

[Cite as *State ex rel. Browder v. Strickland-Saffold*, 2009-Ohio-5388.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 93709

**STATE OF OHIO, EX REL.,
JERROD BROWDER, SR.**

RELATOR

VS.

HON. JUDGE SHIRLEY STRICKLAND-SAFFOLD

RESPONDENT

**JUDGMENT:
WRIT DENIED**

WRIT OF MANDAMUS
MOTION NO. 425486
ORDER NO. 425713

RELEASE DATE: October 6, 2009

FOR RELATOR

Jerrod Browder, Sr., pro se
Belmont Correctional Inst.
P.O. Box 540
St. Clairsville, Ohio 43950

ATTORNEYS FOR RESPONDENT

William D. Mason
Cuyahoga County Prosecutor

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

FRANK D. CELEBREZZE, JR., J.:

{¶ 1} Jerrod Browder has filed a complaint for a writ of mandamus. Browder seeks an order from this court to require Judge Shirley Strickland-Saffold to render a ruling with regard to a motion for jail-time credit, as filed in *State v. Browder*, Cuyahoga County Court of Common Pleas Case No. CR-513986.

{¶ 2} Browder's complaint for a writ of mandamus is moot. Attached to Judge Saffold's motion for summary judgment is a copy of a judgment entry, as journalized on August 19, 2009, which demonstrates that Browder has been granted 33 days of jail-time credit. This court will not compel the performance of a duty that has already been performed. *State ex rel. Snider*

v. Stapleton (1992), 65 Ohio St.3d 40, 600 N.E.2d 240; *State ex rel. Richard v. Wells* (1992), 64 Ohio St.3d 76, 591 N.E.2d 1240.

{¶ 3} Accordingly, we grant Judge Saffold's motion for summary judgment. 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 mandated by Civ.R. 58(B).

Writ denied.

FRANK D. CELEBREZZE, JR., JUDGE

CHRISTINE T. MCMONAGLE, P.J., and
MARY J. BOYLE, J., CONCUR