

[Cite as *State ex rel. Cochran v. Gallagher*, 2008-Ohio-5734.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
**No. 91974**

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**STATE OF OHIO, EX REL.,  
ROBERT COCHRAN**

RELATOR

vs.

**HONORABLE HOLLIE L. GALLAGHER**

RESPONDENT

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**JUDGMENT:  
WRIT DENIED**

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WRIT OF MANDAMUS  
MOTION NO. 413154  
ORDER NO. 414780

**RELEASE DATE:** October 31, 2008

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**FOR RELATOR:**

Robert Cochran, pro se  
Inmate No. 512-500  
Trumbull Correctional Inst.  
P.O. Box 901  
Leavittsburg, Ohio 44430

**ATTORNEYS FOR RESPONDENT:**

William D. Mason  
Cuyahoga County Prosecutor

By: Diane Smilanick  
Assistant County Prosecutor  
8th Floor Justice Center  
1200 Ontario Street  
Cleveland, Ohio 44113  
MARY J. BOYLE, J.:

{¶ 1} Robert Cochran seeks a writ of mandamus in order to compel Judge Hollie L. Gallagher to issue findings of fact and conclusions of law with regard to a petition for postconviction relief that was filed in *State v. Cochran*, Cuyahoga County Court of Common Pleas Case No. CR-467979. Judge Gallagher has filed a motion for summary judgment.

{¶ 2} Attached to Judge Gallagher's motion for summary judgment is a copy of the findings of fact and conclusions of law filed in Case No. CR-467979 and journalized on Sept. 10, 2008. Cochran's request for mandamus is now 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.

{¶ 3} Accordingly, Judge Gallagher’s motion for summary judgment is granted. Costs waived. 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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MARY J. BOYLE, JUDGE

COLLEEN CONWAY COONEY, P.J., and  
MARY EILEEN KILBANE, J., CONCUR