

[Cite as *State ex rel. Williams v. Sutula*, 2012-Ohio-5704.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
No. 98827

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STATE OF OHIO EX REL.  
WILLIS F. WILLIAMS

RELATOR

vs.

HONORABLE JOHN D. SUTULA

RESPONDENT

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JUDGMENT:  
WRIT DENIED

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Writ of Procedendo  
Motion No. 459576  
Order No. 460140

**RELEASE DATE:** November 30, 2012  
**FOR RELATOR**

Willis F. Williams, pro se  
Inmate No. 155-394  
Richland Correctional Institution  
P.O. Box 8107  
Mansfield, Ohio 44901

**ATTORNEYS FOR RESPONDENT**

Timothy J. McGinty  
Cuyahoga County Prosecutor  
BY: James E. Moss  
Assistant County Prosecutor  
9th Floor Justice Center  
1200 Ontario Street  
Cleveland, Ohio 44113

MARY J. BOYLE, J.:

{¶1} Willis F. Williams has filed a complaint for a writ of procedendo. Williams seeks an order from this court that requires Judge John D. Sutula to render rulings with regard to a “motion for leave to file delayed motion for new trial pursuant to Ohio Criminal Rule 33(B)” and a “motion for leave to file supplemental authority and to supplement the record instanter”

as filed in *State v. Williams*, Cuyahoga C.P. No. CR-048025. Judge Sutula has filed a motion for summary judgment, which is granted.

{¶2} Williams’s request for a writ of procedendo is moot. Attached to the motion for summary judgment is a copy of a judgment entry, as journalized on October 17, 2012, which demonstrates that Williams’s “motion for leave to file delayed motion for new trial pursuant to Ohio Criminal Rule 33(B)” and a “motion for leave to file supplemental authority and to supplement the record instanter” were denied. *State ex rel. Jerningham v. Cuyahoga Cty. Court of Common Pleas*, 74 Ohio St.3d 278, 1996-Ohio-117, 658 N.E.2d 723; *State ex rel. Snider v. Stapleton*, 65 Ohio St.3d 40, 600 N.E.2d 240 (1992); *State ex rel. Richard v. Wells*, 64 Ohio St.3d 76, 591 N.E.2d 1240 (1992); *State ex rel. Gantt v. Coleman*, 6 Ohio St.3d 5, 450 N.E.2d 1163 (1983).

{¶3} Accordingly, we grant the motion for summary judgment. Judge Sutula to pay costs. Costs ordered waived. The court directs the clerk of the court to serve all parties with notice of this judgment and its date of entry upon the journal as required by Civ.R. 58(B).

{¶4} Writ denied.

PATRICIA ANN BLACKMON, A.J., and  
COLLEEN CONWAY COONEY, J., CONCUR