

SUPREME COURT OF ILLINOIS

COURT CONVENEED AT 9:30 A.M., WEDNESDAY, NOVEMBER 12, 2003

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 89037 - Earnest Johnson et al., appellees, v. K Mart Corporation, appellant.

Appellant's status of bankruptcy filed pursuant to this Court order of September 10, 2003.

Appellees' status of bankruptcy filed pursuant to this Court's order of September 10, 2003.

On the Court's own motion, the parties shall submit to this Court on or before December 17, 2003, statements on the current status of the bankruptcy stay in this case.

Order entered by the Court.

No. 92332 - People State of Illinois, respondent, v. Lopez House, petitioner.

Motion by petitioner, pro se, to clarify this Court's order entered on October 7, 2003. Motion denied.

Order entered by the Court.

No. 94362 - People State of Illinois, respondent, v. Ordell Nelson, petitioner.

Motion by petitioner, pro se, for clarification of this Court's order entered on October 7, 2003. Motion denied.

Order entered by the Court.

No. 96240 - People State of Illinois, respondent, v. Robert Davis, petitioner.

Motion by petitioner for leave to file a motion for reconsideration of the order denying petition for leave to appeal. Motion denied.

Order entered by the Court.

No. 96424 - People State of Illinois, respondent, v. George Ross, petitioner.

Motion by petitioner for leave to file a motion for reconsideration of the order denying petition for leave to appeal. Motion denied.

Order entered by the Court.

No. 97018 - Cecil S. Sutherland, movant, v. Hon. Terry H. Gamber, Judge of the 2nd Judicial Circuit, et al., respondents.

Motion by respondents to reconsider this Court's order of October 15, 2003, allowing movant's motion for supervisory a order. Motion denied.

Order entered by the Court.

#### PEOPLE'S DOCKET

No. 96773 - In re Robert S., etc. (People State of Illinois, appellee, v. Robert S., appellant).

Motion by appellant for an extension of time for filing brief to and including December 11, 2003. Motion allowed.

Order entered by Justice Thomas.

No. 97116 - Ronald Hinton, movant, v. Hon. James M. Schreier, Judge of the Circuit Court of Cook County, respondent.

Motion by movant for a supervisory order. Motion denied.

Order entered by the Court.

#### CIVIL DOCKET

No. 96581 - John "Jerry" Zaabel, petitioner, v. Hon. James J. Konetski, Associate Judge of the 18th Judicial Circuit, et al., respondents.

Motion by petitioner, pro se, for leave to file a response instanter to respondent Doris L. Kunz' motion to dismiss the petition for writ of prohibition. Motion allowed.

Order entered by Justice Thomas.

No. 97229 - Detra W., movant, v. Appellate Court of Illinois, First Judicial District, Second Division, respondents.

Motion by movant for a supervisory order. Motion denied.

Order entered by the Court.

LEAVE TO APPEAL DOCKET

No. 97176 - The Department of Transportation, etc., petitioner, v. Dale K. Hunziker, etc., et al., respondents.

Motion by petitioner for leave to file petition for leave to appeal or appeal as a matter of right instant. Motion allowed.

Order entered by the Court.

No. 97256 - People State of Illinois, respondent, v. Robert D. Carpenter, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by Justice Kilbride.

MISCELLANEOUS RECORD

M.R. 3033 - In re: Recall of Retired Judge.

With the consent of Retired Circuit Judge Dennis L. Schwartz that he be recalled effective December 1, 2003, to hold court in the Circuit Court of the Seventh Judicial Circuit through November 30, 2004;

And the Supreme Court having determined that the public necessity so requires;

It is ordered that the above-named judge is recalled to serve for the period indicated above and that he shall receive compensation for such active service at the rate normally paid Circuit Judges of the State of Illinois.

Order entered by the Court.

M.R.12788 - In re: Appellate Court Opinion.

Request of Appellate Court Justice Robert J. Steigmann to publish an opinion in excess of the 20 page limit in the case of In re: Detention of Erbe, Appellate Court No. 4-02-0764. Request allowed.

Order entered by the Court.

