

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

Mychal D. Scott

Court of Appeals No. S-09-014

Relator

v.

Judge Harry Sargeant

**DECISION AND JUDGMENT**

Respondent

Decided: May 14, 2009

\* \* \* \* \*

Mychal D. Scott, pro se.

\* \* \* \* \*

OSOWIK, J.

{¶ 1} This matter is before the court on a second complaint for a writ of mandamus filed by relator, Mychal Scott, on April 1, 2009. In his complaint, relator asks this court to compel respondent, Judge Harry Sargeant, to rule on a postconviction motion filed in case number 06 CR 832, on May 5, 2008.

{¶ 2} For the reasons stated in our decision and judgment in case No. S-09-008, we find that relator's complaint in mandamus is defective. Accordingly, the application for a writ of mandamus is dismissed. See *Scott v. Sargeant*, 6th Dist. No. S-09-008, 2009-Ohio-1745. Costs are assessed against relator. The clerk is directed to serve upon the parties notice of this judgment and its date of entry upon the journal pursuant to Civ.R. 5(B).

{¶ 3} It is so ordered.

WRIT DENIED.

Peter M. Handwork, J.

\_\_\_\_\_  
JUDGE

Arlene Singer, J.

\_\_\_\_\_  
JUDGE

Thomas J. Osowik, J.  
CONCUR.

\_\_\_\_\_  
JUDGE

|                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at:<br/><a href="http://www.sconet.state.oh.us/rod/newpdf/?source=6">http://www.sconet.state.oh.us/rod/newpdf/?source=6</a>.</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|