

NOTICE

Decision filed 10/27/26. The text of this decision may be changed or corrected prior to the filing of a Petition for Rehearing or the disposition of the same.

2026 IL App (5th) 260333-U

NO. 5-26-0333

IN THE

APPELLATE COURT OF ILLINOIS

FIFTH DISTRICT

NOTICE

This order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

ANTRON GRIFFIN,	)	Appeal from the
	)	Circuit Court of
Petitioner-Appellant,	)	St. Clair County.
	)	
v.	)	No. 23-FA-8
	)	
TANDRA TAYLOR,	)	Honorable
	)	Leah A. Captain,
Respondent-Appellee.	)	Judge, presiding.

JUSTICE McHANEY delivered the judgment of the court.
Justices Boie and Vaughan concurred in the judgment.

ORDER

¶ 1 *Held:* The circuit court did not abuse its discretion in denying petitioner's motion to vacate the court's final judgment awarding respondent all parenting time and decision-making authority over the parties' minor children. The judgment of the circuit court is affirmed.

¶ 2 Petitioner, Antron Griffin (Father), appeals *pro se* from the March 26, 2026, order of the St. Clair County circuit court denying his motion for postjudgment relief, which sought to vacate a final parenting plan order that awarded respondent, Tandra Taylor (Mother), all parenting time and decision-making authority with respect to the parties' two minor children.¹ For the following reasons, we affirm the judgment of the circuit court.

¹Father was represented by counsel at times below.

¶ 3

I. BACKGROUND

¶ 4 Father and Mother were never married. They had two children together, G.G. (born in October 2008), and Y.G. (born in July 2010). On January 6, 2023, Father, through counsel, filed a petition to establish a parent-child relationship. In the petition, Father alleged that he was the natural father of the minors, both of whom were born in Atlanta, Georgia. Father was a resident of South Carolina, while Mother resided in St. Clair County, Illinois. Both parties were currently employed. According to Father, “Illinois ha[d] jurisdiction over the parties and subject matter herein.”

¶ 5 Father further alleged that it was in the best interests of the minors that his paternity be established, that he be given parental responsibility of the minors, and that he be afforded significant parenting time with them. Father thus asked the circuit court to (1) establish the existence of a parent-child relationship between him and the minors, (2) grant him and Mother joint parental responsibilities over the minors, and (3) establish a parenting time schedule that awarded him significant parenting time.

¶ 6 On March 27, 2023, Mother, acting *pro se*, filed an answer to Father’s petition. Mother alleged, *inter alia*, that she had been employed by Southern Illinois University in Edwardsville for the past three years. Mother disagreed that it was in the best interests of the minors for Father to be awarded “significant periods of parenting time,” or be allocated any decision-making responsibilities over the minors concerning healthcare, education, religion, and extracurricular activities. According to Mother, Father had been a “non-participant” with respect to decision-making and financial responsibilities for the minors since March of 2013, when Mother and the minors relocated to Illinois. Mother further alleged that Father was part of an “extremist sect/religious cult,” known as “Hebrew Israelites,” which believed in “racial superiority, hatred

against white individuals and the Jewish community, and sexist beliefs.” Mother believed it would be detrimental to the minors and their development to “be forced into a space” with Father without gradual integration and a guardian *ad litem* (GAL) to consider the minors’ best interests and determine how time should be allocated.

¶ 7 Based on the foregoing, Mother asked the circuit court to award her (1) all significant decision-making authority over the minors, including all matters related to their healthcare, education, religion, and extracurricular activities; (2) the majority of the parenting time with the minors; and (3) temporary and permanent parenting time and support for the minors, retroactive to their dates of birth, as well as medical, dental, and optical insurance provided by Father.

¶ 8 On July 31, 2023, the circuit court entered a mediation order, directing the parties to participate in a minimum of four hours of mediation to address the issues of custody, guardianship, and/or visitation. On November 14, 2023, a mediator report was filed that stated the parties had participated in one mediation session, at which they reached a partial agreement regarding parenting time, but they reached no agreement as to the allocation of parental responsibilities. The parties’ mediation was continued to a second session on November 27, 2023. At their second session, the parties failed to reach an agreement as to either parenting time or the allocation of parental responsibilities, and the mediation was not further continued. The circuit court, meanwhile, entered an order setting the case for pretrial/case management on January 23, 2024.

