

SUPREME COURT OF ILLINOIS

COURT CONVENEED AT 9:30 A.M., TUESDAY, MARCH 16, 2004

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 93220 - John Beahringer, appellee, v. James H. Page et al., appellants.

Motion by appellant for an extension of time for filing response to appellee's motion for attorney's fees to and including March 15, 2004. Motion allowed.

Order entered by Justice Freeman.

No. 97315 - Larry R. Wetzell, petitioner, v. Timothy Tolliver et al., respondents.

Motion by petitioner, pro se, to direct respondents to comply with Supreme Court Rule 219. Motion denied.

Order entered by Justice Rarick.

PEOPLE'S DOCKET

No. 96159 - People State of Illinois, appellee, v. Brian Roberson, appellant.

Motion by appellant for leave to file supplement to motion to dismiss appeal instantner. Motion allowed.

Order entered by Justice Thomas.

CIVIL DOCKET

No. 97172 - Harrisonville Telephone Company et al., appellees, v. Illinois Commerce Commission, appellant.

Motion by appellant for leave to file supplemental brief and appendix instantner. Motion allowed.

Order entered by Justice Rarick.

No. 97985 - Theophilus Green, petitioner, v. The Appellate Court of Illinois, First District, et al., etc., respondents.

Motion by petitioner, pro se, to file all documents under seal on all matters involving the pending writ of mandamus and writ of prohibition. Motion denied.

Order entered by Justice Fitzgerald.

No. 97994 - Wells Fargo Financial Acceptance etc., appellee, v. Lynell M. Jones et al., appellants.

Motion by appellants, pro se, for stay of proceedings and enforcement of the judgment granted to appellee pending disposition of appeal in the Appellate Court. Motion denied.

Order entered by Justice Fitzgerald.

LEAVE TO APPEAL DOCKET

No. 97481 - Lula Hobbs, respondent, v. Hartford Insurance Company of the Midwest, etc., petitioner.

Motion by petitioner for leave to substitute the law firm of Cutler & Hull for the law firm of Hinshaw & Culbertson. Motion allowed.

Order entered by Justice Rarick.

No. 97789 - People State of Illinois, respondent, v. Carl Gallo, petitioner.

Motion by petitioner, pro se, to hold petition for leave to appeal in abeyance until a final decision in the Supreme Court of the United States in Blakely v. Washington, case No. 02-1632, and Summerland v. Stewert, case No. 98-99002. Motion denied.

Order entered by Justice Fitzgerald.

No. 98006 - In re Kelsey K., a Minor (JoAnn Weidner-Kasheimer, petitioner, v. Amy Brummitt, respondent).

Motion by petitioner, pro se, for an extension of time to and including April 30, 2004, for filing petition for leave to appeal or appeal as a matter of right. Motion allowed.

Order entered by Justice Rarick.

MISCELLANEOUS RECORD

M.R.19079 - In re: Diane Elaine Greanias. Disciplinary Commission.

Motion by Diane Elaine Greanias for leave to file instant affidavit of compliance pursuant to Supreme Court Rule 764. Motion allowed.

Order entered by Justice Kilbride.

Motion by Diane Elizabeth Greanias for leave to amend petition to declare order of attorney discipline void. Motion allowed.

Order entered by Justice Kilbride.

M.R.19351 - In re: Jennifer Dawn Kambak, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Jennifer Dawn Kambak to Jennifer D. Bransfield. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.19352 - In re: Julie Beth Cox, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Julie Beth Cox to Julie B. Hovermale. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.19353 - In re: Erin Suzanne Davis, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Erin Suzanne Davis to Erin Davis Shedd. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.19354 - In re: Erika Ann Swanson, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Erika Ann Swanson to Erika A. Alley. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.19355 - In re: Orgena Metrice Lewis, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Orgena Metrice
Lewis to Orgena Lewis Singleton. Motion
allowed.

Order entered by Chief Justice McMorrow.

M.R.19358 - In re: P. Michelle Koo, an attorney, petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from P. Michelle Koo to
P. Michelle Jacobson. Motion allowed.

Order entered by Chief Justice McMorrow.

M.R.19359 - In re: Trene Suzanne Lacy, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Trene Suzanne Lacy
to Trene Pinnell Anderson. Motion allowed.

Order entered by Chief Justice McMorrow.

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

ADVISEMENT DOCKET

No. 95576 - People State of Illinois, appellee, v. Lee Jones,
appellant.

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

Order entered by Justice Rarick.

No. 96818 - Linda and Gregory McClendon, etc., petitioners, v.
Taylor, Bean and Whittaker Mortgage Corporation,
respondent.

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

No. 97290 - James John Sylvester, petitioner, v. Village of Midlothian, respondent.

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

PEOPLE'S DOCKET

No. 94971 - People State of Illinois, appellant, v. Brian Cunningham, appellee.

Motion by appellee to file a substituted brief instanter with corrected typographical errors found on pages 5, 6 and 30. Motion allowed.

Order entered by Justice Fitzgerald.

No. 96198 - People State of Illinois, appellant, v. Leon Blair, appellee.

Motion by appellee for an extension of time for filing brief to and including April 14, 2004. Motion allowed.

Order entered by Justice Fitzgerald.

No. 96457 - In re Arthur H., Jr., a Minor (People State of Illinois, appellant, v. Arthur H., Sr., appellee).

