

[Cite as *State ex rel. Littlejohn v. Saffold*, 2017-Ohio-1059.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 105292

**STATE OF OHIO, EX REL.
DONTA D. LITTLEJOHN**

RELATOR

vs.

JUDGE SHIRLEY STRICKLAND SAFFOLD

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Mandamus
Motion No. 503775
Order No. 504799

RELEASE DATE: March 21, 2017

FOR RELATOR

Donta D. Littlejohn
Inmate No. A682805
1001 Olivesburg Road
Mansfield, Ohio 44901

ATTORNEYS FOR RESPONDENT

Michael C. O'Malley
Cuyahoga County Prosecutor
By: James E. Moss
Assistant County Prosecutor
The Justice Center, 8th Floor
1200 Ontario Street
Cleveland, Ohio 44113

EILEEN A. GALLAGHER, J.:

{¶1} On December 23, 2016, the relator, Donta Littlejohn, commenced this mandamus action against the respondent, Judge Shirley Strickland Saffold, to compel the judge to resolve the petition for judicial release, which Littlejohn filed on June 10, 2016, in the underlying case, *State v. Littlejohn*, Cuyahoga

C.P. No. CR-15-601868-A. On January 20, 2017, the respondent, through the Cuyahoga County Prosecutor, moved for summary judgment on the grounds of mootness. Attached to the dispositive motion was a copy of a signed and file-stamped December 27, 2016 journal entry denying Littlejohn's motion for judicial release. This attachment establishes that the judge has fulfilled her duty to resolve the petition and that Littlejohn has received his requested relief, a ruling on his petition. Littlejohn never filed a response to the dispositive motion. This case is moot.

{¶2} Accordingly, this court grants the respondent judge's motion for summary judgment and denies the application for a writ of mandamus. Relator to pay costs; costs waived. This court directs the clerk of courts to serve all parties notice of this judgment and its date of entry upon the journal as required by Civ.R. 58(B).

{¶3} Writ denied.

EILEEN A. GALLAGHER, JUDGE

LARRY A. JONES, SR., P.J., and
EILEEN T. GALLAGHER, J., CONCUR