

[Cite as *State ex rel. Blair v. O'Malley*, 2010-Ohio-1876.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
**No. 94577**

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**STATE OF OHIO, EX REL.  
JULEANDO BLAIR**

RELATOR

vs.

**HONORABLE THOMAS O'MALLEY**

RESPONDENT

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**JUDGMENT:  
WRIT DENIED**

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Writ of Procedendo  
Motion No. 431955  
Order No. 432545

**RELEASE DATE:** April 27, 2010

**FOR RELATOR**

Juleando Blair, pro se  
Inmate No. 544-519  
Mansfield Correctional Institution  
P.O. Box 788  
Mansfield, Ohio 44901

**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

LARRY A. JONES, J.:

{¶ 1} Juleando Blair, the relator, has filed a complaint for a writ of procedendo. Blair seeks an order from this court, which requires Judge Thomas O'Malley, the respondent, to issue a ruling with regard to a motion to vacate or set aside the sentence that was filed in *In re: Juleando Blair*, Cuyahoga County Court of Common Pleas, Juvenile Division, Case No. DL-6109136. Judge O'Malley has filed a motion for summary judgment.

{¶ 2} Attached to the motion for summary judgment is a copy of a judgment entry, as journalized on January 8, 2009, which indicates that a

ruling has been issued by Judge O'Malley with regard to Blair's motion to vacate or set aside sentence. Blair's request for a writ of procedendo is moot.

*State ex rel. Jerningham v. Cuyahoga Cty. Court of Common Pleas*, 74 Ohio St.3d 278, 1996-Ohio-117, 658 N.E.2d 723; *State ex rel. Gantt v. Coleman* (1983), 6 Ohio St.3d 5, 450 N.E.2d 1163. In addition, Blair possesses or possessed an adequate remedy at law vis-a-vis an appeal from the judgment that denied his motion to vacate or set aside sentence. *State ex rel. Hughley v. McMonagle*, 121 Ohio St.3d 536, 2009-Ohio-1703, 905 N.E.2d 1220; *State ex rel. Jaffal v. Calabrese*, 105 Ohio St.3d 440, 2005-Ohio-2591, 828 N.E.2d 107.

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

Writ denied.

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LARRY A. JONES, JUDGE

CHRISTINE T. MCMONAGLE, P.J., and  
JAMES J. SWEENEY, J., CONCUR