

[Cite as *State ex rel. Compton v. Sutula*, 2012-Ohio-1209.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 97808

**STATE OF OHIO, EX REL.,
JOHN COMPTON**

RELATOR

vs.

JUDGE JOHN D. SUTULA

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Mandamus
Motion Nos. 451937 and 452367
Order No. 452794

RELEASED DATE: March 21, 2012

FOR RELATOR

John Compton
35864 Chestnut Ridge
N. Ridgeville, OH 44039

ATTORNEYS FOR RESPONDENT

William D. Mason
Cuyahoga County Prosecutor

By: James E. Moss
The Justice Center
1200 Ontario Street, 9th Fl.
Cleveland, OH 44113

PATRICIA ANN BLACKMON, A.J.:

{¶1} John Compton has filed a complaint for a writ of mandamus. Compton seeks an order from this court, which requires Judge John Sutula to render a ruling with regard to the following motions as filed in the underlying action of *State v. Compton*, Cuyahoga Cty. Court of Common Pleas Case No. CR-451212: (1) motion for order to comply with plea bargain, filed on August 4, 2011; (2) motion requesting the trial court to revisit a previously filed motion to dismiss under R.C. 2945.71, filed on August 16, 2010; and (3) a motion for findings of fact and conclusions of law with regard to jurisdiction, filed on October 4, 2011. Judge Sutula has filed a motion for summary judgment, which we grant for the following reasons.

{¶2} Compton's request for a writ of mandamus is moot. Attached to the motion for summary judgment are copies of journal entries, as journalized on January 31, 2012, and February 1, 2012, which demonstrate that rulings have been rendered with regard to the motion for the court to revisit the previously filed motion to dismiss, the motion for order to comply with plea bargain agreement, and the motion for findings of fact and conclusions of law. There remains no motions pending before Judge Sutula, as filed by Compton in CR-451212. *State ex rel.*

Jerningham v. Cuyahoga Cty. Court of Common Pleas, 74 Ohio St.3d 278, 658 N.E.2d 723 (1996); *State ex rel. Gantt v. Coleman*, 6 Ohio St.3d 5, 450 N.E.2d 1163 (1983).

{¶3} Accordingly, we grant Judge Sutula's motion for summary judgment. Costs to Compton. It is further ordered that the Clerk of the Eighth District Court of Appeals serve notice of this judgment upon all parties as required by Civ.R. 58(B).

Writ denied.

PATRICIA ANN BLACKMON, ADMINISTRATIVE JUDGE

LARRY A. JONES, SR., J., and
EILEEN A. GALLAGHER, J., CONCUR