405 U.S. 134 (1972); M.L.B. v S.L.J., 519 U.S.

102 (1996); Ross v Moffit, 417 U.S. 600, 611 (1974)(unfairness results if indigents are singled out by the States and denied meaningful access to the appellate system because of their POVERTY). And see, EXH. B(3)(Access to Courts, 52 L Ed 2d 779, 797, § 10 (Right to Waiver of Costs of Seeking Discretionary Review)).

1) Under these equal protection principles, "'all persons subjected to ... legislation shall be treated alike, under like circumstances and conditions, both in the privileges conferred and in the liabilities imposed.'" Enquist v Or. Dept. of Agric., 553 U.S. 591, 602 (2008).

d) Christopher v Harbury, 536 U.S. 403, 413 (2002), the Supreme Court said "In denial-of-access cases challenging fees that POOR plaintiff's cannot afford to pay, the object is an order requiring waiver of a fee to open the courthouse door for desired litigation ...". Finally, in Tessmer v Granholm, 333 F 3d 683, 698 (CA6 2003), the court citing to Burns v Ohio, *supra*, 360 U.S. at 257, reaffirmed that "Once the State chooses to establish appellate review ... it may not foreclose indigents from access to ANY PHASE of that procedure because of their POVERTY." Further, "Appellate process must be fair and may not be implemented in a manner that discriminates based on indigency." Tessmer, at 700.

WHEREFORE, Plaintiff-Appellant requests the Honorable MSC Chief Justice to grant his motion, and:

1. Find and declare MCL 600.2963(8) unconstitutional, both facially, and/or as applied to this financially destitute

Plaintiff prisoner; and,

2. Instruct the Court's Clerk to accept for filing, and to file, Plaintiff-Appellant's Motion to Waive/Suspend Fee's, and Complaint for Superintending Control.

Respectfully submitted

Date: 6/9/20

  
Michael Ward #128267  
Macomb Corr Fac  
34625 26 Mile Rd  
Lenox Twp., MI 48048

Plaintiff-Appellant/Pro-Per

P.O. Box 30052  
Lansing, Michigan 48909



Phone: (517) 373-0120

**Michigan Supreme Court  
Office of the Clerk**

June 1, 2020

Michael Ward, #128267  
Macomb Corr Facility  
34625 26 Mile Rd  
Lenox Twp, MI 48048

Re: Attempt to file complaint for superintending control against AGC re AGC #20-0107

This is in response to papers we recently received from you.

You have an outstanding balance owed to this Court in *Ward v Macomb Corr Facility Warden*, SC 157435. Under MCL 600.2963(8), we cannot accept for filing another civil appeal or original action from you until you pay the outstanding balance in that earlier civil matter.

I've enclosed your papers.

Respectfully,  
/s/ Inger Z. Meyer  
Deputy Clerk

IZM  
Enclosures  
Copy via email: Attorney Grievance Commission; J. Pallas P42512

Eth. A  
App'x E8

State of Michigan  
IN THE SUPREME COURT

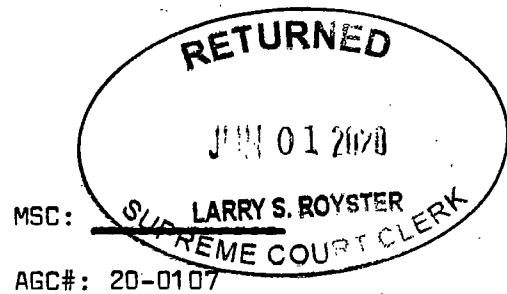
MICHAEL WARD #128267,

Plaintiff-Appellant,

v.

MICH. ATTORNEY GRIEVANCE COMM'N.;  
Michael V. Goetz, AGC Admin.;  
Robert E. Edick, AGC Dep Admin.;  
Cynthia C. Bullington, AGC Asst Dep Admin.;  
JOHN S. PALLAS, Asst Mich Atty Gen.,

Defendants-Appellee's.



APPELLANT'S PRO-SE MOTION  
TO WAIVE OR SUSPEND 100% OF FILING/ENTRY/MOTION FEES <sup>1/</sup>

NOW COMES Appellant, MICHAEL WARD, pro-se, pursuant to MCR 2.002(D), and moves the Court to waive or suspend all fees (filing/entry/motion) during the course of this litigation, for good cause and reason as follows:

1. Appellant is a state prisoner, currently unemployed and without funds or means of access funds with which to pay any portion of any fee. He is truly destitute; yet has a constitutional RIGHT OF ACCESS to the Court. U.S. Const., Am 1, 14; Mich. Const. 1963, art. 1, §§ 2, 3, 17. See, attached affidavit of indigency; and certificate of prison account.

2. The right of access to the courts is a "fundamental personal right," and thus a law trammeling upon that right should be examined with strict scrutiny. See, e.g., Harper v Va. State Bd. of Elections, 383 U.S. 663, 670 (1996) (holding strict applied where the right involved was "fundamental," even though the class of persons affected was otherwise non-suspect).

3. The Supreme Court in Boddie v Connecticut, 401 U.S. 371 (1971) concluded that DUE PROCESS did prohibit a State from denying, solely because of inability to pay, ACCESS to its courts. Boddie was an action challenging requirements for payment of the court fees and costs for service of process that restricted their access to the courts in an effort to bring an action for divorce. Thus, the Court held that a State court not, consistent with the obligations imposed on it by the DUE PROCESS CLAUSE of the Fourteenth Amendment, pre-empt the right to dissolve this legal relationship without affording all citizens access to the means it had prescribed for doing so.

In short, the Boddie Court's majority opinion by Harlan, J., held that a

<sup>1/</sup> See, attached, ACCESS TO COURTS, 52 L Ed 2d 779, 797, § 10 (Right to waiver of costs of seeking discretionary review)

Etn. B  
APPX E9

State denies due process of law to INDIGENT PERSONS under the Fourteenth Amendment, by refusing to permit them to bring [civil] actions except on payment of court fees and service of process costs which they are UNABLE TO PAY. And see, Tennessee v Lane, 541 U.S. 509, 523 (2004)(The Due Process Clause also requires the States to afford certain civil litigants a "meaningful opportunity to be heard" by removing obstacles to their full participation in judicial proceedings.).

4. The EQUAL PROTECTION CLAUSE of the Constitution stipulates that "[n]o State shall ... deny within its jurisdiction the equal protection of the laws" and these protections apply equally against acts of State Governments and the Federal Government. U.S. Const., Am 14, § 1; Bolling v Sharpe, 347 U.S. 497, 500 (1954); U.S. v Paradise, 480 U.S. 149, 166 n.16 (1987). In Boddie, Id., Justice Brennan, J. concurred on the ground that while denying indigents access to the courts for non-payment of a fee is a denial of due process, it is also a denial of EQUAL PROTECTION of the laws, and NO DISTINCTION CAN BE DRAWN BETWEEN DIVORCE SUITS AND OTHER ACTIONS. See also, Burns v Ohio, 360 U.S. 252 (1959)(holding that a State cannot require an indigent to pay a filing fee before being allowed to appeal in one of its courts); Bullock v Carter, 405 U.S. 134 (1972); M.L.B. v S.L.J., 519 U.S. 102 (1996); Ross v Moffit, 417 U.S. 600, 611 (1974)(unfairness results if indigents are singled out by the States and denied meaningful access to the appellate system because of their POVERTY).

a) Under these equal protection principles, "'all persons subjected to ... legislation shall be treated alike, under like circumstances and conditions, both in the privileges conferred and in the liabilities imposed.'" Enquist v Dr. Dept. of Agric., 553 U.S. 591, 602 (2008).

b) See Federal Judge Enslen's concern about depriving indigents of access to the courts, when owing outstanding fees, addressing MCL 600.2963(8), and stating: "The court is nevertheless TROUBLED that this prisoner, and others like him, appear to be indigent and appear to have lawsuits dismissed due to FEE BALANCES which they cannot cure given their indigency. Should THIS PATTERN PERSIST, then eventually the U.S. Supreme Court would be obliged to address why defendant judge's are not providing equal access to the courts to indigent prisoners." (Emphasis added.). Bridges v Collette, 2008 U.S. Dist. LEXIS 58, at \*7 (WD Mich.). <sup>2/</sup>

