

[Cite as *State ex rel. Csanad v. Saffold*, 2017-Ohio-1456.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 105428

**STATE OF OHIO, EX REL.,
ADAM CSANAD**

RELATOR

vs.

HON. SHIRLEY STRICKLAND SAFFOLD

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Procedendo
Motion No. 505044
Order No. 505978

RELEASE DATE: April 14, 2017

FOR RELATOR

Adam Csanad, pro se
Inmate No. A660-494
Grafton Correctional Institution
2500 South Avon Belden Road
Grafton, Ohio 44044

ATTORNEYS FOR RESPONDENT

Michael C. O'Malley
Cuyahoga County Prosecutor
By: James E. Moss
Assistant County Prosecutor
The Justice Center, 8th Floor
1200 Ontario Street
Cleveland, Ohio 44113

KATHLEEN ANN KEOUGH, A.J.:

{¶1} Adam Csanad filed a complaint for a writ of procedendo, seeking an order from this court that requires respondent Judge Shirley Strickland Saffold to issue a ruling on a motion to convert court costs to performing community service filed on April 24, 2015 in the underlying case *State v. Csanad*, Cuyahoga C.P. No. CR-14-581618. On March 2, 2017, respondent moved for summary judgment on the grounds that the matter is moot, which Csanad has not opposed. We grant the motion for summary judgment.

{¶2} Attached to respondent's motion for summary judgment is a copy of a journal entry, file-stamped February 22, 2017, that demonstrates Csanad's motion was ruled upon by the trial court — granting his motion to convert remaining court costs to community service. This journal entry therefore establishes that the request for a writ of procedendo is moot. *State ex rel. Bortoli v. Dinkelacker*, 105 Ohio St.3d 133, 2005-Ohio-779, 823 N.E.2d 448, ¶ 3 (“A writ of procedendo will not issue to compel the performance of a duty that has already been performed.”); *State ex rel. Jerningham v. Cuyahoga Cty. Court of Common Pleas*, 74 Ohio St.3d 278, 658 N.E.2d 723 (1996); *State ex rel. Pettway v. Cuyahoga Cty. Court of Common Pleas*, 8th Dist. Cuyahoga No. 98699, 2012-Ohio-5423, ¶ 2 (trial court's ruling on motion rendered the request for a writ of procedendo moot).

{¶3} Accordingly, the court grants the respondent's motion for summary judgment and denies the writ. Costs assessed against relator; costs waived. The clerk

is directed to serve upon the parties notice of this judgment and its date of entry upon the journal. Civ.R. 58(B).

{¶4} Writ denied.

KATHLEEN ANN KEOUGH, ADMINISTRATIVE JUDGE

MARY J. BOYLE, J., and
SEAN C. GALLAGHER, J., CONCUR