

[Cite as *State ex rel. Jackson v. Calabrese*, 2014-Ohio-3827.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
No. 101556

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**STATE OF OHIO, EX REL.,  
LAWRENCE B. JACKSON**

RELATOR

VS.

**JUDGE DEENA R. CALABRESE**

RESPONDENT

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**JUDGMENT:  
WRIT DENIED**

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Writ of Mandamus  
Motion No. 476793  
Order No. 477321

**RELEASE DATE:** September 3, 2014

**RELATOR**

Lawrence B. Jackson, pro se  
Inmate No. 621-066  
Lake Erie Correctional Institution  
501 Thompson Road  
Conneaut, Ohio 44030

**ATTORNEYS FOR RESPONDENT**

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

MARY EILEEN KILBANE, J.:

{¶1} Lawrence B. Jackson has filed a complaint for a writ of mandamus. Jackson seeks an order from this court that requires Judge Deena R. Calabrese to issue a journal entry with regard to the denial of a motion to suppress filed in *State v. Jackson*, Cuyahoga C.P. No. CR-554303. Judge Calabrese has filed a motion for summary judgment, which we grant for the following reasons.

{¶2} Initially, we find that Jackson has failed to provide a statement that sets forth the balance in his inmate account for the preceding six months as certified by the institutional cashier. *See* R.C. 2969.25(C). Jackson's failure to comply with the mandatory requirement of R.C. 2969.25(C) renders his complaint defective and thus subject to dismissal. *State ex rel. Gooden v. Kagel*, 138 Ohio St.3d 343, 2014-Ohio-869, 6 N.E.2d 1170.

{¶3} In addition, Jackson's request for a writ of mandamus is moot. Attached to the motion for summary judgment is a copy of a judgment entry, journalized on September 9, 2011, which demonstrates that Jackson's motion to suppress was denied.

{¶4} Finally, the transcript of proceedings, attached to Jackson's complaint as Appendix A, demonstrates that Judge Calabrese stated her factual findings on the record, thus complying with any need for rendering findings of fact and conclusions of law.

This court has previously held that a defendant is not prejudiced by a trial court's failure to comply with a defendant's request for findings of fact on the court's

suppression ruling where the record provides an appellate court with a sufficient basis to review a defendant's assignments of error. *See State v. King*, 136 Ohio App.3d 377, 381, 736 N.E.2d 921 (8th Dist.1999); *State v. Almalik*, 41 Ohio App.3d 101, 534 N.E.2d 898 (8th Dist. 1987); *State v. Fannin*, 8th Dist. Cuyahoga No. 79991, 2002-Ohio-6312; *Parma v. Reschke*, 8th Dist. Cuyahoga No. 58015, 1991 Ohio App. LEXIS 644 (Feb. 14, 1991); *Geraci v. Maddalena*, 8th Dist. Cuyahoga No. 47964 (Oct. 25, 1984).

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

{¶6} Writ denied.

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MARY EILEEN KILBANE, JUDGE

EILEEN A. GALLAGHER, J., and  
KATHLEEN ANN KEOUGH, P.J., CONCUR