

STATE OF MICHIGAN  
COURT OF APPEALS

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STACY HAWKINS,

Plaintiff-Appellant,

v

DEPARTMENT OF CORRECTIONS,

Defendant-Appellee.

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UNPUBLISHED

February 3, 2004

No. 244578

Court of Claims

LC No. 02-000105-MP

Before: Cooper, P.J., and O'Connell and Fort Hood, JJ.

MEMORANDUM.

Plaintiff appeals as of right the order dismissing his claim for failure to comply with MCL 600.5507. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

MCL 600.5507 provides in part:

(2) A prisoner who brings a civil action or appeals a judgment concerning prison conditions shall, upon commencement of the action or initiation of the appeal, disclose the number of civil actions and appeals that the prisoner has previously initiated.

(3) The court shall dismiss a civil action or appeal at any time, regardless of any filing fee that may have been paid, if the court finds any of the following:

\* \* \*

(b) The prisoner fails to comply with the disclosure requirements of subsection (2).

Plaintiff argues that the statute violates the separation of powers doctrine by infringing on our Supreme Court's authority to promulgate rules for the judiciary. We will find that a statute violates the Supreme Court's rule-making authority, Const 1963, art 6, § 5, only if we cannot identify any clear legislative policy that reflects considerations beyond the judicial resolution of litigation. *McDougall v Schanz*, 461 Mich 15, 30; 597 NW2d 148 (1999). Moreover, where no inherent conflict between a statute and court rule exists, we need not decide whether the statute improperly infringes on the court's authority. *Id.*, at 24. We find no inherent conflict here.

Plaintiff also argues that the statute violates principles of equal protection. If a classification is not inherently suspect or a fundamental interest is not involved, courts will use the rational basis test to determine if the classification violates equal protection principles. *People v Pitts*, 222 Mich App 260, 273; 564 NW2d 93 (1997). A statute will be upheld under this test if the classification scheme is rationally related to a legitimate governmental purpose. *Id.* Prisoner status is not a suspect class. *Proctor v White Lake Twp Police Dept*, 248 Mich App 457, 469; 639 NW2d 332 (2001). Special provisions that single out prisoners for disclosure of their previous complaints rationally relates to “the Legislature’s legitimate interest in conserving the scarce governmental resources squandered responding to frivolous [actions] by prisoners.” *Id.*

Affirmed.

/s/ Jessica R. Cooper  
/s/ Peter D. O’Connell  
/s/ Karen M. Fort Hood