

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re: DAVID KERSH,

Case No. 07-12114  
HON. GEORGE CARAM STEEH

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ORDER OF DISMISSAL

This matter has come before the court on petition for writ of habeas corpus filed by David Kersh. The allegations in Mr. Kersh's petition arise from a case he previously litigated in this court, specifically Kersh v. Borden Chemical, et al., Case No. 82-74444. A permanent injunction entered in that case prohibits Mr. Kersh from filing any new actions in this court without following the procedure outlined in the order of June, 10, 1988. Mr. Kersh failed to follow the procedures, including seeking leave of court, before filing his action.<sup>1</sup> Now, therefore,

IT IS HEREBY ORDERED that Petitioner's Petition for Habeas Corpus is DISMISSED.

It is so ordered.

Dated: May 29, 2007

S/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The permanent injunction states at paragraph 4 on page 25 that the Order does not affect Kersh's ability to file a petition for writ of habeas corpus. A petition for writ of habeas corpus is a vehicle to bring a person before a court to test the legality of an arrest or commitment. A petition for writ of habeas corpus is not an appropriate filing under the circumstances presented here. Mr. Kersh is not in prison, nor has he been arrested to the knowledge of the court. Rather, Mr. Kersh's complaints relate to his original action against Borden Chemical, and the various opinions entered in that lawsuit.

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on  
May 29, 2007, by electronic and/or ordinary mail.

s/Josephine Chaffee  
Deputy Clerk