5. Christopher v Harbury, 536 U.S. 403, 413 (2002), the Supreme Court said "In denial-of-access cases challenging fees that POOR plaintiff's cannot afford

<sup>2/</sup> Insofar as the "outstanding fee" provision of MCL 600.2963(8) is concerned; that provision is UNCONSTITUTIONAL on its face, and/or as applied to this financially destitute prisoner Plaintiff, and this Court should so find/declare, establishing constitutional precedent.

to pay, the object is an an order requiring waiver of a fee to open the courthouse door for desired litigation ...". Finally, in Tessmer v Granholm, 333 F 3d 683, 698 (CA6 2003), the court citing to Burns v Ohio, supra., 360 U.S. at 257, reaffirmed that "Once the State chooses to establish appellate review ... it may not foreclose indigents from access to ANY PHASE of that procedure because of their POVERTY." Further, "Appellate process must be fair and may not be implemented in a manner that discriminates based on indigency." Tessmer, at 700.

WHEREFORE, Appellant respectfully prays the Court grant his motion, and either waive or suspend 100% of any and all fees (filing/entry/motion), in order to afford Appellant his constitutional rights of "access," "due process," and "equal protection" under the law.

Date: 5/21/20

Respectfully submitted,



Michael Ward #128267

Macomb Corr Fac

34625 26 Mile Rd

Lenox Twp., MI 48048

Plaintiff-Appellant/Pro-per

B<sup>2</sup>  
APPX E<sup>1</sup>

## ACCESS TO COURTS

§ 11

52 L Ed 2d 779

appellate review operation of a for review of a complete rec- was requested the absence of review based inpt," consisting idiction, the bailiff's oath, is, and various es of the court, incript of evi- l argument of se, the defend- latter form of nted attorney, quest that he had failed to be defendant's of that his ap- he court noted leprived of all i effective ap- re.

t a state may close indigent any phase of iew, the court 2 US 477, 9 L ld that a state tenth Amend- a indigent de- transcript of : defendant or- behalf, where upreme court he denial of a only if a de- In the instant clined to rep- appeal to the denial of his nobis, believ- unsuccessful, ned to order e defendant's appointment ively preclud- appealing the ie defendant s relief in a sh found that d denied the of the law. In peals' affirm-

ance of that decision, the Supreme Court noted that the state provision in question conferred upon a state officer outside the judicial system power to take from an indigent all hope of any appeal whatsoever, a procedure which, based on indigency alone, did not meet constitutional standards.

§ 10. Right to waiver of costs of seeking discretionary review

It has been held that a state unconstitutionally denies an indigent prisoner access to its appellate procedure where it denies the prisoner an opportunity to seek discretionary review from a state appellate court because the prisoner is unable to pay that court's filing and docket fees.

Thus, in *Burns v Ohio* (1959) 360 US 252, 3 L Ed 2d 1209, 79 S Ct 1164, 10 Ohio Ops 2d 404, 84 Ohio L Abs 570, the court held that a state's refusal to permit an indigent prisoner to seek discretionary review from the state's supreme court because the prisoner was unable to pay that court's filing and docket fees was an unconstitutional denial to the prisoner of access to the state's appellate procedure. Although the state argued that the prisoner had received appellate review of his conviction in the state's court of appeals, the court found that once a state chooses to establish appellate review in criminal cases, it may not foreclose indigents from access to any phase of that procedure because of their poverty, and that this principle is no less applicable where the state has afforded an indigent defendant access to the first phase of its appellate procedure, but has effectively foreclosed access to the second phase of that procedure solely because of the defendant's indigency. Nor did it make any difference that leave to appeal to the state's supreme court was a matter of discretion, the court stated, since indigents must have the same opportunities as nonindigents to invoke the discretion of the state supreme court, there being no rational basis for assuming that indigents' motions for leave to appeal will be less meritorious than those of other defendants.

in which the Supreme Court did not use "right of access" terminology, it was held that a state could not constitutionally require the payment of statutory filing fees by an indigent prisoner before a petition for a writ of habeas corpus or the allowance of an appeal in habeas corpus proceedings would be docketed, since such a requirement would deny the prisoner equal protection of the laws guaranteed by the Fourteenth Amendment, even though habeas corpus may be a civil action for procedural purposes and even though the prisoner might have a remedy in federal court for the vindication of federal rights allegedly denied by the state.<sup>22</sup>

§ 11. Right to counsel in discretionary appeal

The Supreme Court has held that a state's procedure whereby counsel is appointed for an indigent defendant for his initial appeal as a matter of right, but not for subsequent discretionary review in the state's supreme court and, in the Supreme Court of the United States, does not deprive the defendant of meaningful access to the courts.