¶ 9 On December 21, 2023, Mother, through counsel, filed a counterpetition for the allocation of temporary and permanent parental responsibility, parenting time, support, and other relief. Mother alleged that the minors resided with her in St. Clair County, Illinois, and had lived with her for the past 10 years. According to Mother, Father had failed to foster a relationship with the minors. Mother further alleged that it was in the minors’ best interests for her to be awarded all

decision-making authority, and that Father should be awarded parenting time on an incremental basis “until such time as a relationship has been foster[ed]” with the minors. Finally, Mother alleged that Father did not contribute financially to the minors, but he was able to contribute to their support. According to Mother, the minors needed his assistance since they attended elite schools and participated in a number of paid activities.

¶ 10 Accordingly, Mother asked the circuit court to (1) award her sole decision-making authority with respect to the minors’ healthcare, education, religion, and extracurricular activities; (2) award her parenting time with the minors on a temporary and permanent basis; and (3) order Father to contribute financial support for the minors, including medical, dental, and optical expenses.

¶ 11 In January 2024 the circuit court appointed a GAL for the minors. Over the next year, the matter was reset several times for pretrial/case management. Father’s counsel, meanwhile, withdrew from the case; however, new counsel later appeared on his behalf. On October 29, 2024, the circuit court entered an order continuing the matter to January 13, 2025, on all remaining issues. On January 10, 2025, the circuit court entered an order vacating the parties’ hearing date of January 13, 2025, due to “unavailability of the court.” The court reset the matter to April 14, 2025, “for all remaining issues.”

¶ 12 On April 11, 2025, Father moved to continue the matter, which was set for a case management conference a few days later. On April 14, 2025, Mother filed a response, asserting that the matter had already been continued a couple of times and that Father had “forced this case to linger on without any direction for two years” by failing to (1) comply with discovery, (2) communicate with his previous counsel, and (3) hire new counsel in a timely manner. Mother argued that it was a “complete injustice and disservice” to her and the minors to allow the case to

remain open without any resolution. Finally, Mother argued that Father “should not get the benefit of any last-minute entry as this is just another attempt to prolong a process that has already been open longer than necessary.”

¶ 13 The same day, the circuit court granted Father’s motion for a continuance and ordered, *inter alia*, the parties to cooperate with the GAL and comply with discovery requests.

¶ 14 In May 2025 the circuit court entered an order that the matter remained set for trial on June 23, 2025, on all remaining issues. Father’s counsel successfully moved to withdraw from the case the following month.²

¶ 15 Father filed a number of somewhat incoherent *pro se* motions on June 23, 2025. First, he filed a “Notice of Revocation of Power of Attorney and Presumed Authority.” While it is not entirely clear, he seemed to argue that no “further actions, filings, or decisions” could be made on his behalf without his “express written consent.” Father did not include a prayer for relief, but he asserted that the pleading stood as his “lawful constructive notice to all parties, recorded for the public and legal record” that they were forbidden from “representing, speaking, filing, or acting on [his] behalf or in relation to [his] private affairs or offspring without express, voluntary, written consent.” Next, Father filed a pleading titled, “Termination of Legal Representation and Revocation of Power of Attorney,” wherein he “terminate[d] all legal representation” and “revoke[d] any and all power of attorney or authority” that his former counsel allegedly had to act on his behalf.

¶ 16 Third, Father filed a “Notice of Special Appearance and Objection to Jurisdiction,” alleging, *inter alia*, that he objected to the circuit court’s jurisdiction, even though he initiated the action in that court. Nevertheless, Father requested “formal, certified evidence of jurisdiction, legal

²Counsel filed an amended motion to withdraw on June 18, 2025.

standing of the initiating party, and compliance with any statutory prerequisites under Illinois and federal law.”

