

COURT OF APPEALS OF OHIO

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

STATE EX REL., RONALD E. HENDERSON,	:	
Relator,	:	No. 113694
v.	:	
JUDGE KELLY ANN GALLAGHER,	:	
Respondent.	:	

JOURNAL ENTRY AND OPINION

JUDGMENT: WRIT DISMISSED

DATED: April 24, 2024

Writ of Procedendo
Motion No. 572914
Order No. 573451

Appearances:

Ronald E. Henderson, *pro se*.

Michael C. O'Malley, Cuyahoga County Prosecuting
Attorney, and Regina A. Russo, Assistant Prosecuting
Attorney, *for respondent*.

EMANUELLA D. GROVES, J.:

{¶ 1} On March 4, 2024, the relator, Ronald Henderson, commenced this procedendo action against the respondent, Judge Kelly Ann Gallagher, to compel the judge to rule on Henderson's November 6, 2023, motion to vacate the denial of

his motion for default judgment, which he filed in the underlying case, *Henderson v. Jacobs*, Cuyahoga C.P. No. CV-23-973448. On March 14, 2024, the respondent moved to dismiss on the grounds of mootness. Attached to the dispositive motion was a copy of certified journal entry, file stamped March 7, 2024, in the underlying case, denying the subject motion. This journal entry establishes that Henderson has received his requested relief, a ruling on his motion, and that this procedendo action is moot. Henderson never filed a response to the motion to dismiss. Instead, on March 27, 2024, Henderson appealed the denial of his motion to vacate. *Henderson v. Jacobs*, 8th Dist. Cuyahoga No. 113769.

{¶ 2} Accordingly, the court grants the respondent's motion to dismiss and dismisses the writ. Each side to bear its own 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).

{¶ 3} Writ dismissed.



EMANUELLA D. GROVES, JUDGE

LISA B. FORBES, P.J., and
MICHAEL JOHN RYAN, J., CONCUR