

[Cite as *State ex rel. Tuttle v. Saffold*, 2002-Ohio-6063.]

COURT OF APPEALS OF OHIO, EIGHTH DISTRICT
COUNTY OF CUYAHOGA
No. 81735

STATE OF OHIO, EX REL : ORIGINAL ACTION
NILES TUTTLE

Relator : JOURNAL ENTRY

vs. : AND

SHIRLEY STRICKLAND SAFFOLD, : OPINION
JUDGE, CUYAHOGA COUNTY, OHIO

Respondent :

:

DATE OF JOURNALIZATION : NOVEMBER 7, 2002

CHARACTER OF PROCEEDING : WRIT OF MANDAMUS

JUDGMENT : WRIT DENIED

APPEARANCES:

For Relator: NILES TUTTLE, Pro Se
Inmate No. 422-274
P.O. Box 8107
Mansfield, Ohio 44901-8197

For Respondent: WILLIAM D. MASON
Cuyahoga County Prosecutor
RENO J. ORADINI, JR.
Assistant County Prosecutor
Justice Center - 9th Floor
1200 Ontario Street
Cleveland, Ohio 44113

ANNE L. KILBANE, J.:

{¶1} Niles Tuttle seeks a writ of mandamus to order Judge Shirley Strickland Saffold to grant jail-time credit in the underlying case of *State v. Tuttle*, Cuyahoga County Court of Common Pleas Case No. CR-405865.

{¶2} Judge Saffold moved for summary judgment and attached as an exhibit a journal entry of October 21, 2002, finding that Tuttle has been granted jail-time credit in the amount of twenty days. Therefore Tuttle's request for a writ of mandamus is moot.¹

{¶3} We grant Judge Saffold's motions for summary judgment. Costs to Tuttle. It is further ordered that the Clerk of the Eighth District Court of Appeals, pursuant to Civ.R. 58(B), shall serve upon all parties notice of this judgment and date of entry.

Writ denied.

JAMES D. SWEENEY, P.J., CONCURS

COLLEEN CONWAY COONEY, J., CONCURS

ANNE L. KILBANE

¹*State ex rel. Gantt v. Coleman* (1983), 6 Ohio St.3d 5, 450 N.E.2d 1163; *State ex rel. Jerningham v. Cuyahoga County Court of Common Pleas* (1996), 74 Ohio St.3d 278, 658 N.E.2d 723.