2026 IL App (1st) 250599-U
No. 1-25-0599
Order filed November 12, 2026

NOTICE: This order was filed under Illinois Supreme Court Rule 23(b) and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).

IN THE

APPELLATE COURT OF ILLINOIS

FIRST DISTRICT

THIRD DIVISION

SHERIKA C., Plaintiff-Appellant,

v.

THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES and HEIDI MUELLER, in Her Official Capacity as Director of Children and Family Services, Defendants-Appellees.

Appeal from the Circuit Court of Cook County.
Honorable Joel Chupack, Judge, Presiding.
No. 24 CH 7238

JUSTICE LAMPKIN delivered the judgment of the court.
Presiding Justice Quish and Justice Rochford concurred in the judgment.

ORDER

¶ 1 *Held*: The decision of the director of the Department of Children and Family Services denying the mother's request for expungement of the indicated finding against her of child abuse was neither against the manifest weight of the evidence nor clearly erroneous.

¶ 2 Defendant, the Department of Children and Family Services (DCFS), investigated a report that plaintiff Sherika C. (the mother) sent her minor child to school with mace spray. DCFS made an indicated finding against the mother for allegation of harm No. 10, substantial risk of physical injury.

¶ 3 The mother requested and received an administrative hearing on her request to expunge the indicated finding. Thereafter, defendant Heidi Mueller, Director of Children and Family Services (Director), adopted the findings and conclusions of the administrative law judge (ALJ) and denied the mother's request to expunge the indicated finding.

¶ 4 The mother filed a complaint for administrative review, and the circuit court affirmed the Director's decision.

¶ 5 On appeal, the mother argues the Director's decision to deny the mother's request to expunge the indicated finding was against the manifest weight of the evidence and clearly erroneous. The mother also argues she was denied due process because she did not receive sufficient notice of DCFS's investigation.

¶ 6 We affirm the circuit court's judgment, which affirmed the Director's decision to deny the mother's request to expunge the indicated finding against her.[1]

¶ 7 I. BACKGROUND

¶ 8 In March 2023, the mother's eight-year-old child, A.C., brought mace spray to school. School personnel spoke to A.C. about the mace spray and confiscated it. School personnel made a call to DCFS's hotline, notifying it of this incident and that A.C. had anger issues and an individualized education plan for a related learning disability. DCFS conducted an investigation and notified the mother in writing in April 2023 that the report of abuse was indicated for allegation of harm No. 10 of Appendix B of DCFS's regulations, *i.e.*, substantial risk of physical injury. The mother appealed the indicated finding to DCFS's administrative hearings unit, and a telephonic administrative hearing was held in May 2024. At that hearing, the mother proceeded *pro se* and

[1]In adherence with the requirements of Illinois Supreme Court Rule 352(a) (eff. July 1, 2018), this appeal has been resolved without oral argument upon entry of a separate written order.

three witnesses—Samantha Miggins, Sheila Barlow, and Nathalie Castro—testified for DCFS. The mother, however, declined to testify. The witnesses' testimony established the following facts.

¶ 9 On the day of the incident, Samantha Miggins, one of A.C.'s teachers, was notified by a school paraprofessional that another student had reported that A.C. "had something that was bad for students." When the paraprofessional asked A.C. if he had something, he "pulled out his pencil case," which contained the mace spray. He told the paraprofessional that "his mom gave the canister to him to protect himself." The paraprofessional took the mace spray to Miggins, and Miggins took A.C. and the mace spray to the principal's office. According to Miggins, A.C. had anger issues and had previously "slapped a girl, hit other students, and used profanity," and Miggins was worried A.C. might use the mace to spray a student who had angered him.

¶ 10 Sheila Barlow, the school's principal, also spoke to A.C. that day. He told her "that his mother gave the Mace to him because two students were bothering him." A.C. demonstrated to Barlow how to use the mace spray. Barlow did not speak to the mother on the day of the incident or the day after because the mother did not come to the school. Barlow did not want to discuss the incident by phone because, in the past, the mother would record their calls. When Barlow eventually spoke with the mother and A.C. at the school, A.C. said he got the mace spray from "outside or somewhere else." The mother agreed with this version of A.C.'s story.

