

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WALTER JONES,

Plaintiff,

v.

Civil Action No. 05-72817

HONORABLE DENISE PAGE HOOD

**MICHIGAN DEPARTMENT OF
CORRECTIONS, *et al.*,**

Defendants.

ORDER DENYING MOTIONS FOR GUIDANCE

This matter is before the Court on Motions for Guidance¹ filed by non-party Jimmie Nicholas Brzezinski seeking advice as to whether he can move under this case for an order enforcing the injunction issued in this case or whether he should file an original lawsuit.

Plaintiff Walter Jones filed a Complaint on July 19, 2005. On September 28, 2006, the Court entered an Order issuing a preliminary injunction enjoining Defendants from enforcing MDOC PD 05.03.118(HH)(23)(Effective January 1, 2006) pending the resolution of the case. (Doc. #46) On August 31, 2010, the Court entered a Judgment against Plaintiff and an Order dismissing the case for mootness because Defendants eliminated PD 05.03.118(HH)(23) on September 14, 2009. (Doc. # 113) Any preliminary injunction issued by the Court has now been rendered moot and no longer in effect.

As to non-party Brzezinski's Motion for Guidance on how to proceed with his claim, the Court is unable to render any such advise. A court does not render advisory opinions or provide any

¹ The two Motions for Guidance filed are the same motion which was inadvertently filed twice.

party with legal advise. *See, Smith v. Palmer*, 2011 WL 2623301 at *2 (E.D. Mich. Jul. 5, 2011)(citing *McCaskle v. Wiggins*, 465 U.S. 168, 183-84 (1984)(A litigant does not have a constitutional right to receive personal instruction from the trial judge regarding procedures.)).

Accordingly,

IT IS ORDERED that non-party Jimmie Nicholas Brzezinski's Motions for Guidance [Docket Nos. 123 and 124] are DENIED.

IT IS FURTHER ORDERED that any appeal from this Court's Order is frivolous and not taken in good faith. 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 445 (1962), *McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997).

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: March 13, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 13, 2013, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager