

[Cite as *State ex rel. Brock v. McCafferty*, 2011-Ohio-6484.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 97316

**STATE OF OHIO, EX REL.,
CLAUDE BROCK**

RELATOR

vs.

JUDGE BRIDGET MCCAFFERTY

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Prohibition
Motion Nos. 448286
Order No. 450135

RELEASED DATE: December 13, 2011

FOR RELATOR

Claude Brock, pr se
Inmate #A-560-610
North Coast Correctional
Treatment Facility
1800 S. Avon Belden Road
Grafton, OH 44044

ATTORNEY FOR RESPONDENT

William D. Mason
Cuyahoga County Prosecutor

By: James E. Moss
Assistant County Prosecutor
Justice Center, 9th Fl.
1200 Ontario Street
Cleveland, Ohio 44113

MELODY J. STEWART, P.J.:

{¶ 1} On September 15, 2011, the relator, Claude Brock, commenced this mandamus action against the respondent, Judge Bridget McCafferty, to compel her to rule on his motions for jail time credit, filed on December 7, 2010, and June 8, 2011, in the underlying case, *State v. Brock*, Cuyahoga County Common Pleas Court Case No. CR-513753. Brock sought seven days of credit according to his complaint. On October 5, 2011, the respondent's successor judge, moved for summary judgment on the grounds

of mootness.¹ Attached to the dispositive motion was a certified copy of a September 14, 2011 journal entry granting 14 days of jail time credit in the underlying case. Brock never opposed the respondent's motion. This establishes that the relator has received his requested relief, a resolution of his subject motions, and that the action is, therefore, moot. *State ex rel. Corder v. Wilson* (1991), 68 Ohio App.3d 567, 589 N.E.2d 113.

{¶ 2} Accordingly, the court grants the respondent's motion for summary judgment and denies the application for a writ of mandamus. Respondent to pay

{¶ 3} costs. The clerk is directed to serve upon the parties notice of this judgment and

{¶ 4} its date of entry upon the journal. Civ. R.58(B).

Writ denied.

MELODY J. STEWART, PRESIDING JUDGE

JAMES J. SWEENEY, J., and
COLLEEN CONWAY COONEY, J., CONCUR.

¹The motion for summary judgment recognized that Judge Michael Astrab is the successor to Judge McCafferty.