

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:30 A.M., TUESDAY, MAY 11, 2010

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 108115 - Virginia Mitchell, etc., respondent, v. Beverly Enterprises-Illinois, Inc., etc., petitioner.

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

The motion for reconsideration is allowed. This Court's order of September 30, 2009, denying the petition for leave to appeal is vacated. The mandate is recalled. The petition for leave to appeal remains pending until further order of the Court.

Order entered by the Court.

PEOPLE'S DOCKET

No. 108354 - People State of Illinois, appellant, v. Terry Alsup, appellee.

Motion by appellee to strike portions of the State's appendix and brief which are not in conformity with Supreme Court Rules 341 and 342. Motion denied.

Order entered by the Court.

No. 109033 - People State of Illinois, appellant, v. Angelo Thompson, appellee.

Motion by appellee to cite additional authority. Motion allowed.

Order entered by the Court.

No. 109581 - People State of Illinois, appellant, v. Ricky King, appellee.

Motion by appellee for release pursuant to Supreme Court Rule 604(a)(3) or, in the alternative, admission to bail, pending resolution of the State's appeal. Motion allowed in part. Appellee Ricky King shall be released on posting bond in the amount of \$50,000, 10% provision to apply, pending disposition of the appeal in this Court.

Order entered by the Court.

No. 110258 - The Illinois Department of Corrections, petitioner, v. Hon. James B. Stewart, Judge for the Ninth Judicial Circuit, et al., respondents.

Emergency motion by petitioner for leave to file a petition for an original writ of mandamus. Motion denied.

Order entered by the Court.

Emergency motion by petitioner for a supervisory order. Motion allowed. In the exercise of this Court's supervisory authority, the Circuit Court of Knox County is directed to vacate its order of April 1, 2010, directing the Illinois Department of Corrections to transport defendant Nicholas T. Sheley for certain testing. The circuit court is directed to conduct a hearing at which the Illinois Department of Corrections may be heard on the subjects of safety and expense, and may suggest alternative orders.

Order entered by the Court.

#### CIVIL DOCKET

No. 110217 - Roger Sessions, Indv., etc., movant, v. Hon. Henry Budzinski, Judge of the Circuit Court of Cook County, et al., respondents.

Motion by movant for a supervisory order. Motion denied.

Order entered by the Court.

No. 110231 - Deborah Paine, movant, v. Appellate Court, First District, respondent.

Motion by movant for a supervisory order. Motion allowed. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to reinstate the appeal in State Farm Fire & Casualty Company v. Paine, et al., No. 1-10-0550, and to proceed to consider the appeal on the merits.

Order entered by the Court.

LEAVE TO APPEAL DOCKET

No. 109938 - In The Matter of Estate of Janie B. Struck, etc., respondent, v. James T. Struck, petitioner.

Motion by petitioner, pro se, to restore Jane Frances Back Struck based on photograph evidence, Illinois historical discrimination against disability and difference, State should not deny fresh air, safe liberty. Motion denied.

Order entered by the Court.

MISCELLANEOUS RECORD

M.R. 22538 - In re: David M. Ucherek. Disciplinary Commission.

This cause coming to be heard on the motion of the petitioner, the case having been referred to the Circuit Court of Sangamon County, the circuit court having conducted a hearing and submitted a report and recommendation, and this Court being fully advised in the premises;

It is ordered that the petition by David M. Ucherek for an order approving the terms and provisions of an agreement entered into prior to the date of discipline concerning the sale of the assets of his former law practice pursuant to Supreme Court Rule 764(h)(2) is allowed.

Order entered by the Court.

M.R. 23842 - In re: Avalon e'lan Betts-Gaston. Disciplinary Commission.

Motion by Avalon e'lan Betts-Gaston to quash subpoenas for testimony at a hearing and suppress all hearing evidence derived therefrom. Motion denied.

Order entered by the Court.

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

PEOPLE'S DOCKET

Nos.108335 - People State of Illinois, appellant, v. Albert  
108350 Beauchamp et al., appellees.  
Cons.

Motion by appellant for an extension of time for filing reply brief to and including June 16, 2010. Motion allowed.

Order entered by Justice Freeman.

No. 108909 - People State of Illinois, appellant, v. Ira Mullins, appellee.

Motion by appellee for an extension of time for filing brief to and including May 19, 2010. Motion allowed.

Order entered by Justice Freeman.

No. 109649 - People State of Illinois, appellant, v. James Almore, appellee.

Motion by appellant for an extension of time for filing brief to and including June 2, 2010. Motion allowed.

Order entered by Justice Freeman.

No. 110266 - Mahdee Muhammad, movant, v. Hon. Michael P. Toomin, Justice of the Appellate Court, First District, et al., etc., respondents.

Motion by movant for a supervisory order.

Motion by respondent People State of Illinois for an extension of time to and including May 17, 2010, for filing a response to movant's motion for a supervisory order. Motion allowed.

Order entered by Justice Freeman.

#### CIVIL DOCKET

No. 109738 - Kristen Kaufmann, appellant, v. Jersey Community Hospital, etc., appellee.

Motion by the Illinois Trial Lawyers Association for leave to file brief of amicus curiae in support of appellant instanter.

#### LEAVE TO APPEAL DOCKET

No. 110006 - James S. et al., petitioners, v. Erwin McEween, etc., et al., respondents.

Motion by petitioners, pro se, for leave to supplement petition for leave to appeal instanter. Motion denied.

Order entered by Justice Kilbride.

No. 110196 - Condominium Association of Commonwealth Plaza, etc., et al., petitioners, v. The City of Chicago, etc., et al., respondents.

Motion by petitioners for leave to file partial reply instanter to respondents' joint answer to petition for leave to appeal. Motion allowed.

Order entered by Justice Freeman.

No. 110336 - People State of Illinois, respondent, v. Dwayne McNeal, petitioner.

Verified petition by petitioner, pro se, for evidence deposition to perpetuate testimony and authenticate legal documents for showing of actual innocence to prevent a miscarriage of justice.

MISCELLANEOUS RECORD

M.R. 23831 - In re: David Mark Laz. Disciplinary Commission.

Motion by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file motion to approve and confirm the report and recommendation of the Hearing Board instanter. Motion allowed.

Order entered by Justice Thomas.

M.R. 23870 - In re: Ostojic & Scudder LLC, movant.

Motion by movant for leave to renew registration retroactively for the year 2010 pursuant to Supreme Court Rule 721.

M.R. 23871 - In re: Peter Michael Gonzalez, Ltd., movant.

Motion by movant for leave to renew registration retroactively for the year 2010 pursuant to Supreme Court Rule 721.