

[Cite as *State ex rel. Willis v. Russo*, 2012-Ohio-2215.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 97818

STATE EX REL. RONALD WILLIS

RELATOR

vs.

JUDGE JOHN J. RUSSO

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Mandamus
Motion No. 451532
Order No. 454870

RELEASE DATE: May 15, 2012

FOR RELATOR

Ronald Willis, Pro Se
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Mansfield, Ohio 44901

ATTORNEYS FOR RESPONDENT

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Cuyahoga County Prosecutor
By: James E. Moss, Esq.
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KATHLEEN ANN KEOUGH, J.:

{¶1} Relator, Ronald Willis, requests that this court compel respondent judge to rule on his motion for jail-time credit filed in *State v. Willis*, Cuyahoga C.P. Nos. CR-493477, CR-494145, and CR-517491 on July 11, 2011.

{¶2} Respondent has filed a motion for summary judgment attached to which are copies of journal entries issued by respondent and received for filing by the clerk on January 13, 2012 in which respondent granted relator a total of 90 days jail-time credit. Willis has opposed the motion and challenges the number of days jail-time credit.

{¶3} Respondent argues that this action in mandamus is moot. We agree. Willis has or had an adequate remedy by way of appeal to challenge the number of days. *See, e.g., State ex rel. Menefee v. Burnside*, 8th Dist. No. 95747, 2010-Ohio-6034.

{¶4} Accordingly, respondent's motion for summary judgment is granted. Relator to pay costs. 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).

{¶5} Writ denied.

KATHLEEN ANN KEOUGH, JUDGE

PATRICIA ANN BLACKMON, A.J., and

SEAN C. GALLAGHER, J., CONCUR