

[Cite as *State ex rel. Pagan v. Saffold*, 2015-Ohio-326.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
No. 102324

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STATE OF OHIO, EX REL.  
JOSE PAGAN

RELATOR

vs.

CUYAHOGA COUNTY COURT JUDGE  
SHIRLEY S. SAFFOLD

RESPONDENT

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**JUDGMENT:**  
WRIT DENIED

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Writ of Procedendo  
Motion No. 481271  
Order No. 481885

**RELEASE DATE:** January 27, 2015

**RELATOR**

Jose Pagan, pro se  
#604-307, Grafton Correctional Institution  
2500 S. Avon Belden Road  
Grafton, Ohio 44044

**ATTORNEYS FOR RESPONDENT**

Timothy J. McGinty  
Cuyahoga County Prosecutor  
By: James E. Moss  
Assistant County Prosecutor  
8th Floor Justice Center  
1200 Ontario Street  
Cleveland, Ohio 44113

EILEEN A. GALLAGHER, P.J.:

{¶1} On December 10, 2014, the relator, Jose Pagan, commenced this procedendo action against the respondent, Cuyahoga County Common Pleas Court Judge Shirley Strickland Saffold, to compel the court to rule on his motion to vacate void sentence that he filed in the underlying case, *State v. Pagan*, Cuyahoga C.P. No. CR-11-546295-A on May 12, 2014. On December 19, 2014, the respondent moved for summary judgment on the grounds of mootness. A review of the docket in the underlying case shows that the court issued a journal entry on December 17, 2014, denying the subject motion. This journal entry establishes that Pagan has received his requested relief, a ruling on his motion, and that the court has proceeded to judgment on the matter. Pagan never filed a response to the summary judgment motion. Thus, this procedendo action is moot.

{¶2} Accordingly, the court grants the respondent's motion for summary judgment and denies the writ. Costs assessed against respondent; costs waived. 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.

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EILEEN A. GALLAGHER, PRESIDING JUDGE

PATRICIA ANN BLACKMON, J., and  
MELODY J. STEWART, J., CONCUR