

[Cite as *State ex rel. Bandy v. Villanueva*, 2012-Ohio-1551.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 97870

**STATE OF OHIO, EX REL.,
WILLIE BANDY**

RELATOR

vs.

JUDGE JOSE VILLANUEVA

RESPONDENT

**JUDGMENT:
WRIT DENIED**

Writ of Mandamus
Motion Nos. 452029, 452313,
452332, and 452333
Order No. 453717

RELEASE DATE: April 3, 2012

FOR RELATOR

Willie Bandy, pro se
Inmate No. 431-465
Grafton Correctional Institution
2500 South Avon Belden Road
Grafton, OH 44044

ATTORNEYS FOR RESPONDENT

William D. Mason
Cuyahoga County Prosecutor

By: James E. Moss
Assistant County Prosecutor
Justice Center, 9th Floor
1200 Ontario Street
Cleveland, Ohio 44113

FRANK D. CELEBREZZE, JR., P.J.:

{¶1} Relator, Willie Bandy, requests that this court compel respondent judge to rule on twelve motions in *State v. Bandy*, Cuyahoga County Court of Common Pleas Case No. CR-417888.

{¶2} Respondent filed a motion to dismiss attached to which is a copy of a journal entry issued by respondent and received for filing by the clerk on February 3, 2012 in which respondent disposed of all twelve motions. Previously, this court granted respondent's motion to convert the motion to dismiss to a motion for summary judgment. Relator has not opposed the motion. Respondent argues that this action in mandamus is, therefore, moot. We agree.

{¶3} Accordingly, respondent's motion to dismiss, which we converted to a 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).

Writ denied.

FRANK D. CELEBREZZE, JR., J., PRESIDING JUDGE

**JAMES J. SWEENEY, J., and
KENNETH A. ROCCO, J., CONCUR**