¶ 17 Fourth, Father filed a pleading titled, “Failure to Respond to Lawful Notices, Violation of Constitutionally Protected Parental Rights, and Final Opportunity to Cure.” In that pleading, Father alleged that he was in a common law marriage with Mother for many years, during which they shared a household, finances, and coparenting responsibilities. According to Father, Mother had since “unilaterally withheld access to [his] offspring, restricting visitation without lawful justification, despite [him] having an ongoing, active parental role, financial support, and a well-established emotional bond.” Moreover, Father alleged that he had never been declared unfit, abusive, neglectful, or in any way a danger to the minors, and that “no lawful court ha[d] stripped him of his Natural Guardian rights.” Accordingly, Father asked the circuit court to (1) recognize his “lawful and equitable” standing as the biological father of the minors; (2) restore his “full, meaningful parental contact and access” to the minors; (3) award him injunctive relief “prohibiting further obstruction or interference by any party,” including Mother and the GAL, opposing counsel, and/or any court officer “acting beyond their delegated authority;” and (5) declare “standing, free from further presumption or interference unless lawfully rebutted in a court of record with due process.”

¶ 18 The circuit court entered an order that day, continuing the matter to July 18, 2025, to address “all remaining issues.” The court subsequently continued the matter again to August 15, 2025. A hearing was held that day, at which Father failed to appear, allegedly because he had COVID-19. Father has not included a transcript or report of proceedings from that hearing, or an

appropriate alternative under Illinois Supreme Court Rule 323(c), (d) (eff. July 1, 2017), such as a bystander's report or an agreed statement of facts.³

¶ 19 Although Father did not attend the August 15, 2025, hearing, he filed a motion that day titled, "Demand for Validation and Proof of Claims." Father indicated that the motion was his response to one of the GAL's prior motions for fees. In the motion, Father disputed the GAL's request for fees and demanded documentation, such as an "itemized accounting of all charges, fees, and payments applied to the alleged obligation" and "[p]roof of authority or standing to collect the alleged fees."

¶ 20 On August 20, 2025, the circuit court entered a final allocation order regarding parental responsibilities, child support, and a parenting plan. In the order, the court initially stated that it was entering a "Default Judgment" in the matter. The court then found, "from [the] testimony taken on August 15, 2025," that the parties were never married, but had two children together. Furthermore, it was in the minors' best interests "to resolve the issues of parental time and responsibility of the shared children."

¶ 21 After reviewing the evidence and information from the GAL and Mother's attorney, the court found that Mother should have "full and exclusive parenting responsibilities." Additionally, Mother should have "principal authority and responsibility for daily and ordinary supervision and care" of the minors. The court further found that it was in the best interests of the minors that Mother have all responsibility over major decisions with respect to the minors' education through high school, religion, extracurricular activities and lessons, and medical and health-related issues. Regarding communication, the court found that Father should maintain his right to communicate with the minors through "telephonic or electronic measures." Father, however, should not send or

³In his appellate brief, Father admitted that he failed to include a transcript or report of proceedings from the August 15, 2025, hearing in the record on appeal.

provide any third-party materials that breach the peace of the minors, and the minors could restrict communication with him if they felt uncomfortable with the materials sent. In that regard, Mother could also restrict and/or limit communication between Father and the minors if the communication was detrimental to the minors' psychological, emotional, or mental well-being in any way.

¶ 22 Finally, the court found that Father should have no parenting time, and that Mother should have all regular parenting time with the minors. The court reserved the issue of support, and it granted Mother the right to request a passport on behalf of the minors without Father's consent or permission.

¶ 23 On September 15, 2025, Father filed a motion to vacate the judgment. In the motion, Father alleged that he had COVID-19 at the time of the August 15, 2025, hearing, but the circuit court nevertheless proceeded without him. He further alleged that at the time of that hearing, he had motions pending challenging the court's jurisdiction and requesting to revoke "Power of Attorney." Father argued, *inter alia*, that the court (1) issued its judgment without jurisdiction, (2) violated his due process rights, and (3) deprived him of his fundamental right to participate in the proceedings. Father, therefore, asked the court to vacate the judgment "as void *ab initio*," and enter an order that no valid judgment existed "due to lack of jurisdiction and denial of due process."

¶ 24 On September 24, 2025, Mother filed a response, arguing that the circuit court had jurisdiction over the matter, Father failed to establish the necessary elements for postjudgment relief under section 2-1401 of the Code of Civil Procedure (Code) (735 ILCS 5/2-1401 (West 2024)), and that Father's due process rights were not violated as his COVID-19 documentation

was likely fabricated.⁴ Accordingly, Mother asked the court to deny his motion and let the judgment stand.

