

[Cite as *State ex rel. Haines v. Sutula*, 2011-Ohio-1968.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 96429

STATE OF OHIO, EX REL.,
ANDREW HAINES

RELATOR

vs.

JUDGE JOHN D. SUTULA

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Mandamus
Motion No. 442829
Order No. 442882

RELEASE DATE: April 15, 2011

FOR RELATOR

Andrew Haines
Inmate No. 583246
Oakwood Correctional Facility
3200 North West Road
Lima, Ohio 45801

ATTORNEYS FOR APPELLEE

William D. Mason
Cuyahoga County Prosecutor

BY: James E. Moss
Assistant Prosecuting Attorney
The Justice Center, 8th Floor
1200 Ontario Street
Cleveland, Ohio 44113

LARRY A. JONES, J.:

{¶ 1} Andrew Haines has filed a complaint for a writ of mandamus. Haines seeks an order from this court, which requires Judge John Sutula to render rulings with regard to motions for jail-time credit as filed in the criminal cases of *State v. Haines*, Cuyahoga County Court of Common Pleas Case Nos. CR-484358, CR-482605, CR-480823, CR-520884, and CR-525108.

Haines also seeks an order, which requires Judge Sutula to issue findings of fact and conclusions of law upon disposition of the motions for jail-time credit.

Judge Sutula has filed a motion for summary judgment, which we grant for the following reasons.

{¶ 2} Attached to the Judge Sutula's motion for summary judgment are copies of journal entries, as journalized on March 11, 2011, which demonstrates that Haines has been granted jail-time credit in the amount of 555 days. Haines' request for mandamus is thus moot. *State ex rel. Jerningham v. Cuyahoga Cty. Court of Common Pleas*, 74 Ohio St.3d 278, 1996-Ohio-117, 658 N.E.2d 723; *State ex rel. Gantt v. Coleman* (1983), 6 Ohio St.3d 5, 450 N.E.2d 1163.

{¶ 3} In addition, Judge Sutula possesses no duty to issue findings of fact and conclusions of law upon issuing a ruling with regard to the motions for jail-time credit. *State ex rel. Hudson v. Sutula* (Jan. 14, 2011), Cuyahoga App. No. 96247; *State ex rel. Jefferson v. Russo*, Cuyahoga App. No. 90682, 2008-Ohio-135.

{¶ 4} Accordingly, we grant Judge Sutula's motion for summary judgment. Costs to Sutula. It is further ordered that the Clerk of the Eighth District Court of Appeals serve notice of this judgment upon all parties as required by Civ.R. 58(B).

Writ denied.

LARRY A. JONES, JUDGE

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