THE FOLLOWING MOTIONS WERE PRESENTED AND ORDERS WERE ENTERED AS INDICATED:

ADVISEMENT DOCKET

No. 73451 - People State of Illinois, appellee, v. Evan Griffith, appellant.

Motion by appellant to release the record on appeal for the purpose of filing in the appellate court as a supplemental record in appellant's pending post-conviction appeal. Motion allowed. The record shall be returned to the Clerk of the Supreme Court in Springfield within 35 days of the date of this order.

Order entered by Justice Garman.

Nos. 93678 - Stephen Young, etc., et al., appellees, v. Bryco  
93685 Arms et al., appellants.  
93728  
Cons.

Motion by appellees for leave to cite supplemental authority instant. Motion denied.

Order entered by Justice Garman.

No. 95462 - Advanced Imaging Center of Northern Illinois Limited Partnership v. George E. Cassidy, appellant (Spiros Gerolimatos, appellee).

Motion by appellee to dismiss the appeal as moot and for sanctions under Supreme Court Rule 375.

No. 96201 - People State of Illinois, respondent, v. David A. Moore, petitioner.

Motion by petitioner, pro se, for leave to file a motion for reconsideration of the order denying petition for leave to appeal.

No. 96655 - Rock Island County Sheriff Michael Grchan et al., petitioners, v. American Federation of State, County and Municipal Employees, etc., et al., respondents.

Motion by respondent American Federation of State, County and Municipal Employees, AFL-CIO, Local 2025, Counsel 31, for leave to file a motion for reconsideration of this Court's of October 7, 2003.

Motion by respondent American Federation of State, County and Municipal Employees, AFL-CIO, Local 2025, Council 31, to stay this Court's mandate pending disposition of the motion for leave to file a motion for reconsideration of this Court's order of October 7, 2003. Motion allowed.

Order entered by Justice Kilbride.

No. 96730 - People State of Illinois, respondent, v. Travis T. Dortch, etc., petitioner.

Petition by petitioner, pro se, for leave to file petition for discretionary review. Petition denied.

Order entered by Justice Kilbride.

#### PEOPLE'S DOCKET

No. 95713 - People State of Illinois, appellee, v. Ernest Thompson, appellant.

Motion by appellee for leave to cite additional authority instanter. Motion allowed.

Order entered by Justice Garman.

No. 96218 - People State of Illinois, appellant, v. Boris P. Bonutti, appellee.

Motion by appellant for an extension of time for filing brief to and including December 16, 2003. Motion allowed.

Order entered by Justice Rarick.

No. 96563 - People State of Illinois, appellant, v. Melody T. Burdunice, appellee.

Motion appellee for an extension of time for filing brief to and including December 11, 2003. Motion allowed.

Order entered by Justice Kilbride.

CIVIL DOCKET

No. 95590 - Patrick C. Arvia, appellee, v. James Ryan, etc., et al., appellants.

Motion by appellee for an extension of time for filing brief to and including December 3, 2003. Motion allowed.

Order entered by Justice Freeman.

No. 96210 - Patricia Abrams, Indv., etc., et al., appellees, v. The City of Chicago, etc., appellant.

Motion by appellant for an extension of time for filing brief to and including December 3, 2003. Motion allowed.

Order entered by Chief Justice McMorrow.

No. 97244 - Weil-McLain, appellant, v. Hon. Nicholas G. Byron, Judge for 3rd Judicial Circuit, et al., appellees.

Motion by appellant for direct appeal pursuant to Supreme Court Rule 302(b) or, in the alternative, for a supervisory order.

Motion by appellant for stay of the proceedings in the Circuit Court of Madison County in Weil-McLain v. Thompson et al., case No. 02 L 1694, pending disposition of appellant's motion for direct appeal pursuant to Supreme Court Rule 302(b) or, in the alternative, for a supervisory order.

No. 97268 - Chevae Langston, movant, v. Hon. Denise O'Malley, Judge of the Appellate Court, First District, et al., etc., respondents.

Motion by movant for a supervisory order or, in the alternative, for leave to file a late petition for leave to appeal.

No. 97270 - Garlock Sealing Technologies, LLC, appellant, v. Gail Thompson, Jr., et al., appellees.