In *Ross v Moffitt* (1974) 417 US 600, 41 L Ed 2d 341, 94 S Ct 2437, the court held that a state did not deny an indigent defendant adequate access to the appellate system by refusing to appoint counsel to represent him in petitioning the state's supreme court and the Supreme Court of the United States for discretionary review of his conviction. The state permitted all defendants an appeal as of right to an intermediate court of appeals but, except for a limited class of cases within which the defendant's case was not included, permitted review in the state's supreme court only when that court found that (1) the subject matter of the appeal had significant public interest; or (2) the cause involved legal principles of major significance to the jurisprudence of the state; or (3) the decision of the state's court of appeals appeared likely to be in conflict with a decision of

22. *Smith v Bennett* (1961) 365 US 708, 6 L Ed 2d 39, 81 S Ct 895.

☆ COMMENT: In a subsequent case

AFFIDAVIT OF INDIGENCE/INABILITY TO PAY FEES

I, MICHAEL WARD, having been duly sworn, depose and say that I am entitled to relief on the merits of my complaint against the Atty Griev Comm'n.; and further state that I have no funds or means to acquire funds with which to pay any fee, past, present or future, now or in the foreseeable future. In support, I state as follows:

1. Are you presently employed?

Answer: NO - last date of employment: 7/14/05

approx. salary/month: \$500.00 (all used to pay bills)

2. Have you received within the past twelve months, any money from a business, profession, self-employment, rent payments, interest or dividends; pensions, annuities, or life insurance payments; gifts or inheritances, or other source?

Answer: NO

3. Do you own any real estate, stocks, bonds, notes or other valuable property?

Answer: NO

4. Do you own any cash or do you have money in a checking or savings account?

Answer: NO

5. List the persons who are dependent upon you for support; state your relationship to those persons, and indicate how much you contribute toward their support.

Answer: NO DEPENDENTS

6. NOTE: Referring to the attached "certificate of prison account," all monthly prison earnings are collected at the rate of 100% by the Dept of Corrections, and applied toward outstanding debt; leaving me each month with a \$0.00 spendable; and a substantial NEGATIVE average monthly balance of \$ - 81.77. THEREFORE, I am unable to make any initial or partial payment toward any fee, now or in the foreseeable future.

Subscribed & Sworn to before me  
this 19<sup>th</sup> day of May, 2020.

Lisa A. Walsh  
NOTARY PUBLIC

LISA A. WALSH  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF MACOMB  
MY COMMISSION EXPIRES Dec 5, 2020  
ACTING IN COUNTY OF

Michael Ward  
Michael Ward #128267  
Affiant/Appellant

B4  
APPX E13

STATE OF MICHIGAN

CERTIFICATE OF PRISONER ACCOUNT ACTIVITY  
AND AFFIDAVIT REGARDING SUSPENSION OF PRISONER FEES/COSTS

Prisoner-Plaintiff/Petitioner/Appellant name and number  
MICHAEL WARD, #128267

v

Defendant's/Respondent's/Appellee's name  
MICH. ATTY. GRIEVANCE COMM'N;  
MICHAEL V. GOETZ; ROBERT E.  
EDICK; CNYTHIA C. BULLINGTON;  
JOHN S. PALLAS

CERTIFICATE OF PRISONER ACCOUNT ACTIVITY

I am employed by the Michigan Department of Corrections at the facility identified below, at which the prisoner identified as the Plaintiff/Petitioner/Appellant is currently incarcerated.

