2026 IL App (1st) 260211-U
No. 1-26-0211
Order filed November 10, 2026

NOTICE: This order was filed under Illinois Supreme Court Rule 23 and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).

IN THE

APPELLATE COURT OF ILLINOIS

FIRST DISTRICT

SECOND DIVISION

EDISPARK LLC, Plaintiff-Appellee,

v.

SHANEQUA JOHNSON, HOUSING OPPORTUNITIES FOR WOMEN, and ALL UNKNOWN OCCUPANTS, Defendants

(Shanequa Johnson, Defendant-Appellant).

Appeal from the Circuit Court of Cook County.
Honorable Theresa Marie Smith Conyers, Judge, Presiding.
No. 25-M1-709878

JUSTICE VAN TINE delivered the judgment of the court.
Presiding Justice D.B. Walker and Justice Reyes concurred in the judgment.

ORDER

¶ 1 *Held:* We dismiss this appeal for want of jurisdiction because the order that appellant requests we review was not final and appealable, no rule authorizing an interlocutory appeal applies, and appellant did not timely appeal the earlier final orders in this matter.

¶ 2 Defendant Shanequa Johnson, a self-represented litigant, appeals from eviction proceedings plaintiff Edispark LLC initiated against her. She seeks to challenge the August 20, 2025, eviction judgment, the dismissal of Housing Opportunities for Women (HOW), the absence

of factual findings supporting the eviction judgment, and the enforcement proceedings. Her February 3, 2026, notice of appeal, however, identifies only the circuit court's January 28, 2026, order, which extended the eviction enforcement period. Because the January 28, 2026, enforcement order was not appealable, and because she did not timely appeal the earlier final orders in the case, we dismiss her appeal for want of jurisdiction.

¶ 3 I. BACKGROUND

¶ 4 On June 24, 2025, Edispark sued to evict Johnson from a residential apartment it owned. The complaint also named HOW and all unknown occupants. Johnson appeared as a self-represented litigant and explained that she occupied the apartment through HOW as a subtenant, with HOW holding the lease. The court set August 20, 2025, as the trial date.

¶ 5 The record does not contain a transcript of the August 20, 2025, proceedings. However, according to the circuit court's later description of that day's court proceedings, the parties had completed most of the trial when Johnson interjected that she wanted to move out of the apartment. The court passed the case to allow the parties to discuss a resolution. The same day, the circuit court entered an eviction order. It was entered "by agreement (the court having made no factual findings)." It also identified Johnson as being present in court that day. The agreed order dismissed HOW from the matter, awarded Edispark possession of the apartment, did not award any money judgment, and stayed enforcement until January 15, 2026.

¶ 6 In November 2025, Johnson filed four motions seeking to vacate the eviction judgment and related relief. The motions collectively (1) argued the eviction order was not voluntary, (2) asserted HOW held the lease and she was a subtenant, (3) contended the court had entered no findings supporting eviction, and (4) sought a substitution of judge.

¶ 7 On December 17, 2025, the circuit court issued a written order denying Johnson's motions to vacate the August 20 agreed eviction order and her motion for substitution of judge. The court denied the motions to vacate "for the reasons stated on the record and for an additional reason not previously stated that the motion to vacate is untimely." The record does not contain a transcript of the December 17 proceedings.

¶ 8 On December 18, 2025, Edispark moved to extend the period for enforcement of the eviction order. On January 20, 2026, Johnson filed a written objection, arguing, among other things, that she did not voluntarily or knowingly agree to the eviction order.

¶ 9 At the January 28, 2026, hearing, the circuit court stated that it had reviewed Johnson's filings. Recalling the August 20, 2025, proceedings, the court explained that the parties had completed most of the trial when Johnson stated that she "wanted to move." The court recounted that it had passed the case to allow the parties to confer, and it subsequently entered an agreed order. The court stated that it had reviewed the terms with Johnson and had confirmed that she agreed to them. Johnson interjected that the order "was forced." In a written order that day, the court extended eviction enforcement for 120 days and directed the sheriff to enforce the eviction order.