Motion by appellant for an extension of time for filing reply brief to and including March 23, 2004. Motion allowed.

Order entered by Justice Kilbride.

CIVIL DOCKET

No. 96755 - James H. Canel, etc., appellee, v. Judy Baar Topinka, etc., et al., appellants.

Motion by appellee for leave to file brief instanter. Motion allowed.

Order entered by Justice Fitzgerald.

No. 97022 - County of Cook, ex rel. Robert F. Rifkin et al., etc., appellants, v. Bear Stearns & Co., Inc., et al., appellees.

Motion by appellee Seaway National Bank of Chicago for leave to file a response instanter to appellants' motion to consolidate this case with case No. 97023, Scachitti et al. v. UBS Financial Services et al., and case No. 97866, Illinois Health Facilities Authority ex rel. Scachitti et al. v. Morgan Stanley Dean Witter & Co., et al., and amend the briefing schedule in light of the consolidation. Motion denied as moot.

Order entered by Justice Fitzgerald.

No. 97023 - Raymond G. Scachitti et al., etc., appellants, v. UBS Financial Services et al., appellees.

Motion by appellee UBS Financial Services Inc., for leave to file a response instanter to appellants' motion in case No. 97022, County of Cook, ex rel. Robert F. Rifkin et al., etc., v. Bear Stearns & Co., Inc., et al., to consolidate case Nos. 97022, 97023 and 97866, and amend the briefing schedule in light of the consolidation. Motion denied as moot.

Order entered by Justice Fitzgerald.

No. 97165 - In the Matter of the Application of the County Collector for Judgment and Sale Against Lands and Lots Returned Delinquent for Nonpayment of General Taxes etc. (Petition of Apex Tax Investments, Inc., et al., appellees, v. Mary Lowe, etc., appellant).

Motion by Mental Health Association in Illinois and Mental Health Project for leave to file a brief as amici curiae in support of appellant. Motion allowed.

Order entered by Justice Fitzgerald.

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

Motion by Illinois State Bar Association for leave to appear and file a brief as amicus curiae instanter in support of appellants. Motion allowed.

Order entered by Justice Kilbride.

No. 97985 - Theophilus Green, petitioner, v. The Appellate Court of Illinois, First District, et al., etc., respondents.

Motion by petitioner, pro se, for leave to file a petition for an original writ of mandamus and writ of prohibition.

No. 98021 - City of Palos Hills, etc., movant, v. Hon. John A. Ward, Judge of the Circuit Court of Cook County, et al., respondents.

Motion by movant for a supervisory order.

LEAVE TO APPEAL DOCKET

No. 97538 - Keeley & Sons, Inc., et al., etc., respondents, v. Bi-State Regional Development Agency et al., petitioners.

Unopposed motion by respondents Keeley & Sons, Inc. and Keller Construction, Inc., for an extension of time for filing answer to petition for leave to appeal to and including April 30, 2004. Motion allowed. Final extension.

Order entered by Justice Rarick.

No. 97896 - Donald Shipp et al., petitioners, v. County of Kankakee, etc., et al., respondents.

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

Order entered by Justice Kilbride.

No. 97910 - Becky S. Wakehouse, Special Adm'x. etc., respondent, v. Titan Wheel Corporation et al., etc., petitioners.

Motion by petitioners to stay disposition of the petition for leave to appeal pending resolution of the Rule 308 appeal before the Appellate Court, Third District, in Wakehouse v. Goodyear Tire, case No. 3-03-0910. Motion denied without prejudice to supplement petition for leave to appeal.

Order entered by Justice Kilbride.

No. 98004 - Gilbert Kyle, III et al., etc., petitioners. v. Rock Island Housing Authority, etc., respondent.

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

Order entered by Justice Kilbride.

No. 98014 - People State of Illinois, respondent, v. Travis Smith, petitioner.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including March 26, 2004. Motion allowed.

Order entered by Justice Thomas.

No. 98018 - People State of Illinois, respondent, v. Lois L. Wilhelm, petitioner.

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

Order entered by Justice Thomas.

No. 98019 - People State of Illinois, respondent, v. Michael Thompson, petitioner.

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

Order entered by Justice Fitzgerald.

No. 98044 - People State of Illinois, respondent, v. Allen Bloomingburg, petitioner.

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

Order entered by Justice Fitzgerald.

No. 98051 - Mark B. Vogel, respondent, v. Billy J. Parham,
petitioner.

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

Order entered by Justice Garman.

MISCELLANEOUS RECORD

M.R.18895 - In re: David Arnold Milks. Disciplinary
Commission.

Motion by David Arnold Milks for leave to file
instanter his affidavit pursuant to Supreme Court
Rule 764(g). Motion allowed.

Order entered by Justice Thomas.

M.R.19362 - In re: Law Offices of Philip J. Berenz, Chartered,
movant.

Motion by movant for retroactive renewal of
registration pursuant to Supreme Court Rule 721.

SUPREME COURT OF ILLINOIS

CALL OF THE DOCKET, TUESDAY, MARCH 16, 2004

No. 96884 - Larry Flynn, appellant, v. Illinois Industrial
Commission (Utica Township, etc., appellee).
Appeal, Appellate Court, Third District.

Oral argument by Terence B. Kelly for appellant
and by Richard A. Kinnach for appellee.
Submitted. Agenda 9.