¶ 25 On December 16, 2025, the circuit court entered an order dismissing Father's pleadings filed on August 15, 2025, and September 15, 2025, for want of prosecution.⁵ The court's order stated, "[Father] once again fail[ed] to appear. Case management order was forwarded to [Father's] email address on file per the Court file." The same day, Father filed a "Consolidated Motion to Vacate Void Order, Stay Proceedings, and for Evidentiary Hearing on Jurisdiction."⁶ In the motion, Father primarily argued that the circuit court lacked jurisdiction to enter the parenting time order because he did not consent to personal jurisdiction, even though he initiated the action, asked the circuit court to vacate the parenting time order "as void *ab initio* for lack of personal jurisdiction," stay all proceedings pending a jurisdictional determination, set a limited evidentiary hearing on the issue of personal jurisdiction, and issue findings of fact and conclusions of law addressing jurisdiction. The circuit court continued the matter to February 17, 2026.

¶ 26 On January 7, 2026, Father filed another "Consolidated Motion to Vacate Void Order, Stay Proceedings, and for Evidentiary Hearing on Jurisdiction," essentially setting forth the same allegations and arguments as his prior consolidated vacatur motion. A week later, he filed a motion to vacate "void judgment" with virtually the same jurisdictional and due process arguments contained in his previous motions. The circuit court continued the matter to March 26, 2026, for a hearing on all postjudgment issues.

⁴As will be discussed below, section 2-1301(e) of the Code (735 ILCS 5/2-1301(e) (West 2024)) applied to Father's vacatur motion, as his motion was filed within 30 days of the circuit court's August 20, 2025, judgment.

⁵The court also dismissed Mother's September 24, 2025, responsive pleading.

⁶Father incorrectly referred to himself as the "respondent," rather than the "petitioner," in this pleading. He subsequently filed a pleading addressing this inadvertent mistake.

¶ 27 On February 17, 2026, Father filed an “Emergency Motion to Stay or Continue Case Management Requirements Pending Evidentiary Hearing,” asking the circuit court to stay or continue all case management deadlines until an evidentiary hearing could take place to determine the authenticity of his COVID-19 documentation. The same day, Father filed a motion “to set pending motions for hearing and for findings of fact and conclusions of law,” asking the court to set an evidentiary hearing for all pending motions, at which the parties could present testimony and relevant evidence. Following such a hearing, he asked that the court enter written findings of fact and conclusions of law.

¶ 28 On March 25, 2026, Father moved to continue the hearing scheduled for the following day. He alleged, *inter alia*, that his mother had suffered a major stroke and he was her primary caregiver. Consequently, he could not attend the postjudgment hearing in person, but he was willing to attend remotely, if permitted. The circuit court denied his motion and proceeded with the hearing the next day.

¶ 29 At the postjudgment hearing on March 26, 2026, Mother’s counsel was present in person, while Father and the GAL appeared via Zoom. Father again argued that the circuit court did not have personal jurisdiction over him. Although somewhat unclear, he seemed to suggest the court lacked jurisdiction because it “never had a hearing on jurisdiction when the challenge arose.” The court responded that Father “subjected [him]self to the Court’s jurisdiction when a petition was filed on [his] behalf or by [him] in this case.” The court then denied Father’s argument, noting that he waived jurisdiction by filing the initial petition. Nevertheless, Father continued to argue with the court, claiming that it still needed to “address the pending jurisdiction challenge on the record.”

¶ 30 Some back-and-forth between Father and the circuit court followed concerning his vacatur motion filed on September 15, 2025, as well as his earlier motion to revoke power of attorney.

Father alleged that he was revoking “the Court’s power of attorney,” to which the court responded that he could not do that. During these arguments, Father repeated his earlier jurisdictional argument, despite repeated court orders to move on from it after the court denied it.

¶ 31 Regarding Father’s argument that he could not attend the August 15, 2025, hearing because he had COVID-19, Mother’s counsel argued that his documentation appeared to be fraudulent. Counsel argued, *inter alia*, Mother’s opposition to a hearing on that issue as it had already been multiple months since the parties’ pleadings were filed concerning that issue. Counsel pointed out that Father, on many occasions, failed to appear or “provide clarity as to the validity of the COVID test.” Counsel argued that Father supposedly tested positive for COVID “a day or two before” the hearing, yet he never requested a continuance.

