

STATE OF MICHIGAN
COURT OF APPEALS

STACY HAWKINS,

Plaintiff-Appellant,

v

R. WILLIAM SCHOOLEY, WASHTENAW
COUNTY PUBLIC DEFENDER'S OFFICE,
ARTHUR JAMES RUBINER, and ARTHUR JAMES
RUBINER, P.C.,

Defendants-Appellees.

UNPUBLISHED

June 24, 1997

No. 192624

Washtenaw Circuit Court

LC No. 95-002116 NO

Before: Gage, P.J., and Reilly and Hoekstra, JJ.

MEMORANDUM.

Plaintiff appeals as of right from the summary dismissal of his legal malpractice action pursuant to MCR 2.116(C)(7), following a determination that his action was time barred. We affirm. This case is being decided without oral argument pursuant to MCR 2.714(E).

Plaintiff failed to file his malpractice action within the requisite period of limitation. MCL 600.5805(4); MSA 27A.5805(4); MCL 600.5838(1); MSA 27A.5838(1); *Gebhardt v O'Rourke*, 444 Mich App 535, 539, 541; 510 NW2d 900 (1994). MCL 600.5851; MSA 27A.5851 does not save plaintiff's action. MCL 600.5851(9); MSA 27A.5851(9); *Fante v Stepek*, 219 Mich App 319, 322-324; ___ NW2d ___ (1996); *Mino v McCarthy*, 209 Mich App 302, 304-305; 530 NW2d 779 (1995); *Evans v Herbert*, 203 Mich App 392, 401-404; 513 NW2d 164 (1994). Moreover, after RJA 5851 was repealed as to prisoners by 1993 PA 283, effective April 1, 1994, plaintiff at best had until March 31, 1995 to file suit, but failed to do so until May 23, 1995.

The trial court correctly denied plaintiff's motion to disqualify the court. Repeated rulings against a litigant, no matter how erroneous, and how vigorously and consistently expressed, do not constitute grounds for disqualification. *Wayne County Prosecutor v Parole Bd*, 210 Mich App 148, 155; 532 NW2d 899 (1995). Moreover, plaintiff failed to show actual bias by the court. *Id.*

Affirmed.

/s/ Hilda R. Gage
/s/ Maureen Pulte Reilly
/s/ Joel P. Hoekstra