

[Cite as *State ex rel. Howard v. Buchanan*, 2014-Ohio-5158.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 101898

STATE OF OHIO, EX REL., LEDON HOWARD

RELATOR

vs.

JUDGE A. DEANE BUCHANAN

RESPONDENT

JUDGMENT:
COMPLAINT DISMISSED

Writ of Mandamus
Motion No. 478812
Order No. 479729

RELEASE DATE: November 19, 2014

FOR RELATOR

LeDon Howard, pro se
Inmate #642-368
Lake Erie Correctional Institution
P.O. Box 8000
Conneaut, OH 44030

ATTORNEY FOR RESPONDENT

L. James Juliano
Nicola, Gudbranson & Cooper
Acting Law Director, City of Cleveland Heights
40 Severence Circle
Cleveland Heights, OH 44118

SEAN C. GALLAGHER, J.:

{¶1} LeDon Howard has filed a complaint for a writ of mandamus. Howard seeks an order from this court that requires Judge A. Deane Buchanan to render a ruling with regard to a motion to dismiss as filed in Cleveland Heights M.C. No. TRC-12-02898.¹ Judge Buchanan has filed a motion to dismiss.

{¶2} Attached to the motion to dismiss is a copy of a judgment, as journalized on September 24, 2014, that indicates Howard's motion to dismiss was granted. Thus, Howard's complaint for a writ of mandamus is moot. *State ex rel. Jerningham v. Cuyahoga Cty. Court of Common Pleas*, 74 Ohio St.3d 278, 658 N.E.2d 723 (1996); *State ex rel. Gantt v. Coleman*, 6 Ohio St.3d 5, 450 N.E.2d 1163 (1983).

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

{¶4} Complaint dismissed.

SEAN C. GALLAGHER, JUDGE

FRANK D. CELEBREZZE, JR., P.J., and
KATHLEEN ANN KEOUGH, J., CONCUR

¹ Judge Buchanan, through his motion to dismiss, has indicated that the caption of the complaint for a writ of mandamus is incorrect and should read "A. Deane Buchanan."