¶ 32 Regarding Father wanting to pursue parenting time and rights, Mother’s counsel noted there was a “real concern about whether or not he [could] even come to court, let alone abide by the court order.” Specifically, counsel stated,

“What we’ve seen is an individual who seems to be, respectfully, trying to circumvent this process or keep everyone else on the hook and he is deciding not to show up. And so I don’t believe that the Court should do any further assessment. I think the opportunities have been missed to clarify as to he was sick or, you know, whatever issues are going on. And as far as we know, he’s been in Florida this whole time. He has been hovering the court dates. We have—like you said, Your Honor, we’ve received motions to continue the day before, the days after, you know, for the hearing, and at this point there is no good faith to be present, to abide by the orders of the Court, or to even show that it is even appropriate or necessary to set aside a default to someone who has availed himself to the Court and yet does not want to abide by the Court orders.”

Counsel argued that, even if the court set aside the default judgment, Father did not have a meritorious defense “that would lead us somewhere else than where we already are here today.”

¶ 33 The GAL added that, in his opinion, the August 15, 2025, hearing was a “trial in absentia,” rather than a “purely default judgment.” Moreover, the GAL pointed out that Father filed a motion

for validation and proof of claims on the day of that hearing, when he was supposedly suffering from COVID-19. The circuit court then observed that Father filed that motion, but he did not file a motion for a continuance. Some more back-and-forth followed between Father and the court, after which Father accused the court of already having its “mind made up.” He then told the circuit court judge that she looked “emotionally unstable.” The judge tried, many times, to ask Father some basic questions, but he continuously interrupted and argued with her. The court eventually denied Father’s request to vacate the final judgment that was entered on August 20, 2025.

¶ 34 The circuit court entered a written order the same day.⁷ In the order, the court first denied Father’s motions challenging jurisdiction, noting that he waived any such challenges by subjecting himself to the court’s jurisdiction when he initiated the action. Next, the court denied Father’s motions seeking to vacate and/or set aside the final judgment, noting that the matter proceeded to a trial in absentia on August 15, 2025, as Father did not appear at the hearing that day or move to continue it. The court noted that Father had a history of failing to participate and/or appear at court proceedings. Instead of appearing and being heard, he “file[d] various motions on days that this matter is set for court.” Last, the court denied “[a]ll other motions not specifically named in this order” filed by Father as “they [were] deemed duplicative and/or moot.”

¶ 35 Father filed a timely notice of appeal from the circuit court’s March 26, 2026, order. His appeal was expedited pursuant to Illinois Supreme Court Rule 311(a) (eff. July 1, 2018).⁸

⁷We note that the circuit court’s order consists of three pages, each bearing a page number at the bottom. However, the order contained in the record does not include page No. 2. It is unclear if the court inadvertently skipped that page, or if it was excluded from the record on appeal.

⁸We note that the parties did not comply with the briefing schedule requirements under Rule 311(a)(7). Thus, there was good cause for this court’s delay in issuing its decision in this case. See Ill. S. Ct. R. 311(a)(5) (“Except for good cause shown, the appellate court shall issue its decision within 150 days after the filing of the notice of appeal or granting of leave to appeal pursuant to Rule 306(a)(5).”).

¶ 37 At the outset, we note that Mother did not file a brief in this appeal.⁹ Thus, we took the case for consideration on the record and Father’s brief only. See *First Capitol Mortgage Corp. v. Talandis Construction Corp.*, 63 Ill. 2d 128, 133 (1976) (permitting a reviewing court to decide a case on the record and the appellant’s brief only). A reviewing court will not serve as an advocate for an appellee who elects not to file a brief. *Id.* However, we should decide the appeal on the merits where, as here, the record is simple and the claimed error can be decided without the aid of an appellee brief. *Id.*

¶ 38 Father sets forth three issues on appeal, all challenging the circuit court’s denial of his September 15, 2025, motion seeking to vacate the court’s August 20, 2025, final judgment that awarded Mother all decision-making authority and parenting time with respect to the minors. That judgment followed the court’s August 15, 2025, hearing, which Father did not attend. The crux of Father’s arguments on appeal is that the lower court failed to employ the “substantial justice” standard required for motions brought under section 2-1301(e) of the Code (735 ILCS 5/2-1301(e) (West 2024)) when it denied his vacatur motion.