¶ 11 Following the DCFS hotline call, this incident was referred for investigation to Nathalie Castro, a child protection investigator. A.C. told Castro he brought the mace spray to school and his mother gave it to him for protection because another student was bothering him and another student at school. Castro also spoke with the mother about the incident, and the mother "did not deny or confirm the situation." However, the mother apologized to Castro and stated that she understood her son had anger issues. Castro found that the mother was cooperative and her home

seemed safe and appropriate. Castro also spoke with Barlow, who told her that A.C. demonstrated to Barlow how to use the mace spray. Following this investigation, DCFS determined the report of child abuse against the mother was indicated for allegation of harm No. 10, substantial risk of physical injury, because she taught A.C. how to use the mace spray, A.C. had anger issues, and A.C. said he would use the mace spray on multiple students.

¶ 12 In June 2024, the ALJ issued a recommendation that included findings of fact and conclusions of law, determining that DCFS had proved the indicated finding by a preponderance of the evidence. Thereafter, the Director issued the final administrative decision adopting the ALJ's findings and conclusions and denying the mother's request for expungement of the indicated finding. The mother, proceeding *pro se*, filed a complaint in the circuit court, seeking judicial review of the Director's final administrative decision. Specifically, the mother sought reversal of the Director's denial of the mother's administrative appeal and an order directing the Director to expunge the indicated finding.

¶ 13 The circuit court affirmed the Director's decision not to expunge the indicated finding against the mother, and the mother appealed to this court.

¶ 14 II. ANALYSIS

¶ 15 DCFS administers the Abused and Neglected Child Reporting Act (Act) (325 ILCS 5/1 *et seq.* (West 2024)), and has promulgated corresponding administrative regulations (89 Ill. Admin. Code 300 *et seq.* (1987)). The Act requires DCFS to maintain a central register of reported cases of suspected child abuse or neglect. 325 ILCS 5/7.7 (West 2024).

¶ 16 After investigating a report of child abuse or neglect, DCFS must classify it as "indicated," "unfounded," or "undetermined," and report that information to the central register. *Id.* §§ 7.12, 7.14; 89 Ill. Admin. Code 300.110 (1998). A report of child abuse or neglect is "indicated" when

"an investigation determines that credible evidence of the alleged abuse or neglect exists." 325 ILCS 5/3 (West 2024); see 89 Ill. Admin. Code 300.20 (2018), 300.110(i) (1998). Credible evidence "means that the available facts, when viewed in light of surrounding circumstances, would cause a reasonable person to believe that a child was abused or neglected." 89 Ill. Admin. Code 300.20 (2018).

¶ 17 DCFS's regulations include specific categories of allegations of child abuse and neglect including, as relevant here, allegation of harm No. 10, substantial risk of physical injury (abuse). 89 Ill. Admin. Code 300.Appendix B (2017). If an individual receives an indicated finding of child abuse or neglect, their name is placed on the central register for a specified time. 325 ILCS 5/7.7, 7.12, 7.14, 11, 11.1 (West 2024); 89 Ill. Admin. Code 300.20 (2018). The central register is accessible only to certain persons under circumstances specified by the Act, including when the indicated individual seeks certain types of sensitive employment. 325 ILCS 5/11, 11.1 (West 2024).

¶ 18 The subject of an indicated finding of abuse or neglect may appeal that finding with DCFS to determine whether the finding should be amended or expunged from the central register, and may request an administrative hearing before an ALJ. *Id.* §§ 7.15, 7.16, 7.18. At the hearing, DCFS has the burden to establish, by a preponderance of the evidence, that the indicated report should not be amended or removed. *Id.* §7.16; 89 Ill. Admin. Code 336.115(c)(2) (2017). A preponderance of the evidence "means the greater weight of the evidence which renders a fact more likely than not." 89 Ill. Admin. Code 336.20 (2017). Based on the evidence presented at the hearing, the ALJ makes a recommendation to the Director, who may accept, reject, amend, or return it for further proceedings. 325 ILCS 5/7.16 (West 2024); 89 Ill. Admin. Code 336.220(a)(1), (a)(2) (2017). The Director's decision, not the ALJ's recommendation, is the final administrative decision, and the subject who receives an adverse decision from the Director may seek judicial review in the circuit

court under the Administrative Review Law (735 ILCS 5/3-101 *et seq.* (West 2024)). 325 ILCS 5/7.16, 11.6 (West 2024); 89 Ill. Admin. Code 336.20, 336.220(a) (2017).

¶ 19 When a party appeals the circuit court's decision on a complaint for administrative review from a final decision by the Director, this court reviews the decision of the Director, not the circuit court. *Plowman v. Department of Children & Family Services*, 2017 IL App (1st) 160860, ¶ 15.