Motion for stay of proceedings in the Circuit Court of Madison County in Garlock Sealing Technologies, LLC, v. Thompson Jr., et al., case No. 02 L 1694, pending disposition of appellant's motion for direct appeal or, in the alternative, for a supervisory order.

No. 97273 - Foster Wheeler Energy Corporation, appellant, v. Gail Thompson, Jr., et al., appellees.

Motion by appellant for stay of proceedings in the Circuit Court of Madison County in Foster Wheeler Energy Corporation v. Gail Thompson, Jr., et al., case No. 02-L-1694, pending disposition of appellant's motion for direct appeal to this Court pursuant to Supreme Court Rule 302(b) or, in the alternative, a motion for supervisory order.

No. 97282 - Bondex International, Inc., et al., etc., movants, v. Hon. Nicholas G. Byron, Judge of the 3rd Judicial Circuit, et al., respondents.

Motion by movants for stay of proceedings in the Circuit Court of Madison County in Bondex International, Inc., et al., v. Thompson et al., case No. 02-L-01694, pending disposition of movants' motion for a supervisory order.

No. 97283 - Bondex International, Inc., et al., etc., movants, v. Hon. Nicholas G. Byron, Judge of the 3rd Judicial Circuit, et al., respondents.

Motion by movants for stay of proceeding in the Circuit Court of Madison County in Bondex International, Inc., et al. v. Rogers et al., case No. 03-L-0537, pending disposition of movants' motion for a supervisory order.

LEAVE TO APPEAL DOCKET

No. 97060 - Elena Crasovan, petitioner, v. Michael S. Froman, respondent.

Motion by respondent for leave to file answer to petition for leave to appeal instanter. Motion allowed.

Order entered by Justice Freeman.

No. 97173 - David Alms, etc., petitioner, v. Ronald McDonald House Near Children's Memorial Hospital, Inc., et al, etc., respondents.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including November 14, 2003. Motion allowed.

Order entered by Justice Freeman.

No. 97182 - Maureen Hale, respondent, v. David Hale, petitioner.

Motion by petitioner for leave to amend petition for appeal as a matter of right or leave to appeal. Motion allowed.

Order entered by Justice Freeman.

Motion by respondent for an extension of time for filing answer to petition for appeal as a matter of right or leave to appeal to and including November 13, 2003. Motion allowed.

Order entered by Justice Freeman.

No. 97197 - In Re Estate of Rudolph Eule, Deceased (John Gillespie et al., petitioners, v. Estate of Rudolph Eule, respondent).

Motion by respondent to vacate this Court's order entered on October 28, 2003, and dismiss the appeal, or, in the alternative, grant respondent an extension of time for filing answer to petition for leave to appeal.

No. 97230 - E. Frederick C. Gain, petitioner, v. Stanley R. Korza et al., respondents.

Motion by petitioner for leave to file a corrected petition for leave to appeal instanter and to withdraw the petition for leave to appeal filed on October 28, 2003. Motion allowed.

Order entered by Justice Garman.

No. 97239 - People State of Illinois, respondent, v. Ivory Lee, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instanter. Motion allowed.

Order entered by Justice Garman.

No. 97246 - Adolf Lo, M.D., petitioner, v. Provena Covenant Medical Center, etc., respondent.

Motion by petitioner for leave to file petition for leave to appeal instanter. Motion allowed.

Order entered by Justice Garman.

Motion by the Illinois State Medical Society and the American Medical Association for leave to file a brief instanter as amici curiae in support of the petition for leave to appeal. Motion denied without prejudice to refile motion if petition for leave to appeal is allowed.

Order entered by Justice Garman.

No. 97259 - Lucille Murry, petitioner, v. Joe Chernis, Jr., etc., respondent.

Motion by petitioner, pro se, for an extension of time for filing petition for leave to appeal to and including November 21, 2003. Motion allowed.

Order entered by Justice Garman.

No. 97261 - Richard Rosen, petitioner, v. SCIL, LLC, et al., respondents.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including November 12, 2003.