¶ 10 On February 3, 2026, Johnson filed a notice of appeal. In the portion of the standardized form notice asking her to identify every order or judgment she wished to appeal, Johnson listed only "Jan 28, 2026."

¶ 11 II. ANALYSIS

¶ 12 On appeal, Johnson requests that we reverse or vacate the eviction judgment and related postjudgment orders or, alternatively, remand the matter for further proceedings. Edispark has not filed a response brief. However, because we can resolve the appeal by reference to the record and

Johnson's brief, we consider the appeal under the principles set forth in *First Capitol Mortgage Corp. v. Talandis Construction Corp.*, 63 Ill. 2d 128, 133 (1976).

¶ 13 We begin by determining whether we have jurisdiction to hear this case, as we have an independent duty to consider our jurisdiction and must dismiss an appeal when it is lacking. *Huber v. American Accounting Ass'n*, 2014 IL 117293, ¶ 19. Illinois Supreme Court Rule 301 provides that "[e]very final judgment of a circuit court in a civil case is appealable as of right." Ill. S. Ct. R. 301 (eff. Feb. 1, 1994).

¶ 14 Johnson's notice of appeal identifies only the circuit court's January 28, 2026, order. A notice of appeal confers jurisdiction on this court to review only the judgments or parts of judgments specified in it. *General Motors Corp. v. Pappas*, 242 Ill. 2d 163, 176 (2011). Because Johnson's notice of appeal identifies the circuit court's January 28, 2026, order, we first consider whether that order constitutes a final judgment appealable under Rule 301, Ill. S. Ct. R. 301 (eff. Feb. 1, 1994), or is otherwise appealable under an applicable exception.

¶ 15 A. The January 28, 2026, Enforcement Order

¶ 16 The January 28, 2026, enforcement order extended the eviction period by 120 days. Section 9-117 of the Code of Civil Procedure provides that an eviction order may not be enforced more than 120 days after its entry unless, on the plaintiff's motion, the circuit court extends the period for enforcement. 735 ILCS 5/9-117 (West 2024). The statute governs the period during which an existing eviction judgment may be executed; it does not contemplate entry of a new judgment adjudicating the parties' rights to possession. See *id.*

¶ 17 A judgment or order is final when it determines the litigation on the merits or some definite part of it so that, if affirmed, only execution remains. *Indiana Insurance Co. v. Powerscreen of Chicago, Ltd.*, 2012 IL App (1st) 103667, ¶ 22. Here, execution was all that remained after entry

of the August 20, 2025, eviction judgment. The January 28 order did not determine which party was entitled to possession, reinstate HOW as a defendant, impose a money judgment, or otherwise alter the substantive rights established by the eviction judgment. All it did was extend, by 120 days, the period during which the sheriff could enforce the eviction judgment. Accordingly, the January 28 order was not a new final judgment appealable under Illinois Supreme Court Rule 301.

¶ 18 We also consider whether the January 28 order is appealable under any exception permitting review of a nonfinal order. Johnson does not invoke a rule authorizing interlocutory appeal from the January 28 order, and our research does not yield any, either. Accordingly, the January 28 order cannot support appellate jurisdiction.

¶ 19 B. The August 20 and December 17, 2025, Orders

¶ 20 Although Johnson's notice of appeal identified only the January 28 order, her brief seeks reversal of the August 20 eviction judgment and the December 17 order denying her postjudgment motions. Because a notice of appeal is liberally construed and may be read to reach orders it does not specifically identify, we consider whether Johnson's notice permits review of those earlier orders. See *Burtell* v. *First Charter Service Corp.*, 76 Ill. 2d 427, 434-35 (1979).

