

SUPREME COURT OF ILLINOIS

THURSDAY, NOVEMBER 12, 2009

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 103546 - People State of Illinois, respondent, v. James Thivel, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its judgment in People v. Thivel, case No. 1-05-0590 (09/18/06). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill. 2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 104673 - People State of Illinois, respondent, v. Allen Bloomingburg, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its judgment in People v. Bloomingburg, case No. 1-05-0949 (04/16/07). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill.2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 104676 - People State of Illinois, respondent, v. Freddie Ramirez, 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. The order denying petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, Second District, is directed to vacate its judgment in People v. Ramirez, case Nos. 2-05-0583 and 2-06-0247 (02/27/07). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill.2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 104729 - People State of Illinois, respondent, v. Joseph Dole, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its judgment in People v. Dole, case No. 1-05-2495 (05/21/07). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill.2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 104796 - People State of Illinois, respondent, v. Darrell Fair, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its judgment in People v. Fair, case No. 1-05-3259 (05/18/07). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill.2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 104832 - People State of Illinois, respondent, v. Jose Velasco, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its order in People v. Velasco case No. 1-05-2044 (03/08/07). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill.2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 105082 - People State of Illinois, respondent, v. Nickolas Haselrig, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its judgment in People v. Haselrig, case No. 1-06-0437 (06/28/07). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill.2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 105204 - People State of Illinois, respondent, v. Decis Cheversan, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its judgment in People v. Cheversan, case No. 1-05-3666 (07/25/07). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill. 2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 105464 - People State of Illinois, respondent, v. Ernest Hubbard Jr., 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, Second District, is directed to vacate its judgment in People v. Hubbard, case Nos. 2-05-0911 and 2-06-0349 (09/10/07). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill. 2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 106426 - People State of Illinois, respondent, v. Charles Brooks, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its judgment in People v. Brooks, case No. 1-07-0019 (04/23/08). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill. 2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 106879 - People State of Illinois, respondent, v. Carl Hemphill, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its judgment in People v. Hemphill, case No. 1-06-3481 (06/20/08). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill. 2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

No. 107093 - People State of Illinois, respondent, v. Kristopher Deloney, 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. The order denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its judgment in People v. Deloney, case No. 1-07-0257 (07/23/08). The appellate court is directed to reconsider its judgment in light of People v. Hodges, 234 Ill. 2d 1 (2009), to determine if a different result is warranted.

Order entered by the Court.

PEOPLE'S DOCKET

No. 109302 - James Williams, petitioner, v. Hon. Daniel P. Darcy, Judge of the Circuit Court of Cook County, et al., respondents.

Motion by petitioner, pro se, for leave to file a petition for an original writ of mandamus as supplemented. Motion denied.

Order entered by the Court.

No. 109342 - Maria Salinas, movant, v. Hon. Robert D. McLaren, Justice of the Appellate Court, Second District, et al., respondents.

Due to clerical error the order of November 10, 2009, makes reference to the Appellate Court, First District, rather than the Appellate Court, Second District.

Typographical error corrected this date, nunc pro tunc November 10, 2009.

Motion by movant for a supervisory order. Motion allowed. In the exercise of this Court's supervisory authority, the Appellate Court, Second District, is directed to vacate its order of September 17, 2009, dismissing the appeal in People v. Salinas, No. 2-08-0579, to reinstate the appeal, and to consider the appeal on the merits.

Order entered by the Court.

No. 109357 - James Hill, movant, v. Hon. Sharon Johnson Coleman, Justice of the Illinois Appellate Court, First District, et al., etc., respondents.

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 allow the notice of appeal filed in People v. Hill, No. 1-08-2420, to stand as a validly filed notice of appeal.

Order entered by the Court.

No. 109363 - Wendy Tarzian, movant, v. Hon. Mary Margaret Brosnahan, Judge of the Circuit Court of Cook County, et al., respondents.

Motion by movant for a supervisory order. Motion denied without prejudice to refile if the defendant is held in the custody of the Department of Human Services for more than 180 days.

Order entered by the Court.

MISCELLANEOUS RECORD

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

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

With the consent of the following Retired Circuit Judges of the Circuit Court of Cook County that they be recalled effective December 1, 2009, to hold court in the Circuit Court of Cook County through November 30, 2012:

Judge Martin D. Coghlan
Judge Kenneth Lee Fletcher
Judge James A. Shapiro
Judge Laretta Higgins Wolfson

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

With the consent of the following Retired Circuit Judges of the Circuit Court of Cook County that they be recalled effective December 7, 2009, to hold court in the Circuit Court of Cook County through November 30, 2012:

Judge Martha A. Mills
Judge Walter Williams
Judge William H. Wise

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

With the consent of the following Retired Circuit Judge of the Circuit Court of Cook County that he be recalled effective December 1, 2009, to hold court in the Circuit Court of Cook County through November 30, 2010:

Judge Henry A. Budzinski

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, subject to the condition that Judge Budzinski be re-evaluated and found qualified to continue service by the

Chicago Bar Association, the Illinois State Bar Association, and the Alliance of Bar

Associations.

With the consent of the following Retired Circuit Judge of the Circuit Court of Cook County that he be recalled effective December 7, 2009, to hold court in the Circuit Court of Cook County through November 30, 2010:

Judge Curtis Heaston

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.

With the consent of the following Retired Associate Judge of the Circuit Court of Cook County that she be recalled effective December 1, 2009, to hold court in the Circuit Court of Cook County through November 30, 2012:

Judge Joan M. Kubalanza

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

With the consent of the following Retired Associate Judge of the Circuit Court of Cook County that he be recalled effective December 7, 2009, to hold court in the Circuit Court of Cook County through November 30, 2010:

Judge John B. Grogan

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 Associate Judges of the State of Illinois.

Order entered by the Court.