

APPEAL TO THE APPELLATE COURT OF ILLINOIS
FIFTH JUDICIAL DISTRICT

FROM THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT
CLAY COUNTY, ILLINOIS

DARREN BAILEY,)	
)	
Plaintiff-Appellee,)	
)	No. 2020CH6
v.)	
)	
GOVERNOR J.B. PRITZKER,)	
in his official capacity,)	The Honorable
)	MICHAEL D. McHANEY,
Defendant-Appellant.)	Judge Presiding.

E-FILED
Transaction ID: 5-20-0148
File Date: 4/29/2020 2:52 PM
John J. Flood, Clerk of the Court
APPELLATE COURT 5TH DISTRICT

NOTICE OF INTERLOCUTORY APPEAL

PLEASE TAKE NOTICE that Defendant JB Pritzker, in his official capacity as Governor of the State of Illinois, by his attorney, Kwame Raoul, Attorney General of the State of Illinois, hereby appeals to the Appellate Court of Illinois, Fifth Judicial District, based on Illinois Supreme Court Rule 307(d) from an order of the Honorable Judge Michael D. McHaney of the Circuit Court of the Fourth Judicial Circuit, Clay County, Illinois, entered on April 27, 2020, granting the motion of Plaintiff Darren Bailey for a temporary restraining order. A copy of said order is attached to this notice of interlocutory appeal.

By this interlocutory appeal, Defendant requests that this court reverse and vacate the circuit court’s order of April 27, 2020, dissolve the temporary restraining

order, and grant any other appropriate relief.

Respectfully submitted,

KWAME RAOUL
Attorney General
State of Illinois

By:

/s/ Nadine J. Wichern
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April 27, 2020

COPY

**IN THE CIRCUIT COURT
FOR THE FOURTH JUDICIAL CIRCUIT
CLAY COUNTY, ILLINOIS**

FILED

APR 27 2020

Crystal Bostard
CIRCUIT CLERK OF THE
FOURTH JUDICIAL CIRCUIT
CLAY COUNTY ILLINOIS

Darren Bailey

Plaintiff,

vs.

Governor Jay Robert Pritzker,
in his official capacity.

Defendant.

Case No. 2020-CH-06

TEMPORARY RESTRAINING ORDER WITH NOTICE

This Cause coming to be heard on Plaintiffs' Motion for Temporary Restraining Order, notice having been given, the Court finds as follows:

1. Plaintiff has filed a verified Complaint and verified Motion for Temporary Restraining Order and Preliminary Injunction.
2. Plaintiff also filed a brief in support along with a supplemental brief and accompanying documentation.
3. Defendant has filed his written response.
4. The Court has considered the pleadings filed to date and has further considered the arguments of counsel made in open court on this date.
5. Plaintiff has shown he has a clearly ascertainable right in need of immediate protection, namely his liberty interest to be free from Pritzker's executive order of quarantine in his own home.
6. Plaintiffs' Verified Complaint, Verified Motion for Temporary Restraining Order and Preliminary Injunction, along with his accompanying legal brief as well as its supplement, show Plaintiff has a reasonable likelihood of succeeding on the

merits.

- 7. Plaintiff has shown he will suffer irreparable harm if the Temporary Restraining order is not issued.
- 8. Plaintiff has shown he has no adequate remedy at law or in equity in that absent a Temporary Restraining Order being entered, Plaintiff, will continue to be isolated and quarantined in his home.

WHEREFORE, based on the above findings of this Court, IT IS HEREBY ORDERED:

- A. Governor Jay Robert Pritzker, or anyone delegated by him, is hereby enjoined from in anyway enforcing the March 20 Executive Order against Darren Bailey forcing him to isolate and quarantine in his home;
- B. Governor Jay Robert Pritzker is hereby enjoined from entering any further Executive Orders against Darren Bailey forcing him to isolate and quarantine in his home;

C. This Temporary Restraining Order shall remain in full force and effect ~~for ten days from the date hereof~~ until A DATE TO BE AGREED UPON BY THE PARTIES, NOT TO EXCEED 30 DAYS FROM TODAY, WHEREIN A PRELIMINARY ~~[a.m.] [p.m.] on~~ 2020, unless superseded or modified or INTENTION WILL BE HEARD ON THAT DATE.
~~dissolved by this Court.~~

D. This Temporary Restraining Order is entered at 3:15 [a.m.]
 (p.m.) on APRIL 27, 2020

DATED this 27 day of April, 2020.

Michael S. May
 JUDGE

COPY

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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on April 27, 2020, I electronically filed the foregoing Notice of Interlocutory Appeal with the Clerk of the Circuit Court for the Fourth Judicial Circuit, Clay County, Illinois, by using the Odyssey eFileIL system.

I further certify that the other participant in this appeal, named below, is not a registered service contact on the Odyssey eFileIL system, and thus was served by transmitting a copy from my e-mail address to the e-mail address of record indicated below on April 27, 2020.

Thomas G. DeVore
tom@silverlakelaw.com

Under penalties as provided by law pursuant to section 1-109 of the Illinois Code of Civil Procedure, I certify that the statements set forth in this instrument are true and correct to the best of my knowledge, information, and belief.

/s/ Nadine J. Wichern
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