

[Cite as *Puffenbarger v. Russo*, 2009-Ohio-2366.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 93044

RHIANNON PUFFENBARGER

RELATOR

VS.

HONORABLE NANCY MARGARET RUSSO

RESPONDENT

**JUDGMENT:
WRIT DISMISSED**

WRIT OF PROHIBITION
MOTION NO. 420885
ORDER NO. 422039

RELEASE DATE: May 19, 2009

ATTORNEY FOR RELATOR:

Brendan Delay
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ATTORNEYS FOR RESPONDENT:

William D. Mason
Cuyahoga County Prosecutor

By: James Moss
Assistant County Prosecutor
8th Floor Justice Center
1200 Ontario Street
Cleveland, Ohio 44113

COLLEEN CONWAY COONEY, A.J.:

{¶ 1} On March 26, 2009, relator, Rhiannon Puffenbarger, commenced this action in prohibition against Judge Nancy Margaret Russo and Cuyahoga County to compel her to reinstate Puffenbarger's bond in the matter of *State v. Puffenbarger*, Cuyahoga County Court of Common Pleas, Case No. CR-521198-A. Judge Russo, through the Cuyahoga County Prosecutor's Office, filed a motion for summary judgment on April 14, 2009, to which Puffenbarger did not respond. For the following reason, we sua sponte dismiss the petition.

{¶ 2} A review of the lower court docket indicates that Puffenbarger pled guilty to drug possession and the lower court reinstated Puffenbarger's bond on May 1, 2009. Thus, Puffenbarger's request for a writ of prohibition is moot.

{¶ 3} Accordingly, we deny Judge Russo's motion for summary judgment but sua sponte dismiss the petition. Costs to relator. It is further ordered that the clerk shall serve upon all parties notice of this judgment and date of entry pursuant to Civ.R. 58(B).

Writ dismissed.

COLLEEN CONWAY COONEY,
ADMINISTRATIVE JUDGE

KENNETH A. ROCCO, J., and
MARY J BOYLE, J., CONCUR