Attached is a computer printout which accurately reflects the current spendable balance and all activity within this prisoner's account during the preceding twelve months or, if the prisoner has been incarcerated for less than twelve months, for the period of incarceration. Code "C" on the printout represents a withdrawal from the account and code "D" represents a deposit to the account. The attached printout reflects, for the reported period, an average monthly account deposit (i.e., total deposits divided by number of months) of \$0 and an average monthly account balance (i.e., total deposits minus total withdrawals divided by number of months) of -\$81.77. There is a current spendable account balance of \$0

Date: 5-18-2020

P Johnson Acct Tech

Signature/Title

Macomb Correctional Facility  
Correctional Facility

**Note: Bottom section to be completed by prisoner and sent by prisoner to a Michigan court along with State civil pleading/claim of appeal.**

AFFIDAVIT REGARDING SUSPENSION OF PRISONER FEES/COSTS

1. I am the Plaintiff/Respondent/Appellant in the attached pleading/petition/claim of appeal.  
*→ waiver or 100%*
2. I am asking the court for suspension of filing fees and costs because I am indigent as reflected in the Certificate of Prisoner Account Activity and attached computer/print-out.

Michael Ward

Prisoner's Signature Michael Ward #128267  
Plaintiff-Appellant/Pro-Per

Subscribed and sworn to before me, a Notary Public,

this 19 day of May, 2020

My Commission Expires:

LISA A. WALSH  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF MACOMB  
MY COMMISSION EXPIRES Dec 5, 2020  
ACTING IN COUNTY OF

CSJ-276 7/07

B5  
APPX E 14

Date: 5/21/20

Re: Michael Ward v Attorney Grievance Comm'n., et al.,

MSC:

AGC: 20-0107

Dear MSC Clerk:

ENCLOSED for filing and the Court's consideration are one (1) original of the following:

1. Plaintiff-Appellant's Pro-se MOTION to waive or suspend 100% of filing/entry/motion fees, w/affidavit of indigency, and certificate of prison account;

2. COMPLAINT for Superintending Control;

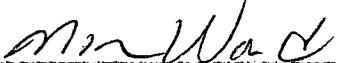
3. BRIEF in support of complaint for superintending control;

4. APPENDIX of Exhibits in support of Complaint/Brief for superintending control;

5. NOTICE of HEARING.

Thank you for your time and assistance in processing this matter.

Sincerely,



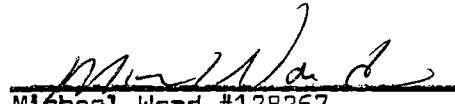
Michael Ward #128267

Macomb Corr Fac  
34625 26 Mile Rd  
Lenox Twp., MI 48048

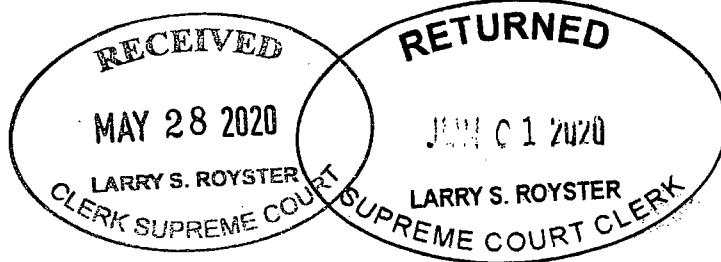
Plaintiff-Appellant/Pro-per

CERTIFICATE/PROOF OF SERVICE

I, MICHAEL WARD, pursuant to MCR 2.114 (and see, 18 USC § 1746), certify and declare that on 5/21/20, I placed a copy of the above identified pleadings #1-5, in the U.S. Mail, 1st class postage prepaid addressed to all party Defendant's of interest: MICHAEL V. GOETZ, AGC Administrator; ROBERT E. EDICK, AGC Dep Admin.; CYNTHIA C. BULLINGTON, AGC Asst Dep Admin.; who are located at: 535 Griswold, Suite 1700, Detroit, MI 48226; and to Defendant JOHN S. PALLAS, Asst Mich. Attorney General, Appellate Div., 525 W. Ottawa St., P.O. Box 30217, Lansing, MI 48909.



Michael Ward #128267  
Plaintiff/Affiant



Eth. C  
APPX E15