

[Cite as *State ex rel. Carpenter v. Maschari*, 2003-Ohio-5179.]

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
ERIE COUNTY

State of Ohio, ex rel.
Michael Carpenter

Court of Appeals No. E-03-041

Relator

v.

Judge Ann B. Maschari,

DECISION AND JUDGMENT ENTRY

Respondent

Decided: September 22, 2003

* * * * *

Thomas Kenneth Lee, for relator.

Kevin J. Baxter, Prosecuting Attorney, for respondent.

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PIETRYKOWSKI, J.

{¶1} This matter is before us on relator Michael Carpenter's petition for a writ of procedendo ordering respondent, Judge Ann B. Maschari, to proceed to final judgment on relator's petition for postconviction relief.

{¶2} It has come to this court's attention that on August 26, 2003, journalized on August 27, 2003, respondent issued her findings of fact, conclusions of law and judgment entry on relator's petition for postconviction relief. Accordingly, we find that relator's petition for a writ of procedendo is moot and denied. Costs of this action are assessed to

relator.

WRIT DENIED.

Peter M. Handwork, P.J.

JUDGE

Mark L. Pietrykowski, J.

JUDGE

Judith Ann Lanzinger, J.
CONCUR.

JUDGE