

[Cite as *State ex rel. Madison v. McDonnell*, 2015-Ohio-4693.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 101481

STATE OF OHIO, EX REL.
MICHAEL MADISON

RELATOR

vs.

HONORABLE NANCY R. MCDONNELL

RESPONDENT

JUDGMENT:
WRIT DENIED

Writ of Prohibition
Motion No. 475515
Order No. 490360

RELEASE DATE: November 6, 2015

ATTORNEYS FOR RELATOR

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ANITA LASTER MAYS, J.:

{¶1} Relator, Michael Madison, filed a writ of prohibition seeking an order directing respondent Judge McDonnell to rescind an order that was journalized in *State v. Madison*, Cuyahoga C.P. No. CR-579539 on June 3, 2014, that would require relator to submit to a psychological examination. Relator also commenced a direct appeal challenging the same trial court order, which was assigned appeal number 101478 in this court. Relator indicated he was pursuing this writ of prohibition as an alternate remedy to the direct appeal and in the event that the direct appeal was dismissed for lack of a final, appealable order. This court has exercised jurisdiction over the direct appeal and has issued a decision on the merits. *State v. Madison*, 8th Dist. Cuyahoga No. 101478, 2015-Ohio-4365, ¶ 5. Therefore, relator has an adequate remedy at law that precludes this action. *State ex rel. Bevins v. Cooper*, 138 Ohio St.3d 275, 277 2014-Ohio-544, 6 N.E.3d 33 (“mandamus and prohibition will not lie where there is an adequate remedy at law.”)

{¶2} Accordingly, respondent’s motion for summary judgment is granted.

{¶3} Writ denied.

ANITA LASTER MAYS, JUDGE

EILEEN A. GALLAGHER, P.J., and
MARY EILEEN KILBANE, J., CONCUR