

[Cite as *Reynolds v. Ivey*, 2018-Ohio-693.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 106608

MAURICE E. REYNOLDS

RELATOR

vs.

WARDEN ERIC IVEY

RESPONDENT

JUDGMENT:
PETITION AND COMPLAINT DISMISSED

Writs of Habeas Corpus and Mandamus
Motion No. 513157
Order No. 514491

RELEASE DATE: February 21, 2018

FOR RELATOR

Maurice E. Reynolds, pro se
Inmate No. 0245823
Cuyahoga County Corrections Center
P.O. Box 5600
Cleveland, Ohio 44113

ATTORNEYS FOR RESPONDENT

Michael C. O'Malley
Cuyahoga County Prosecutor
By: Anthony Thomas Miranda
Assistant County Prosecutor
The Justice Center
1200 Ontario Street, 8th Floor
Cleveland, Ohio 44113

ANITA LASTER MAYS, J.:

{¶1} Maurice E. Reynolds has filed a petition for a writ of habeas corpus and a complaint for a writ of mandamus. Reynolds seeks the dismissal of all charges that are pending in *State v. Reynolds*, Cuyahoga C.P. No. CR-17-613481 and his immediate release from incarceration.

{¶2} A review of the docket in Cuyahoga C.P. No. CR-17-613481 demonstrates that Reynolds entered a plea of guilty to the offenses of attempted felonious assault and arson on January 30, 2018. In addition, Reynolds was released from incarceration and placed on GPS monitoring.¹ A defendant who voluntarily, knowingly, and intelligently admits in open court

¹This court may take judicial notice of findings and judgments rendered in other Ohio cases. *State ex rel. Kolkowski v. Bd. of Commrs. of Lake Cty.*, 11th Dist. Lake No. 2008-L-138, 2009-Ohio-2532, ¶ 38. In addition, judicial notice may be taken of public court records available on the internet. *NorthPoint Properties, Inc. v.*

that he is in fact guilty of the offense with which he is charged, may not thereafter raise independent claims relating to the deprivation of constitutional rights that occurred prior to the entry of the guilty plea. *Tollett v. Henderson*, 411 U.S. 258, 267, 93 S.Ct. 1602, 36 L.Ed.2d 235 (1973). In other words, a voluntary, knowing, and intelligent guilty plea waives any alleged constitutional violations unrelated to the entry of the guilty plea and nonjurisdictional defects in the proceedings. *State v. Ketterer*, 111 Ohio St.3d 70, 2006-Ohio-5283, 855 N.E.2d 48, ¶ 105; *State v. Storms*, 4th Dist. Athens No. 05CA30, 2006-Ohio-3547.

{¶3} Consequently, a guilty plea effectively waives all appealable errors at trial unrelated to the entry of the plea. *Ketterer* at ¶105, quoting *State v. Kelley*, 57 Ohio St.3d 127, 566 N.E.2d 658 (1991), paragraph two of the syllabus. Thus, Reynolds's requests for writs of habeas corpus and mandamus are moot and any defects with regard to the plea of guilty can be raised upon appeal once he has been sentenced. *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); *Henderson v. Saffold*, 8th Dist. Cuyahoga No. 100406, 2014-Ohio-306.

{¶4} Accordingly, we grant the motion to dismiss. Costs to Reynolds. The court directs the clerk of courts to serve all parties with notice of this judgment and the date of entry upon the journal as required by Civ.R. 58(B).

{¶5} Petition and complaint dismissed.

Petticord, 179 Ohio App.3d 342, 350-351, 2008-Ohio-5996, 901 N.E.2d 869 (8th Dist.). See also *State ex rel. Everhart v. McIntosh*, 115 Ohio St.3d 195, 2007-Ohio-4798, 974 N.E.2d 516, ¶ 8, 10 (court can take judicial notice of judicial opinions and public records accessible from the internet).

ANITA LASTER MAYS, JUDGE

SEAN C. GALLAGHER, P.J., and
MELODY J. STEWART, J., CONCUR