No. 97262 - Carol Wiener Tizes, et al., etc., petitioners, v. The Peoples Gas, Light & Coke Company, respondent.

Motion by petitioners for an extension of time for filing petition for leave to appeal to and including November 3, 2003. Motion allowed.

Order entered by Justice Freeman.

No. 97263 - Willard J. King, Jr., et al., petitioners, v. First Capital Financial Services Corp., etc., respondents.

Motion by petitioners for leave to file petition for leave to appeal instanter.

No. 97266 - Stanley P. Abad, petitioner, v. The Reader's Digest Association, Inc., respondent.

Motion by petitioner for leave to file petition for leave to appeal instanter. Motion allowed.

Order entered by Justice Freeman.

No. 97274 - People State of Illinois, respondent, v. Dickey Gaines, petitioner.

Motion by petitioner, pro se, for leave to file petition for leave to appeal instanter. Motion allowed.

Order entered by Justice Freeman.

No. 97275 - People State of Illinois, respondent, v. Antoine Johnson, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instanter. Motion allowed.

Order entered by Justice Freeman.

No. 97276 - Fred F. Yang, petitioner, v. Mario Meschino, respondent.

Motion by petitioner, pro se, for an extension of time for filing petition for leave to appeal to and including December 3, 2003. Motion allowed.

Order entered by Justice Freeman.

No. 97296 - John Dewan, etc., respondent, v. Ford Motor Company, petitioner.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including December 2, 2003. Motion allowed.

Order entered by Justice Freeman.

MISCELLANEOUS RECORD

M.R.18979 - In re: Proposed Rule Regulating Certification and Conduct of Class Actions.

Motion by The Boeing Company for leave to join in the petition of Illinois State Chamber of Commerce, Illinois Business Roundtable, Illinois Manufacturers' Association, Illinois Civil Justice League, Allstate Corporation, Bank One Corporation, Baxter International, Inc., State Farm Mutual Automobile Insurance Company, Walgreen Co., Stanford L. Levin, and Gino L. DiVito to adopt new Supreme Court Rule 225 regulating the certification and conduct of class actions. Motion allowed.

Order entered by Justice Freeman.

M.R.19087 - In re: Adam D. Bourgeois, Jr. Disciplinary Commission.

Motion by Adam D. Bourgeois, Jr. for an extension of time to and including November 14, 2003, to file his petition for leave to file exceptions to the report and recommendation of the Review Board. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.19088 - In re: Ungaretti & Harris, LLP, petitioner.

Motion by Ungaretti & Harris, LLP to approve its amended application for certificate of registration to engage in the practice of law as a registered limited liability partnership.

SUPREME COURT OF ILLINOIS

WEDNESDAY, NOVEMBER 12, 2003

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 92410 - People State of Illinois, respondent, v. Josh Moore, petitioner.

Motion by petitioner, pro se, for enforcement of this Court's order entered on December 5, 2002. Motion denied.

Order entered by the Court.

MISCELLANEOUS RECORD

M.R.18939 - In re: Mahnoor Shahul ShamRao, petitioner.

Motion by petitioner for reconsideration of the order of September 23, 2003, denying petition for review of the decision of the Illinois Board of Admission to the Bar. Motion denied.

Order entered by the Court.

SUPREME COURT OF ILLINOIS

CALL OF THE DOCKET, WEDNESDAY, NOVEMBER 12, 2003

No. 95713 - People State of Illinois, appellee, v. Ernest Thompson, appellant. Appeal, Appellate Court, Fourth District.

Oral argument by Martin J. Ryan for appellant and by Karen Kaplan for appellee. Submitted. Agenda 4.

No. 95750 - People State of Illinois, appellee, v. Ted B. Gray, appellant. Appeal, Appellate Court, Fourth District.

Oral argument by Reino Lanto for appellant and by Colleen M. Griffin for appellee. Submitted. Agenda 5.

Nos. 95408 - The City of Urbana, etc., et al., appellees, v.  
95803 Andrew N.B., et al., appellants. Appeals,  
cons. Appellate Court Fourth District.

Oral argument by Erica R. Clinton for appellants and by Steve Holz for appellees. Submitted. Agenda 7.