

[Cite as *Whiteside v. Parma Clerk of Courts*, 2002-Ohio-6061.]

COURT OF APPEALS OF OHIO, EIGHTH DISTRICT

COUNTY OF CUYAHOGA

NO. 81446

DANIEL WHITESIDE :
 :
 Relator : PETITION FOR WRIT OF
 :
 vs. : MANDAMUS
 :
 :
 CLERK OF COURTS, CITY :
 OF PARMA :
 :
 Respondent :
 :

JUDGMENT : WRIT DISMISSED.

DATE OF JOURNALIZATION : NOVEMBER 7, 2002
APPEARANCES:

For relator: DANIEL WHITESIDE
Inmate No. 397-392
501 Thompson Road
P.O. Box 8000
Conneaut, Ohio 44030

For respondent: TIMOTHY G. DOBECK
Law Director
BRUCE M. COUREY
Assistant Law Director
City of Parma
6611 Ridge Road
Parma, Ohio 44129

SWEENEY, JAMES D., P.J.:

{¶1} Relator avers that he is a party to proceedings before the Parma Municipal Court. Relator requests that this court compel respondent Clerk of the Parma Municipal Court to provide relator with a time-stamped copy of the motion to dispose of pending misdemeanor probation violation before that court.

{¶2} Respondent has filed a motion to dismiss attached to which are copies of: an August 22, 2002 journal entry in the underlying Parma Municipal Court case granting relator's motion to dispose of pending misdemeanor probation violation; and relator's motion to dispose of pending misdemeanor probation violation filed on November 20, 2001. Relator has not responded to the motion to dismiss.

{¶3} In light of the fact that relator has received the relief he requested, this action in mandamus is moot. Compare *State ex rel. Nelson v. Russo*, 89 Ohio St.3d 227, 2000-Ohio-141, 729 N.E.2d 1181. Accordingly, we grant respondent's motion to dismiss. Relator to pay costs. 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).

Writ dismissed.

JAMES J. SWEENEY, J., and

TERRENCE O'DONNELL, J., CONCUR.

JAMES D. SWEENEY
PRESIDING JUDGE