

[Cite as *State ex rel. Henderson v. Sutula*, 2015-Ohio-322.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 102120

STATE OF OHIO, EX REL.
TROY HENDERSON

RELATOR

vs.

HONORABLE JOHN SUTULA, JUDGE

RESPONDENT

JUDGMENT:
WRIT DENIED

Writ of Procedendo
Motion Nos. 479837 and 481460
Order No. 481842

RELEASE DATE: January 27, 2015

FOR RELATOR

Troy Henderson, pro se
11040 Clark Road
Chardon, OH 44024

ATTORNEYS FOR RESPONDENT

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Cuyahoga County Prosecutor
By: Charles E. Hannan
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SEAN C. GALLAGHER, J.:

{¶1} Troy Henderson has filed a complaint for a writ of procedendo. Henderson seeks an order from this court that requires Judge John Sutula to render rulings with regard to a motion for leave to amend complaint and motions for summary judgment filed in *Henderson v. Allamby*, Cuyahoga C.P. No. CV-13-803590. Judge Sutula has filed a motion for summary judgment, which we grant for the following reasons.

{¶2} Attached to Judge Sutula's motion for summary judgment are copies of judgment entries, as journalized on December 9, 2014, which demonstrate that rulings have been rendered with regard to Henderson's motion to amend complaint and motions for summary judgment. Thus, the complaint for a writ of procedendo 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 Sutula's motion for summary judgment. Costs to Judge Sutula. 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} Writ denied.

SEAN C. GALLAGHER, JUDGE

FRANK D. CELEBREZZE, JR., A.J., and
TIM McCORMACK, J., CONCUR