

[Cite as *State ex rel. Franklin v. Saffold*, 2009-Ohio-5571.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 93581

**STATE OF OHIO, EX REL.,
GENESIS FRANKLIN**

RELATOR

VS.

SHIRLEY STRICKLAND SAFFOLD, JUDGE

RESPONDENT

**JUDGMENT:
WRIT DENIED**

WRIT OF MANDAMUS
MOTION NO. 426041
ORDER NO. 426770

RELEASE DATE: October 19, 2009

FOR RELATOR

Genesis Franklin, pro se
Inmate No. 563-243
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} Genesis Franklin has filed a complaint for a writ of mandamus. Franklin seeks an order from this court, which requires Judge Shirley Strickland Saffold to grant jail-time credit in the criminal actions of *State v. Franklin*, Cuyahoga County Court of Common Pleas Case Nos. CR-512784 and CR-515879. Judge Saffold has filed a motion for summary judgment.

{¶ 2} Attached to the motion for summary judgment are copies of two judgment entries, which demonstrate that Franklin has been granted jail-time credit in both Cuyahoga County Court of Common Pleas Case Nos. CR-512784 and CR-515879. Thus, Franklin's complaint for a writ of

mandamus is moot. *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, pursuant to Civ.R. 58(B), serve notice of this judgment upon all parties.

Writ denied.

FRANK D. CELEBREZZE, JR., JUDGE

PATRICIA A. BLACKMON, P.J., and
JAMES J. SWEENEY, J., CONCUR