

[Cite as *State ex rel. McMichael v. Saffold*, 2013-Ohio-1568.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
No. 99626

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**STATE OF OHIO, EX REL.,  
BRIAN MCMICHAEL**

RELATOR

vs.

**SHIRLEY STRICKLAND SAFFOLD, JUDGE**

RESPONDENT

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**JUDGMENT:  
WRIT DENIED**

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Writ of Mandamus  
Motion No. 463445  
Order No. 463660

**RELEASE DATE:** April 15, 2013

**FOR RELATOR**

Brian McMichael  
Inmate No. 632-186  
Marion Correctional Institution  
P.O. Box 57  
Marion, Ohio 43301

**ATTORNEYS FOR APPELLEE**

Timothy J. McGinty  
Cuyahoga County Prosecutor

BY: James E. Moss  
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Cleveland, Ohio 44113

LARRY A. JONES, SR., P.J.:

{¶1} Brian McMichael has filed a complaint for a writ of mandamus. McMichael seeks an order from this court that requires Judge Shirley Strickland-Saffold to issue a ruling with regard to a motion for jail-time credit that was filed in *State v. McMichael*, Cuyahoga C.P. No. CR-555981. In addition, McMichael seeks findings of fact and conclusions of law with regard to his motion for jail-time credit. We decline to issue a writ of mandamus on behalf of McMichael.

{¶2} Attached to Judge Saffold's motion for summary judgment is a copy of a journal entry journalized on March 14, 2013, which demonstrates that a ruling has been rendered with regard to McMichael's motion for jail-time credit. The request for a writ of mandamus is moot. *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*, 6 Ohio St.3d 5, 450 N.E.2d 1163 (1983). In addition, Judge Saffold possesses no clear duty to render findings of fact and conclusions of law with regard to ruling on McMichael's motion for jail-time credit. *State ex rel. Haines v. Sutula*, 8th Dist. No. 96429, 2011-Ohio-1968; *State ex rel. Jefferson v. Russo*, 8th Dist. No. 90682, 2008-Ohio-135.

{¶3} Accordingly, we grant Judge Saffold's motion for summary judgment. Costs to McMichael. The courts directs the clerk of court to serve all parties with notice of this judgment and its date of entry upon the journal as required by Civ.R. 58(B).

{¶4} Writ denied.

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LARRY A. JONES, SR., PRESIDING JUDGE

KATHLEEN ANN KEOUGH, J., and  
PATRICIA ANN BLACKMON, J., CONCUR