

COURT OF APPEALS OF OHIO, EIGHTH APPELLATE DISTRICT, COUNTY
OF CUYAHOGA

State ex rel. Rainey v. Vodrey

2026-Ohio-2329 · No. 116304 · Decided June 17, 2026

SUMMARY

The Eighth District Court of Appeals dismissed Jared Rainey’s complaint for a writ of procedendo against Judge William L. Vodrey. The court held that the request was moot because the judge had already ruled on Rainey’s motion for jail-time credit, and further held that the complaint failed to comply with R.C. 2969.25(A) and (C).

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, County of Cuyahoga
WRITING FOR THE COURT	Deena R. Calabrese; Sean C. Gallagher; Kathleen Ann Keough
JURISDICTION	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
DECIDED	June 17, 2026
DOCKET	116304
DISPOSITION	dismissed
PROCEDURAL POSTURE	Relator sought a writ of procedendo compelling a trial judge to rule on a motion for jail-time credit. The respondent moved to dismiss, and the Court of Appeals granted the motion.
STANDARD OF REVIEW	The court resolved the procedendo complaint on the respondent’s motion to dismiss and applied the legal requirements governing extraordinary writs and R.C. 2969.25 compliance.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Jared Rainey v. William L. Vodrey

TOPICS

- mootness
- appellate procedure
- remedies
- criminal procedure
- civil procedure

PRACTICE AREAS

- civil procedure
- appellate procedure
- criminal procedure
- extraordinary writs

QUESTIONS PRESENTED

1. Whether a writ of procedendo could issue when the respondent judge had already ruled on the motion for jail-time credit.
2. Whether the court could use an extraordinary writ to correct an alleged error in the calculation of jail-time credit.
3. Whether failure to comply with the mandatory filing requirements of R.C. 2969.25(A) and (C) required dismissal of the procedendo complaint.

HOLDINGS

1. The request for a writ of procedendo was moot because the respondent judge had already performed the duty that the writ sought to compel.
2. An extraordinary writ may not be used to correct an error in calculating jail-time credit; such an error must be challenged by direct appeal.
3. Failure to file the affidavit of prior civil actions required by R.C. 2969.25(A) and the certified institutional cashier's statement required by R.C. 2969.25(C) required dismissal of the procedendo complaint.

KEY QUOTATIONS

"Procedendo will not compel the performance of a duty that has already been performed."

"The requirements of R.C. 2969.25 are mandatory, and the failure to provide this court with an affidavit of prior civil actions and a certified institutional cashier's statement requires dismissal of Rainey's complaint for procedendo."

FACTUAL BACKGROUND

Rainey sought a writ requiring Judge William L. Vodrey to rule on Rainey's motion for jail-time credit in *State v. Rainey*. The record showed that Judge Vodrey had already issued a ruling on the motion on April 16, 2023. Rainey also failed to file an affidavit identifying prior civil actions and failed to provide a certified institutional cashier's statement concerning his inmate account.

PROCEDURAL HISTORY

Rainey filed a complaint for a writ of procedendo concerning a motion for jail-time credit in his criminal case. The respondent submitted a judgment entry showing that the requested ruling had already been issued, and moved to dismiss. The appellate court dismissed the complaint as moot and for failure to comply with the mandatory filing requirements of R.C. 2969.25(A) and (C).

DISPOSITION

dismissed

CASES CITED

- State ex rel. Ames v. Pokorny, 2021-Ohio-2070, ¶ 7
- Thompson v. Donnelly, 2018-Ohio-4073, ¶ 5
- State ex rel. S.Y.C. v. Floyd, 2020-Ohio-5189, ¶ 9 (8th Dist.)
- State ex rel. Sullivan v. Cuyahoga Cty. Court of Common Pleas, 2023-Ohio-318, ¶ 3 (8th Dist.)
- State ex rel. Washington v. Ohio Adult Parole Auth., 87 Ohio St. 3d 258, 258 (1999)
- State ex rel. Zanders v. Ohio Parole Bd., 82 Ohio St. 3d 421, 422 (1998)
- State ex rel. Watkins v. Andrews, 2015-Ohio-1100, ¶ 8
- Fuqua v. Williams, 2003-Ohio-5533, ¶ 9

OPINION

State ex rel. Rainey v. Vodrey

2026 Ohio 2329

PER CURIAM.

