

**COURT OF APPEALS OF OHIO**

**EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA**

STATE EX REL., MAYSHAUN HALL, :  
Relator, :  
v. : No. 112494  
HON. KATHLEEN SUTULA, :  
Respondent. :

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JOURNAL ENTRY AND OPINION

**JUDGMENT: WRIT DISMISSED**

**DATED: May 16, 2023**

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Writ of Mandamus  
Motion No. 563405  
Order No. 563895

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***Appearances:***

Russell S. Bensing, *for relator.*

Michael C. O'Malley, Cuyahoga County Prosecuting Attorney, and James E. Moss, Assistant Prosecuting Attorney, *for respondent.*

KATHLEEN ANN KEOUGH, P.J.:

{¶ 1} On March 9, 2023, the relator, Mayshaun Hall, commenced this mandamus action against the respondent, Judge Kathleen Sutula, to compel the judge to rule on a motion to withdraw guilty plea, which he filed on May 2, 2022, in

the underlying case, *State v. Hall*, Cuyahoga C.P. No. CR-19-637420-A. On April 5, 2023, the respondent judge moved for summary judgment on the grounds of mootness. Attached to the dispositive motion was a copy of a certified journal entry, file stamped March 31, 2023, denying the subject motion. Hall has not filed a response, and the court notes that he appealed the subject ruling on April 18, 2023, *State v. Hall*, 8th Dist. Cuyahoga No. 112626. The March 31, 2023 journal entry establishes that Hall has received his requested relief and that the respondent judge has fulfilled her duty to rule on the subject motion. This writ action is moot.

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

{¶ 3} Writ dismissed.

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KATHLEEN ANN KEOUGH, PRESIDING JUDGE

EMANUELLA D. GROVES, J., and  
MARY J. BOYLE, J., CONCUR

