

[Cite as *State ex rel. Williams v. Donnelly*, 2009-Ohio-3744.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 93419

**STATE OF OHIO, EX REL.,
HUGH WILLIAMS**

RELATOR

vs.

JUDGE MICHAEL DONNELLY

RESPONDENT

**JUDGMENT:
COMPLAINT DISMISSED**

WRIT OF MANDAMUS
MOTION NO. 423674
ORDER NO. 424522

RELEASE DATE: July 29, 2009

FOR RELATOR

Hugh Williams, pro se
Inmate No.552-641
P.O. Box 540
St. Clairsville, Ohio 43950

ATTORNEYS FOR RESPONDENT

William D. Mason
Cuyahoga County Prosecutor

BY: James E. Moss
Assistant County Prosecutor
8th Floor Justice Center
1200 Ontario Street
Cleveland, Ohio 44113

KENNETH A. ROCCO, J.:

{¶ 1} On June 8, 2009, the relator, Hugh Williams, commenced this mandamus action against the respondent, Judge Michael Donnelly, to compel the judge to rule on his motions for jail time credit, filed on October 31, 2008, and April 2, 2009, in the underlying cases, *State v. Hugh Williams*, Cuyahoga County Common Pleas Court Case Nos. CR-501482 and CR-513182. On June 29, 2009, the respondent moved for summary judgment on the grounds of mootness. Attached to the dispositive motion were certified copies of signed and file-stamped June 10, 2009 journal entries granting 131 days of jail time credit in Case No. CR-501482 and 47 days of credit in Case No. CR-513182. Williams did not timely file a response to

the motion for summary judgment. This establishes that the relator has received his requested relief and that the action is, therefore, moot. *State ex rel. Corder v. Wilson* (1991), 68 Ohio App.3d 567, 589 N.E.2d 113.

{¶ 2} Accordingly, the court grants the respondent's motion for summary judgment and dismisses the application for a writ of mandamus. Costs assessed against relator. 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).

KENNETH A. ROCCO, PRESIDING JUDGE

JAMES J. SWEENEY, J., and
LARRY A. JONES, J., CONCUR