

[Cite as *State ex rel. Wood v. Corrigan*, 2010-Ohio-5149.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 95613

**STATE OF OHIO, EX REL.
JOHN WOOD**

RELATOR

VS.

JUDGE PETER J. CORRIGAN, ET AL.

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Procedendo
Motion No. 437847
Order No. 438204

RELEASE DATE: October 19, 2010

FOR RELATOR

John Wood, pro se
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ATTORNEYS FOR RESPONDENT

William D. Mason
Cuyahoga County Prosecutor

By: Charles E. Hannan
Assistant County Prosecutor
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FRANK D. CELEBREZZE, JR., J.:

{¶ 1} Relator, John Wood, requests that this court issue a writ of procedendo compelling respondent magistrate to issue findings of fact and conclusions of law with respect to the denial of his motion for default judgment in *Wood v. Fillinger*, Cuyahoga County Court of Common Pleas Case No. CV-713348. Wood filed a motion for findings of fact and conclusions of law on March 18, 2010. After respondent magistrate had not issued findings of fact and

conclusions of law, respondent judge denied Wood's motion to compel the magistrate to issue findings of fact and conclusions of law.

{¶ 2} Wood commenced this action on August 26, 2010. Respondents have filed a motion for summary judgment attached to which is a copy of the findings of fact and conclusions of law issued by the magistrate and received for filing by the clerk on September 2, 2010. Wood has filed a response and acknowledges that this action is moot.

{¶ 3} Accordingly, respondent's motion for summary judgment is granted. Each party to bear his own costs. 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).

Writ denied.

FRANK D. CELEBREZZE, JR., JUDGE

CHRISTINE T. MCMONAGLE, P.J., and
PATRICIA A. BLACKMON, J., CONCUR