

Instructions ▼ Check the box to the right if your case involves custody, visitation, or removal of a child. Enter the appellate court case number. Just below "In the Appellate Court of Illinois," enter the number of the appellate district where the appeal was filed. If the case name in the trial court began with "In re" (for example, "In re Marriage of Jones"), enter that name. Below that, enter the names of the parties in the trial court, and check the correct boxes to show which party filed the appeal ("appellant") and which party is responding to the appeal ("appellee"). To the far right, enter the trial court county, trial court case number, and trial judge's name.	<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a). </div> <div style="text-align: right;"> E-FILED Transaction ID: 1-25-0969 File Date: 5/23/2025 4:10 PM Thomas D. Palella Clerk of the Appellate Court APPELLATE COURT 1ST DISTRICT </div> </div> <div style="text-align: center; margin-top: 20px;"> Appellate Case No.: <u>1-25-0969</u> </div> <div style="text-align: center; margin-top: 20px;"> IN THE APPELLATE COURT OF ILLINOIS </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <u> </u> FIRST District <u> </u> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 65%;"> <p>In re _____</p> <p><u>Alphonse A. Talarico, attorney</u> Plaintiff/Petitioner (<i>First, middle, last names</i>)</p> <p><input checked="" type="checkbox"/> Appellant <input type="checkbox"/> Appellee</p> <p style="text-align: center;">v.</p> <p><u>ADR Systems of America LLC. et al.,</u> Defendant/Respondent (<i>First, middle, last names</i>)</p> <p><input type="checkbox"/> Appellant <input checked="" type="checkbox"/> Appellee</p> </div> <div style="width: 30%; padding-left: 20px;"> <p>Appeal from the Circuit Court of <u>Cook</u> County</p> <p>Trial Court Case No.: <u>22L010905</u></p> <p>Honorable <u>Anthony C. Swanagan</u> Judge, Presiding</p> </div> </div>
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MOTION

In 1, check the box that identifies who is filing the <i>Motion</i> .	1. <input checked="" type="checkbox"/> Plaintiff/Petitioner-Appellant <input type="checkbox"/> Plaintiff/Petitioner-Appellee <input type="checkbox"/> Defendant/Respondent-Appellant <input type="checkbox"/> Defendant/Respondent-Appellee
In 2, state specifically what you want the court to give you (e.g., "35 more days to file my brief"). This should be a short statement. You will give your reasons in the next section.	2. State what you want the court to do for you: <u>Withdraw my Notice of Appeal.</u> _____ _____ _____ _____ _____

In 3, write down the reasons why the court should give the relief you are asking for (e.g. "I need more time to finish and file my brief, because [insert reasons]").

3. State the reasons why the court should do what you have asked it to do:

1. On May 19, 2025, Alphonse A. Talarico filed a Notice of Appeal in this matter. 2. Subsequently,

Alphonse A. Talarico has learned that a Party has filed a timely post-judgment motion in this case.

3. Pursuant to Illinois Supreme Court Rule 303(a)(2), when a timely post-judgment motion has been filed by any party, a notice of appeal filed before the entry of the order disposing of the last pending post-judgment motion becomes effective when the order disposing of said motion is entered. .

4. Given the pending post-judgment motion filed by another party, Alphonse A Talarico's Notice of Appeal is premature and of no effect at this time. 5. Illinois Supreme Court Rule 303(a)(2) further provides that a party intending to challenge an order disposing of any post-judgment motion must file a notice of appeal or an amended notice of appeal within 30 days of the entry of said order.

6. Alphonse A Talarico seeks to withdraw the previously filed Notice of Appeal to avoid confusion and ensure compliance the proper appellate procedures. 7. Alphonse A. Talarico reserves the right to file a new or amended notice of appeal, if necessary, following the disposition of the pending post-judgment motion, in accordance with Illinois Supreme Court Rule 303. .

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

I certify that everything in the *Motion* is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

/s/ Alphonse A. Talarico
Your Signature

707 Skokie Blvd. #600
Street Address

Alphonse A. Talarico
Print Your Name

Northbrook, Illinois, 60062
City, State, ZIP

(312) 808-1410
Telephone

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

Enter your complete current address and telephone number.

PROOF OF SERVICE

In **1a**, enter the name, mailing address, and email address of the party or lawyer to whom you sent the document.

In **1b**, check the box to show how you sent the document, and fill in any other information required on the blank lines.

CAUTION: If the other party does not have a lawyer, you may send the document by email only if the other party has listed their email address on a court document.

In **c**, fill in the date and time that you sent the document.

In **2**, if you sent the document to more than 1 party or lawyer, fill in **a**, **b**, and **c**. Otherwise leave **2** blank.

1. I sent this document:**a. To:**

Name: Robert A Chapman
First Middle Last

Address: 190 South LaSalle Street, Suite 3850 Chicago Illinois 60603
Street, Apt # City State ZIP

Email address: rchapman@chapmanspingola.co m

- b. By:** ☐ Personal hand delivery
☐ Regular, First-Class Mail, put into the U.S. Mail with postage paid at:

Address of Post Office or Mailbox

- ☐ Third-party commercial carrier, with delivery paid for at:

Name (for example, FedEx or UPS) and office address

- ☒ The court's electronic filing manager (EFM) or an approved electronic filing service provider (EFSP)
☐ Email (not through an EFM or EFSP)
☐ Mail from a prison or jail at:

Name of prison or jail

- c. On:** May 23, 2025
Date

At: 4:30 ☐ a.m. ☒ p.m.
Time

2. I sent this document:**a. To:**

Name: Paul Dulberg
First Middle Last

Address: 4606 Hayden Ct. McHenry Illinois 60051
Street, Apt # City State ZIP

Email address: Paul_Dulberg@comcast.net

- b. By:** ☐ Personal hand delivery
☐ Regular, First-Class Mail, put into the U.S. Mail with postage paid at:

Address of Post Office or Mailbox

- ☐ Third-party commercial carrier, with delivery paid for at:

Name (for example, FedEx or UPS) and office address

- ☒ The court's electronic filing manager (EFM) or an approved electronic filing service provider (EFSP)
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- ☐ Mail from a prison or jail at:

Name of prison or jail

c. On: May 23, 2025
Date

At: 4:30 ☐ a.m. ☒ p.m.
Time

In 3, if you sent the document to more than 2 parties or lawyers, fill in a, b, and c. Otherwise leave 3 blank.

3. I sent this document:

a. To:

Name: Thomas W. Kost
First Middle Last

Address: 423 W Dempster Street Mount Prospect Illinois 60056
Street, Apt # City State ZIP

Email address: tkos999@gmail.com

- b. By: ☐ Personal hand delivery
- ☐ Regular, First-Class Mail, put into the U.S. Mail with postage paid at:

Address of Post Office or Mailbox

- ☐ Third-party commercial carrier, with delivery paid for at:

Name (for example, FedEx or UPS) and office address

- ☒ The court's electronic filing manager (EFM) or an approved electronic filing service provider (EFSP)
- ☐ Email (not through an EFM or EFSP)
- ☐ Mail from a prison or jail at:

Name of prison or jail

c. On: 05/23/2025
Date

At: 4:30 ☐ a.m. ☒ p.m.
Time

If you are serving more than 3 parties or lawyers, fill out and file 1 or more Additional Proof of Service forms with this form.

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

I certify that everything in the Proof of Service is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

/s/ Alphonse A. Talarico
Your Signature

Alphonse A. Talarico
Print Your Name