

[Cite as *State ex rel. Bradley v. Saffold*, 2012-Ohio-5081.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 98512

**STATE OF OHIO, EX REL.,
HONESTO BRADLEY**

RELATOR

vs.

JUDGE SHIRLEY STRICKLAND SAFFOLD

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Procedendo
Motion No. 456424
Order No. 459431

RELEASE DATE: October 30, 2012

RELATOR

Honesto Bradley, Pro Se
Inmate No. 621-054
2500 South Avon Belden Road
Grafton Correctional Institution
Grafton, Ohio 44044

ATTORNEYS FOR RESPONDENT

Timothy J. McGinty
Cuyahoga County Prosecutor

James E. Moss
Assistant County Prosecutor
9th Floor Justice Center
1200 Ontario Street
Cleveland, Ohio 44113

PATRICIA ANN BLACKMON, A.J.:

{¶1} Honesto Bradley has filed a complaint for a writ of procedendo. Bradley seeks an order from this court, which requires Judge Shirley Strickland Saffold to render a ruling with regard to a motion for jail-time credit filed in *State v. Bradley*, Cuyahoga C.P. No. CR-526262. For the following reasons, we grant Judge Saffold's motion for summary judgment.

{¶2} Initially, we find that Bradley's complaint for a writ of procedendo is procedurally defective. Loc.App.R. 45(B)(1)(a) provides that a complaint for an extraordinary writ must be supported by a sworn affidavit that specifies the details of Bradley's claim. A simple statement that verifies that Bradley has reviewed the complaint and that the contents are true and accurate does not satisfy the mandatory requirement under Loc.App.R. 45(B)(1)(a). *State ex rel. Jones v. McGinty*, 8th Dist. No. 92602, 2009-Ohio-1258; *State ex rel. Mayes v. Ambrose*, 8th Dist. No. 91980, 2009-Ohio-25; *James v. Callahan*, 8th Dist. No. 89654, 2007-Ohio-2237.

{¶3} In addition, Bradley's request for a writ of procedendo is moot. Attached to the motion for summary judgment is a copy of a journal entry that demonstrates Bradley was granted jail-time credit in the amount of 90 days. Judge Saffold has discharged her duty to render a ruling with regard to the motion for jail-time credit that renders the request for a writ of procedendo 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, 6 Ohio St.3d 5, 450 N.E.2d 1163 (1983). It must also be noted that any error associated with the calculation of jail-time credit must be addressed through an appeal. *State ex rel. Britton v. Foley-Jones*, 8th Dist. No. 73646, 1998 Ohio App. LEXIS 856 (Mar. 5, 1998); *State ex rel. Spates v. Sweeney*, 8th Dist. No. 71986, 1997 Ohio App. LEXIS 1516 (Apr. 17, 1997).

{¶4} Accordingly, we grant Judge Saffold's motion for summary judgment. Bradley to pay costs. The court directs the clerk of court to serve all parties with notice of this judgment and its date of entry upon the journal as required by Civ.R. 58(B).

{¶5} Writ denied.

PATRICIA ANN BLACKMON, ADMINISTRATIVE JUDGE

COLLEEN CONWAY COONEY, J., and
KENNETH A. ROCCO, J., CONCUR