¶ 39 Initially, we note the circuit court’s August 20, 2025, order indicated that a “Default Judgment” was being entered following the hearing five days earlier. The court, however, later stated that the August 15, 2025, hearing was really a “trial in absentia,” as Father neither appeared nor filed a motion for a continuance. As we have no transcript or report of proceedings from that hearing, we are unable to ascertain what happened that day. However, since the court indicated that a “Default Judgment” was being entered, and Father subsequently filed a motion to vacate that

⁹Mother was given a final extension to file her brief on or before October 9, 2026, but she did not file one.

judgment within 30 days of its entry, we will review his motion as one brought under section 2-1301(e) of the Code and proceed in our analysis.¹⁰

¶ 40 Section 2-1301(e) of the Code addresses motions seeking to set aside default judgments either before a final judgment or order has been entered or within 30 days after the entry of a final judgment or order. *In re Adoption of D.*, 317 Ill. App. 3d 155, 159 (2000). That section states,

“The court may in its discretion, before final order or judgment, set aside any default, and may on motion filed within 30 days after entry thereof set aside any final order or judgment upon any terms and conditions that shall be reasonable.” 735 ILCS 5/2-1301(e) (West 2024).

We will not overturn the circuit court’s decision to grant or deny a motion to vacate a default judgment under section 2-1301(e) of the Code, absent an abuse of discretion. *In re Adoption of D.*, 317 Ill. App. 3d at 160. The court below “cannot be said to have abused its discretion if reasonable persons could differ as to its decision.” *Id.*

¶ 41 “The primary concern in ruling on a motion to vacate under section 2-1301(e) is whether substantial justice is being done between the litigants and whether it is reasonable under the circumstances to proceed to trial on the merits.” *Id.* at 159. Courts must consider various factors, such as “the presence of a meritorious defense, due diligence, the residence of the nonmovant, the severity of the penalty as a result of the judgment, and the hardship on the nonmovant if that party is required to go to trial.” (Internal quotation marks omitted.) *Id.* While the overriding consideration is whether substantial justice is being done between the litigants, courts should consider all the events leading up to the judgment and decide what is just and proper based on the specific facts of the case. *Godfrey Healthcare & Rehabilitation Center, LLC v. Toigo*, 2019 IL App (5th) 170473, ¶ 39.

¹⁰Mother also treated Father’s vacatur motion as a postjudgment motion seeking to vacate a final judgment, albeit under section 2-1401, rather than section 2-1301(e), of the Code. See *supra* ¶ 24.

¶ 42 After reviewing the record before us, we cannot say the circuit court abused its discretion in denying Father’s motion to vacate the August 20, 2025, judgment awarding Mother all decision-making responsibility and parenting time. As set forth above, the circuit court entered a “Default Judgment” on August 20, 2025, following a hearing five days earlier, which Father did not attend. Father did not provide us with a transcript or report of proceedings from that hearing, or an appropriate alternative under Rule 323(c), (d) (eff. July 1, 2017). While Father claims the “asserted error is reviewable from the existing record,” we are unable to determine the court’s reasoning behind its parenting time order, which was likely explained at the August 15, 2025, hearing. As the appellant, Father bears the burden of presenting a sufficiently complete record of the proceedings below to support his claims of error, and, in the absence of such a record, we must presume that the circuit court acted in conformity with the law and had a sufficient factual basis for its ruling. *Foutch v. O’Bryant*, 99 Ill. 2d 389, 391-92 (1984).

¶ 43 In the August 20, 2025, order, the circuit court stated that it had reviewed the evidence and information from the GAL and Mother’s attorney, and that its order reflected what the court had determined to be in the best interests of the minors. The court then awarded Mother all decision-making authority with respect to education, healthcare, religion, and extracurricular activities and lessons for the minors. The court also awarded Mother all parenting time, but it stated that Father maintained “his right to communicate with the children through telephonic or electronic measures,” as long as such communication was not detrimental to the minors. Furthermore, the court prohibited Father from sending or providing “any third-party materials that breach[ed] the peace of the children,” and stated that the minors could “restrict communication if they [felt] uncomfortable with materials sent.”