¶ 20 A. Manifest Weight

¶ 21 On appeal, the mother first argues the Director's decision not to expunge the mother's indicated finding under allegation of harm No. 10 was not supported by the evidence because she was never directly asked if she gave A.C. the mace spray.

¶ 22 The Director's determination as to how A.C. obtained the mace spray is a finding of fact. The Director's findings of fact are "*prima facie* true and correct" and will not be disturbed unless they are against the manifest weight of the evidence—*i.e.*, unless the opposite conclusion is "clearly evident." 735 ILCS 5/3-110 (West 2024); *Lyon v. Department of Children & Family Services*, 209 Ill. 2d 264, 271 (2004). This court does not reweigh the evidence or make credibility determinations on administrative review because it is "the province of the administrative agency to determine the credibility of witnesses and resolve conflicts in the evidence." *Plowman*, 2017 IL App (1st) 160860, ¶ 24. "If the record contains evidence to support the agency's decision, it should be affirmed." *Abrahamson v. Illinois Department of Professional Regulation*, 153 Ill. 2d 76, 88 (1992).

¶ 23 Allegation of harm No. 10, substantial risk of physical injury (abuse), requires that a parent "has created a real and significant danger of physical injury." 89 Ill. Admin. Code 300Appendix B (2017). This allegation applies "when the type or extent of harm is undefined" but the

circumstances would cause a "reasonable person to believe that the child is in substantial risk of physical injury." *Id.*

¶ 24 In issuing the decision that the mother's indication under allegation of harm No. 10 should not be expunged, the Director reviewed the evidence and adopted the ALJ's findings of fact. The ALJ found that A.C. "brought Mace pepper spray to school, and he told school personnel that his mother gave it to him to take to school to protect himself." While at school, A.C. also "demonstrated how Mace is used." And though the mother stated A.C. "found the Mace outside," that assertion "[wa]s found to be not credible or reliable."

¶ 25 These findings were based on the evidence presented at the hearing. Specifically, Miggins testified A.C. told her his mother gave him the mace spray for his protection. Barlow testified A.C. told her his mother gave him the mace spray to protect himself because two students were "bothering" him. Barlow also testified A.C. showed her how to use the mace spray. And Castro testified A.C. told her that his mother gave him the mace spray to take to school to protect himself and he "was going to" use the mace spray on other students. Castro also testified the mother "did not deny or confirm the situation" but did apologize and acknowledge "that her son had anger issues."

¶ 26 Given the consistency across the witnesses' testimonies, the ALJ's determination that the mother gave A.C. the mace spray was not against the manifest weight of the evidence. In particular, the ALJ explained that if A.C. had found the mace spray outside or somewhere else, it would have been "highly unlikely that he would have known how to use it and no evidence was presented as to why [he] would have said that his mother gave it to him and told him to use it to protect himself if this were not true."

¶ 27 The ALJ was not required to credit the mother's statement that A.C. found the mace spray outside, especially when Barlow stated A.C. changed his story at a later date to say "he got the Mace from 'outside or somewhere else' " when the mother was present. The ALJ was entitled to credit Barlow's testimony that she believed A.C.'s original statement that he received the mace spray from the mother because he knew how to use it.

¶ 28 On review, this court does not reweigh the evidence, judge the credibility of witness testimony anew, or substitute its judgment for that of the agency. *Abrahamson*, 153 Ill. 2d at 88; see *MIFAB, Inc. v. Illinois Human Rights Comm'n*, 2020 IL App (1st) 181098, ¶ 58 ("The mere fact that a conclusion opposite to the one reached by the agency is reasonable or that the reviewing court might have ruled differently will not justify the reversal of the administrative findings."). Here, the absence of a statement by the mother that she gave the mace spray to A.C. is not substantial evidence supporting a conclusion opposite to the Director's.

¶ 29 We conclude the factual determination that the mother gave A.C. the mace spray was not against the weight of the evidence.

¶ 30 B. Clearly Erroneous

¶ 31 The mother next argues the Director erred by denying the mother's request to expunge the indicated finding because A.C.'s possession of the mace spray did not create a substantial risk of physical injury sufficient to support an indicated finding under allegation of harm No. 10. Specifically, the mother argues A.C.'s possession of mace spray did not constitute abuse based on the statutory definition of "Abused child" in section 3 of the Act (325 ILCS 5/3 (West 2024)) because the spray was small and non-lethal.

