

[Cite as *State ex rel. Browder v. Strickland-Saffold*, 2009-Ohio-5388.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
No. 93709

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**STATE OF OHIO, EX REL.,  
JERROD BROWDER, SR.**

RELATOR

vs.

**HON. JUDGE SHIRLEY STRICKLAND-SAFFOLD**

RESPONDENT

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**JUDGMENT:  
WRIT DENIED**

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WRIT OF MANDAMUS  
MOTION NO. 425486  
ORDER NO. 425713

**RELEASE DATE:** October 6, 2009

**FOR RELATOR**

Jerrod Browder, Sr., pro se  
Belmont Correctional Inst.  
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

FRANK D. CELEBREZZE, JR., J.:

{¶ 1} Jerrod Browder has filed a complaint for a writ of mandamus. Browder seeks an order from this court to require Judge Shirley Strickland-Saffold to render a ruling with regard to a motion for jail-time credit, as filed in *State v. Browder*, Cuyahoga County Court of Common Pleas Case No. CR-513986.

{¶ 2} Browder's complaint for a writ of mandamus is moot. Attached to Judge Saffold's motion for summary judgment is a copy of a judgment entry, as journalized on August 19, 2009, which demonstrates that Browder has been granted 33 days of jail-time credit. This court will not compel the performance of a duty that has already been performed. *State ex rel. Snider*

*v. Stapleton* (1992), 65 Ohio St.3d 40, 600 N.E.2d 240; *State ex rel. Richard v. Wells* (1992), 64 Ohio St.3d 76, 591 N.E.2d 1240.

{¶ 3} Accordingly, we grant Judge Saffold's motion for summary judgment. Costs waived. It is further ordered that the Clerk of the Eighth District Court of Appeals serve notice of this judgment upon all parties as mandated by Civ.R. 58(B).

Writ denied.

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FRANK D. CELEBREZZE, JR., JUDGE

CHRISTINE T. MCMONAGLE, P.J., and  
MARY J. BOYLE, J., CONCUR