¶ 21 Under Illinois Supreme Court Rule 303(a)(1), a notice of appeal generally must be filed within 30 days after entry of the final judgment or, if a timely postjudgment motion directed against the judgment is filed, within 30 days after entry of the order disposing of that motion. Ill. S. Ct. R. 303(a)(1). The timely filing of a notice of appeal is both mandatory and jurisdictional. *Secura Insurance Co. v. Illinois Farmers Insurance Co.*, 232 Ill. 2d 209, 213 (2009). In a nonjury case, any postjudgment motion must be filed within 30 days after the entry of judgment. 735 ILCS 5/2-1203(a) (West 2024).

¶ 22 The August 20 eviction judgment was final: it disposed of Edispark's possession claim, dismissed HOW, awarded possession to Edispark, and left only enforcement of the judgment. See *Indiana Insurance*, 2012 IL App (1st) 103667, ¶ 22. Johnson did not file a postjudgment motion within 30 days of that judgment. Her motions seeking to vacate the judgment began in November 2025, well after the time for filing a motion that would toll the period for appeal had expired. Therefore, those filings did not extend the time for appealing the August 20 judgment.

¶ 23 In her November 12, 2025, motion, Johnson sought to vacate the eviction judgment as void under section 2-1401(f) of the Code of Civil Procedure. See 735 ILCS 5/2-1401(f) (West 2024). A section 2-1401 proceeding is independent of the underlying action, and an order granting or denying section 2-1401 relief is immediately appealable under Rule 304(b)(3). *Sarkissian v. Chicago Board of Education*, 201 Ill. 2d 95, 102 (2002). The circuit court denied Johnson's motion to vacate on December 17, 2025. Johnson did not file a notice of appeal within 30 days of that order and did not identify the December 17 order in her February 3 notice of appeal. That Johnson characterized the eviction judgment as void does not alter this conclusion, as a voidness claim under section 2-1401(f) does not excuse the requirement of a timely appeal from the order denying it.

¶ 24 Further, Johnson's subsequent filings did not restart the time to appeal either the August 20 judgment or the December 17 order. A successive postjudgment request does not extend the time for appealing an earlier final judgment. *Sears v. Sears*, 85 Ill. 2d 253, 258-60 (1981); *Royal Oak Condominium Ass'n v. Stevenson*, 2025 IL App (1st) 242317, ¶¶ 16-19.

¶ 25 We recognize that a notice of appeal is liberally construed and may confer jurisdiction over an unspecified order that was a step in the procedural progression leading to the judgment identified in the notice. *Pappas*, 242 Ill. 2d at 176; *Burtell*, 76 Ill. 2d at 434-35. But that principle

does not assist Johnson. The August 20 eviction judgment and the December 17 denial of postjudgment relief were independently final orders whose respective appeal periods had already expired. Neither constituted a preliminary determination leading to the January 28 enforcement order; that order merely extended the time to enforce the previously entered eviction judgment. That the January 28 order presupposed the existence of the eviction judgment does not make the judgment a step leading to it because enforcement of a final judgment *follows from*, rather than *leads to*, that judgment. See *Illinois Central Gulf R.R. Co. v. Sankey Brothers, Inc.*, 78 Ill. 2d 56, 61 (1979) (earlier order dismissing a counterclaim not reviewable where the notice of appeal identified only a later summary judgment order); *Village of Lisle v. Village of Woodridge*, 192 Ill. App. 3d 568, 572-73 (1989) (earlier dismissal order not reviewable because it was unnecessary to, and not a step in the procedural progression leading to, the later summary judgment).

¶ 26 Accordingly, we lack jurisdiction to consider Johnson's challenges to whether the August 20 order was validly agreed to, whether the court properly dismissed HOW, whether factual findings were required before entry of the eviction judgment, or whether the circuit court should have vacated that judgment.

¶ 27 Because the January 28 order identified in the notice of appeal was not final and therefore not independently appealable, and the earlier final orders were not timely appealed, we lack jurisdiction to review Johnson's challenge. Accordingly, we must dismiss Johnson's appeal. See *Huber*, 2014 IL 117293, ¶ 19.

¶ 28 III. CONCLUSION

¶ 29 For these reasons, we dismiss the appeal for want of jurisdiction.

¶ 30 Appeal dismissed.