

[Cite as *Yevtukh v. Rankin*, 2008-Ohio-6659.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 91157

MIROSLAV YEVTUKH

RELATOR

vs.

**MIKE RANKIN, REGISTRAR OF
MOTOR VEHICLES**

RESPONDENT

**JUDGMENT:
WRIT DISMISSED**

WRIT OF PROHIBITION
MOTION NO. 412789
ORDER NO. 416081

RELEASE DATE: December 12, 2008

ATTORNEY FOR RELATOR:

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By: Dennis P. Smith, Jr.
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JAMES J. SWEENEY, A. J.:

{¶ 1} Relator, Miroslav Yevtukh, avers that he is a commercial truck driver and holds a commercial driver's license ("CDL"). Yevtukh also avers that, on February 13, 2008, respondent -- Mike Rankin, Registrar of the Bureau of Motor Vehicles of the State of Ohio ("BMV") -- issued a "Notice of Disqualification" informing Yevtukh that he was disqualified from operating a commercial motor vehicle.

{¶ 2} Yevtukh requests that this court issue a writ of prohibition preventing respondent registrar from disqualifying Yevtukh and enforcing the disqualification. The effective dates of the disqualification were from: March 14, 2008 to June 12, 2008.

{¶ 3} By entry dated August 4, 2008, this court ordered relator to show cause in writing within ten days why this action is not moot. Relator has not made the requisite filing and respondent has filed a motion to dismiss for failure to prosecute and to enforce the show cause entry.

{¶ 4} Because Yevtukh's disqualification has ended, this action is moot.

{¶ 5} Accordingly, respondent's motion to dismiss is granted. The clerk is directed to serve upon the parties notice of this judgment and its date of entry upon the journal. Civ.R. 58(B). Relator to pay costs.

Complaint dismissed.

JAMES J. SWEENEY,
ADMINISTRATIVE JUDGE

SEAN C. GALLAGHER, J., and
MARY J. BOYLE, J., CONCUR