¶ 44 While there was no indication of what third-party materials the court was referring to or whether the minors had been uncomfortable with communication in the past, Mother previously alleged that Father was part of an extremist sect/religious cult, called “Hebrew Israelites,” which supposedly believed in “racial superiority, hatred against white individuals and the Jewish community, and sexist beliefs.” It is important to note that according to Mother’s counterpetition, the minors had lived with her for the past 10 years, during which time Father had failed to foster a relationship with them.

¶ 45 On September 15, 2026, less than 30 days after the court’s judgment was entered, Father filed a motion to vacate that judgment. Father alleged that he had been suffering from COVID-19 at the time of the August 15, 2025, hearing, and argued that the lower court (1) did not have jurisdiction when it entered the judgment, (2) violated his due process rights by proceeding without addressing its jurisdiction, and (3) deprived him of his “fundamental right to participate in the proceedings concerning his parental rights.” In ruling on Father’s vacatur motion, the circuit court considered Father’s alleged defense, due diligence (or lack thereof), and history in the court proceedings, among other things. The court held that Father waived any challenge to the court’s jurisdiction by filing the initial petition with the court in this case. See, *e.g.*, *Owens v. Snyder*, 349 Ill. App. 3d 35, 40 (2004) (“A plaintiff invokes personal jurisdiction by filing a complaint, thereby seeking to be bound to the court’s resolution of the complaint.”).

¶ 46 As to Father’s claim that he had COVID-19 during the August 15, 2025, hearing, the court noted that he did not file a motion for a continuance, yet he filed a different motion (“Demand for Validation and Proof of Claims”) on the day of that hearing. The court’s March 26, 2026, written order further noted that Father had a history of failing to participate and/or appear in court proceedings, but he would frequently file various motions on days that the matter was set for court.

The record supports these findings. As set forth, Father initiated this action on January 6, 2023. Father filed several motions for continuances throughout the course of these proceedings, but he did not file one to continue the August 15, 2025, hearing.

¶ 47 To the extent Father argues he did not move for a continuance since he was suffering from COVID-19, we find this argument somewhat disingenuous as Father had no problem filing another motion that day, just not one for a continuance. Father, nevertheless, sets forth various arguments concerning the validity of his COVID-19 documentation and whether an evidentiary hearing should have been held. We find this immaterial to whether the lower court abused its discretion in denying his motion to vacate the final judgment in this case. Father did not present a meritorious defense or show that he acted with due diligence, regardless of whether he actually had COVID-19, since he did not move to continue the August 15, 2025, hearing.

¶ 48 Father did, however, file a motion for a continuance the day before the circuit court's March 26, 2026, hearing. That motion was denied, and Father attended the hearing via Zoom. The report of proceedings from the hearing revealed that Father frequently disregarded the court's rulings, particularly concerning its jurisdiction over him, and accused the circuit court judge of being "emotionally unstable" when she pointed out that he did not request a continuance for the August 15, 2025, hearing. Notably, he did not provide any reasonable explanation as to why he did not move for a continuance. Given Father's history of failing to appear in court and his failure to request a continuance, we find it was reasonable for the August 15, 2025, hearing to proceed without him. Father has not established that substantial justice was not done, or the presence of a meritorious defense or due diligence.

¶ 49 While we acknowledge that the primary consideration is whether substantial justice was done between the litigants, the court may still consider all the events leading up to the judgment

and decide what is just and proper based on the facts of the case. See *Godfrey Healthcare*, 2019 IL App (5th) 170473, ¶ 39. Since Father filed a different motion on the day of the hearing, we see no reason why he could not have filed one for a continuance. It is also important to note that in the circuit court's August 20, 2025, final judgment order, the court noted that it was in the minors' best interests to resolve the issues of parenting time and responsibilities. We agree. This matter had been proceeding for years, without any resolution. Accordingly, we find that the circuit court's decision to proceed without Father on August 15, 2025, was fair and just since the matter had already been continued several times, and he had ample opportunity to request a continuance, but declined to do so.

¶ 50 Based on the foregoing, Father has not shown the circuit court's denial of his vacatur motion amounted to an abuse of its considerable discretion.

¶ 51 III. CONCLUSION

¶ 52 For the reasons set forth above, we affirm the circuit court's March 26, 2026, order denying Father's postjudgment motion, as well as the court's August 20, 2025, order allocating all parenting time and decision-making authority to Mother.

¶ 53 Affirmed.