

# Order

Michigan Supreme Court  
Lansing, Michigan

August 13, 2020

Bridget M. McCormack,  
Chief Justice

161299 & (7)

David F. Viviano,  
Chief Justice Pro Tem

MARIO MONTANO,  
Plaintiff,

v

SC: 161299

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

COURT OF APPEALS,  
Defendant.

On order of the Court, the motion to dismiss the complaint for superintending control is GRANTED. The case is dismissed.

We conclude that the complaint is frivolous and vexatious. MCR 7.316(C). The plaintiff is ordered to pay the Clerk of this Court \$1,000 within 28 days of the date of this order. We direct the Clerk of this Court not to accept any further filings from the plaintiff in any non-criminal matter until he has made the payment required by this order. We further direct the Clerk of this Court not to accept any documents from the plaintiff that require a fee unless the plaintiff pays the fee at the time of submission.



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 13, 2020

Clerk

b0811

Appendix A

# Order

Michigan Supreme Court  
Lansing, Michigan

September 22, 2020

Bridget M. McCormack,  
Chief Justice

161299(10)

David F. Viviano,  
Chief Justice Pro Tem

MARIO MONTANO,  
Plaintiff,

v

SC: 161299

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

COURT OF APPEALS,  
Defendant.

On order of the Court, the motion for reconsideration of this Court's August 13, 2020 order is considered, and it is DENIED, because we are not persuaded that reconsideration of our previous order is warranted. MCR 7.311(G).



a0921

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.

September 22, 2020

Clerk

Appendix B

### **U.S. Const. Amend. XIV § 1**

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.