

[Cite as *Henderson v. Saffold*, 2010-Ohio-536.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 94581

PAUL S. HENDERSON

RELATOR

vs.

SHIRLEY S. SAFFOLD, JUDGE

RESPONDENT

**JUDGMENT:
COMPLAINT DISMISSED**

Writ of Procedendo

Order No. 430788

RELEASE DATE: February 17, 2010

FOR RELATOR

Paul S. Henderson, pro se
Inmate No. 88969
Cuyahoga County Jail
P.O. Box 5600
Cleveland, Ohio 44101

ATTORNEY FOR RESPONDENT

William D. Mason
Cuyahoga County Prosecutor
8th Floor Justice Center
1200 Ontario Street
Cleveland, Ohio 44113

SEAN C. GALLAGHER, A.J.:

{¶ 1} Paul S. Henderson has filed a complaint for a writ of procedendo.

For the following reasons, we sua sponte dismiss Henderson's complaint.

{¶ 2} Henderson has failed to include the following with his complaint:

{¶ 3} "(1) a sworn and notarized affidavit that complies with Loc.App.R. 45(B)(1)(a);

{¶ 4} "(2) a sworn and notarized affidavit of indigency that complies with R.C. 2969.25(C);

{¶ 5} "(3) a sworn and notarized affidavit that describes each civil action or appeal filed within the previous five years in any state or federal court, as required by R.C. 2969.25.

{¶ 6} The failure to provide this court with any of the aforesaid sworn affidavits allows for dismissal of the complaint for a writ of procedendo. *State ex rel. Leon v. Cuyahoga Cty. Court of Common Pleas*, 123 Ohio St.3d 124, 2009-Ohio-4688, 914 N.E.2d 402; *Martin v. Woods*, 121 Ohio St.3d 609, 2009-Ohio-1928, 906 N.E.2d 1113; *State ex rel. Davis*, Cuyahoga App. No. 90533, 2008-Ohio-584; *Morris v. Bur. of Sentence Computation*, Cuyahoga App. No. 89517, 2007-Ohio-1444; *State ex rel. McKay v. Corrigan*, Cuyahoga App. No. 88340, 2006-Ohio-4775. See, also, *Humphrey v. Ohio Water Parks, Inc.* (1994), 97 Ohio App.3d 403, 646 N.E.2d 908.

{¶ 7} Accordingly, we sua sponte dismiss Henderson's complaint for a writ of procedendo. Costs to Henderson. It is further ordered that the Clerk of the Eighth District Court of Appeals serve notice of this judgment upon all parties as required by Civ.R. 58(B).

Complaint dismissed.

SEAN C. GALLAGHER, ADMINISTRATIVE JUDGE

LARRY A. JONES, J., and
COLLEEN CONWAY COONEY, J., CONCUR

