

[Cite as *State ex rel. Brown v. Corrigan*, 2014-Ohio-2067.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 101065

**STATE OF OHIO, EX REL.
DEMETRIUS BROWN**

RELATOR

vs.

JUDGE PETER CORRIGAN

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Procedendo
Motion No. 473367
Order No. 474148

RELEASE DATE: May 12, 2014

FOR RELATOR

Demetrius Brown, pro se
No. 502-975
P.O. Box 7010
Chillicothe, Ohio 45601

ATTORNEYS FOR RESPONDENT

Timothy J. McGinty
Cuyahoga County Prosecutor
BY: James E. Moss
Assistant County Prosecutor
9th Floor Justice Center
1200 Ontario Street
Cleveland, Ohio 44113

MARY J. BOYLE, A.J.:

{¶1} Relator, Demetrius Brown, petitions this court to compel respondent judge to dispose of his motion for jail-time credit filed in *State v. Brown*, Cuyahoga C.P. No. CR-05-464069-A, on February 3, 2014.

{¶2} Respondent has filed a motion for summary judgment citing numerous procedural deficiencies in Brown's petition and also attaching a copy of a journal entry issued by respondent that granted Brown's motion for jail-time credit on February 11, 2014. Specifically, respondent asserts that Brown failed to comply with the requirements of R.C. 2969.25(C), Civ.R. 10, Loc.App.R. 45, and R.C. 2969.25. Relator has not opposed respondent's motion. Respondent's motion for summary judgment is granted based on the procedural deficiencies in Brown's petition. Further, Brown is not entitled to a writ of procedendo because the action is 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*, 6 Ohio St.3d 5, 450 N.E.2d 1163 (1983).

{¶3} Accordingly, respondent's motion for summary judgment is granted. Relator to pay 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.

MARY J. BOYLE, ADMINISTRATIVE JUDGE

PATRICIA ANN BLACKMON, J., and
TIM McCORMACK, J., CONCUR