

STATE OF OHIO)
)ss:
COUNTY OF SUMMIT)

IN THE COURT OF APPEALS
NINTH JUDICIAL DISTRICT

ALI SYED

C.A. No. 24457

Appellant

v.

KIM WHEELER and
PATRICK GRAY

APPEAL FROM JUDGMENT
ENTERED IN THE
AKRON MUNICIPAL COURT
COUNTY OF SUMMIT, OHIO
CASE No. 2008-CVG-11136

Appellees

DECISION AND JOURNAL ENTRY

Dated: July 29, 2009

DICKINSON, Presiding Judge.

{¶1} Syed Ali has appealed from a decision of the Akron Municipal Court that refused to grant him a writ of restitution for property located at 1643 Brieding Road, Akron, Ohio. At oral argument, Mr. Ali acknowledged that the defendants vacated the property and he regained possession of it during January 2009.

{¶2} “A forcible entry and detainer action decides the right to immediate possession of property and ‘nothing else.’” *Goldstein v. Patel*, 9th Dist. Nos. 02CA008183, 02CA008199, 2003-Ohio-4386, at ¶4 (quoting *Seventh Urban Inc. v. Univ. Circle Prop. Dev. Inc.*, 67 Ohio St. 2d 19, 25 n.11 (1981)). “Once the landowner has been restored to his property, the forcible entry and detainer action becomes moot because there is no further relief that may be granted to the landowner.” *Id.* (citing *United States Sec’y of Hous. And Urban Dev. v. Chancellor*, 8th Dist. No. 73970, 1999 WL 126170 at *1 (Feb. 25, 1999)).

{¶3} This matter is moot. Accordingly, it is dismissed.

Appeal dismissed.

Immediately upon the filing hereof, this document shall constitute the journal entry of judgment, and it shall be file stamped by the Clerk of the Court of Appeals at which time the period for review shall begin to run. App.R. 22(E). The Clerk of the Court of Appeals is instructed to mail a notice of entry of this judgment to the parties and to make a notation of the mailing in the docket, pursuant to App.R. 30.

Costs taxed to appellant.

CLAIR E. DICKINSON
FOR THE COURT

WHITMORE, J.
BELFANCE, J.
CONCUR

APPEARANCES:

SYED ALI, pro se, appellant.

THOMAS WALTERS, attorney at law, for appellees.