

No. 1-14-3678

**NOTICE:** This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

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IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST JUDICIAL DISTRICT

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THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellee,	)	Cook County.
	)	
v.	)	No. 11 C4 40348
	)	
CHRISTIE CARVER,	)	Honorable
	)	Geary Kull,
Defendant-Appellant.	)	Judge Presiding.

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JUSTICE DELORT delivered the judgment of the court.  
Presiding Justice Rochford and Justice Hoffman concurred in the judgment.

**ORDER**

¶ 1 **Held:** We dismiss defendant’s appeal where we cannot address her claim that the trial court erroneously assessed certain pecuniary penalties against her because it is outside the scope of our jurisdiction.

¶ 2 Defendant Christie Carver appeals from the denial of her *pro se* “motion for order *nunc pro tunc*.” Defendant contends, for the first time on appeal, that the trial court erroneously assessed certain pecuniary penalties against her, and that she is entitled to \$5 per-day custody

credit to offset fines imposed by the trial court pursuant to section 110-14(a) of the Code of Criminal Procedure of 1963 (725 ILCS 5/110-14(a) (West 2012)). We dismiss defendant's claims for lack of jurisdiction.

¶ 3 Defendant pled guilty to retail theft on January 31, 2013, in exchange for one year in prison. The court awarded defendant 86 days of presentence custody credit, and assessed her \$709 in various fines and fees. The court also ordered that her sentence in this case run consecutively to her seven-year sentence imposed for vehicular hijacking under case number 12 CR 3781. The record does not show that defendant filed a motion to withdraw her plea or otherwise attempted to perfect an appeal from it.

¶ 4 On September 24, 2014, defendant filed a *pro se* "motion for order *nunc pro tunc*," requesting that the trial court correct her mittimus by indicating that her "86 days credit is consecutive to case 12 CR 3781." The circuit court denied defendant's motion on October 10, 2014.

¶ 5 On November 20, 2014, defendant filed a notice of appeal listing the "nature of order appealed from" as "Jail Mail/*Nunc Pro Tunc*." In the notice of appeal, she listed October 14, 2014, as the date of the order from which she was appealing. The record does not show that the circuit court entered any order on October 14, 2014. Instead, the record shows that the clerk of the circuit court notified defendant of the denial of her motion for order *nunc pro tunc* on that date. We thus assume that, in filing her notice of appeal, defendant intended to appeal from the October 10, 2014 order.

¶ 6 On June 17, 2015, this court, on its own motion, ordered that the State Appellate Defender be appointed to represent defendant. In so ordering, we stated that it appeared that a

notice of appeal was filed on November 20, 2014, and that no counsel appeared of record on behalf of defendant in this court.

¶ 7 On appeal, defendant has abandoned her claim for presentence custody credit. Instead, she only challenges certain pecuniary penalties imposed by the trial court, and maintains that she is entitled to \$5 per-day custody credit to offset fines imposed by the trial court pursuant to section 110-14(a) of the Code.

¶ 8 We cannot address defendant's claims because they are outside the scope of our jurisdiction. See *People v. Smith*, 228 Ill. 2d 95, 106 (2008) (whether or not the issue of jurisdiction has been raised by the parties, we have an independent duty to consider our own jurisdiction). The appellate court's jurisdiction is limited to the judgment specified in the notice of appeal. *People v. Carter*, 91 Ill. App. 3d 635, 638 (1980). "Illinois courts have held that a notice of appeal confers jurisdiction on a court of review to consider only the judgments or parts thereof specified in the notice of appeal." *Smith*, 228 Ill. 2d at 104. Moreover, pursuant to Supreme Court Rule 303(b)(2) (eff. Jan. 1, 2015), generally, when an appeal is taken from a specific judgment, this court acquires no jurisdiction to review other judgments, or parts of judgments, not specified or inferred from the notice of appeal. *People v. Willis*, 2016 IL App (1st) 142346, ¶ 2.

¶ 9 The pecuniary penalties now challenged by defendant were entered by the trial court following defendant's plea of guilty on January 31, 2013. Defendant's notice of appeal clearly shows that she was attempting to appeal the circuit court's denial of her *pro se* "motion for order *nunc pro tunc*," which requested that her mittimus be corrected regarding her credit for time served. Even viewing defendant's notice of appeal liberally (*Smith*, 228 Ill. 2d at 104), we

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cannot infer from it a challenge to the pecuniary penalties entered following defendant's plea of guilt. We thus have no jurisdiction to address defendant's contentions on appeal.

¶ 10 For the foregoing reasons, we dismiss defendant's appeal for lack of jurisdiction.

¶ 11 Appeal dismissed.