

[Cite as *State ex rel. Warren v. Friedland*, 2013-Ohio-2102.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 99541

**STATE OF OHIO, EX REL.,
JEROME WARREN**

RELATOR

vs.

CAROLYN B. FRIEDLAND, C.P. JUDGE

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Mandamus
Motion No. 463037
Order No. 463915

RELEASE DATE: May 22, 2013

FOR RELATOR

Jerome Warren, pro se
Inmate No. 631-319
Richland Correctional Institution
P.O. Box 8107
Mansfield, Ohio 44901

ATTORNEYS FOR RESPONDENT

Timothy J. McGinty
Cuyahoga County Prosecutor

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

KENNETH A. ROCCO, J.:

{¶1} On February 15, 2013, the relator, Jerome Warren, commenced this mandamus action against the respondent, Judge Carolyn B. Friedland, to compel her to rule on Warren's motions for 85 days of jail-time credit, filed on December 6, 2012, in the underlying cases, *State v. Warren*, Cuyahoga C.P. Nos. CR-560296 and CR-560298. On March 5, 2013, the respondent moved for summary judgment on the grounds of mootness. Attached to the dispositive motion were certified copies of March 4, 2013 journal entries granting 84 days of jail-time credit in the underlying cases. This establishes that Warren has received his requested relief. *State ex rel. Corder v. Wilson*, 68 Ohio App.3d 567, 589 N.E.2d 113 (10th Dist.1991). It also appears that Warren has fully served his sentence because of the jail-time credit. A review of the Ohio Department of Rehabilitation and Correction's website showed that the Department had adjusted Warren's release date to March 13, 2013, after the respondent had granted the additional credit and released him to the supervision of the Adult Parole Authority. This action is moot.

{¶2} Accordingly, the court grants the respondent's motion for summary judgment and denies the application for a writ of mandamus. Each side to bear their 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).

{¶3} Writ denied.

KENNETH A. ROCCO, JUDGE

FRANK D. CELEBREZZE, JR., P.J., and
SEAN C. GALLAGHER, J., CONCUR