[Cite as State ex rel. Rainey v. Vodrey, 2026-Ohio-2329.]

COURT OF APPEALS OF OHIO

EIGHTH APPELLATE DISTRICT

COUNTY OF CUYAHOGA

STATE EX REL. JARED RAINEY, : Relator, : No. 116304 v. : WILLIAM L. VODREY, :
Respondent. :

JOURNAL ENTRY AND OPINION

JUDGMENT: COMPLAINT DISMISSED

DATED: June 17, 2026 Writ of Procedendo Order No. 596145 Motion No. 594149 Appearances: Jared Rainey, pro se. Michael C. O'Malley, Cuyahoga County Prosecuting Attorney, and Bridget E. Dever, Assistant Prosecuting Attorney, for respondent. DEENA R. CALABRESE, J.: Jared Rainey, the relator, has filed a complaint for a writ of procedendo. Rainey seeks an order from this court that compels Judge William L. Vodrey, the respondent, to render a ruling with regard to a motion for jail-time credit filed in State v. Rainey, Cuyahoga C.P. No. CR-22-673724. Judge Vodrey has filed a motion to dismiss the complaint for procedendo that is granted. Attached to the motion to dismiss the complaint for procedendo is a copy of a judgment entry, journalized April 16, 2023, which demonstrates Judge Vodrey has issued a ruling with regard to Rainey's motion for jail-time credit. Relief is unwarranted because the request for a writ of procedendo, with regard to the motion for jail-time credit, is moot. Procedendo will not compel the performance of a duty that has already been performed. State ex rel. Ames v. Pokorny, 2021-Ohio- 2070, ¶ 7; Thompson v. Donnelly, 2018-Ohio-4073, ¶ 5; State ex rel. S.Y.C. v. Floyd, 2020-Ohio-5189, ¶ 9 (8th Dist.). It must also be noted that this court will not issue an extraordinary writ in order to correct any error associated with the calculation of jail-time credit. Any error associated with the calculation of jail-time credit must be addressed through a direct appeal. State ex rel. Sullivan v. Cuyahoga Cty.

Court of Common Pleas, 2023-Ohio-318, ¶ 3 (8th Dist.). Finally, we find that Rainey's complaint for a writ of procedendo fails to comply with R.C. 2969.25(A) and (C). Specifically, Rainey failed to file an affidavit of prior civil actions as required by R.C. 2969.25(A). In addition, Rainey has failed to provide a certified copy of the institutional cashier's statement, where he is incarcerated, setting forth the balance in his inmate account as required by R.C. 2969.25(C). The requirements of R.C. 2969.25 are mandatory, and the failure to provide this court with an affidavit of prior civil actions and a certified institutional cashier's statement requires dismissal of Rainey's complaint for procedendo. *State ex rel. Washington v. Ohio Adult Parole Auth.*, 87 Ohio St.3d 258, 258 (1999); *State ex rel. Zanders v. Ohio Parole Bd.*, 82 Ohio St.3d 421, 422 (1998). The failure to comply with R.C. 2969.25(A) and (C) cannot be cured by amendment or later filings. *State ex rel. Watkins v. Andrews*, 2015-Ohio-1100, ¶ 8; *Fuqua v. Williams*, 2003- Ohio-5533, ¶ 9. Accordingly, we grant Judge Vodrey's motion to dismiss. Costs waived. The court directs the clerk of courts to serve all parties with notice of this judgment and date of entry upon the journal as required by Civ.R. 58(B). Complaint dismissed. _____

DEENA R. CALABRESE, JUDGE

SEAN C. GALAGHER, P.J., and

KATHLEEN ANN KEOUGH, J., CONCUR