¶ 32 The question of whether a particular situation, such as possession of mace spray, meets the Act's criteria for an indicated finding under an allegation of harm is a mixed question of law and

fact because it requires the Director to apply the relevant statutory and regulatory definitions to the facts of the case. See *Walk v. Illinois Department of Children & Family Services*, 399 Ill. App. 3d 1174, 1187 (2010). Where the Director's decision involves a mixed question of law and fact, the standard of review is "clearly erroneous." *AFM Messenger Service, Inc. v. Department of Employment Security*, 198 Ill. 2d 380, 392-93 (2001). A "mixed question" is one in which the applicable law is undisputed, and the issue is whether the facts satisfy the legal standard. *Id.* at 391. Under the clearly erroneous standard of review, a court will uphold the Director's determination unless, upon reviewing the entire record, the court is left with a definite and firm conviction that a mistake was committed. *Slater v. Department of Children & Family Services*, 2011 IL App (1st) 102914, ¶ 33. The standard incorporates the "wisdom of judicial deference" to DCFS's expertise and experience. *AFM Messenger*, 198 Ill. 2d at 394.

¶ 33 As explained above, DCFS's indication system implements the Act. Section 300.Appendix B of Title 89 "describes the specific incidents of harm which must be alleged to have been caused by the acts or omissions of the persons identified in Section 3 of the [Act]." *Plowman*, 2017 IL App (1st) 160860, ¶ 17; see *Slater*, 2011 IL App (1st) 102914, ¶ 25 (regulations promulgated under the Act "defin[e] problematic conduct"). Thus, in determining whether the conduct in this case constitutes abuse, we consider not only the general statutory definitions of the Act but also the specific allegation of harm under which the mother was indicated. See *Ventus Holdings, LLC v. Raddle*, 2025 IL App (1st) 241169, ¶ 13 (administrative rules and regulations "have the force and effect of law").

¶ 34 The language of the Act and allegation of harm No. 10 are similar. The Act's definition of an abused child includes a category for those who "[create] a substantial risk of physical injury to [a] child by other than accidental means which would be likely to cause death, disfigurement,

impairment of physical or emotional health, or loss or impairment of any bodily function." 325 ILCS 5/3 (West 2024). Allegation of harm No. 10 requires that a parent "has created a real and significant danger of physical injury." 89 Ill. Admin. Code 300Appendix B (2017). Giving a child mace spray fulfills both definitions. As the ALJ explained, A.C. brought the mace spray to school, told school personnel that his mother gave it to him to take to school to protect himself, and demonstrated how to use the mace spray. And mace spray has "disabling" effects that cause "injury." *People v. Elliott*, 299 Ill. App. 3d 766, 773 (1998) (detailing the incapacitating effects of the spray); see *People v. Lampton*, 385 Ill. App. 3d 507, 515 (2008) (concluding that pepper spray is a "dangerous weapon"). Regardless of the definition used, the mother created a substantial risk and significant danger of physical injury by deliberately providing mace spray to A.C.

¶ 35 Contrary to the mother's argument on appeal, there is no requirement that the risk of harm be the risk of lethal harm. Instead, section 3 of the Act provides that the indicated individual "has created a real and significant danger of physical injury." 325 ILCS 5/3 (West 2024). The guidelines concerning allegation of harm No. 10 provide that the indication is appropriate in situations "when the type or extent of harm is undefined but the total circumstances lead a reasonable person to believe that the child is at substantial risk of physical injury." 89 Ill. Admin. Code 300Appendix B (2017).

¶ 36 The mother cites section 24-1 of the Criminal Code of 2012 (Criminal Code) (720 ILCS 5/24-1 (West 2024)), which regulates the unlawful possession of weapons, to support her argument that mace spray is not a weapon under the law. This argument lacks merit. The issue of whether mace spray is considered a weapon under section 24-1 of the Criminal Code is irrelevant because allegation of harm No. 10 does not require the possession of a weapon as that term is defined in section 24-1. Nevertheless, section 24-1's proscriptions include "any object containing noxious

liquid gas or substance, other than an object containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older." *Id.* § 24-1(c). Given that A.C. was under 18 years old, his carrying of the mace spray would trigger the unlawful possession of weapons statute and provides further evidence that the mace spray created a substantial risk of physical injury.

¶ 37 We conclude the Director's decision that A.C.'s possession of mace spray satisfied the relevant statutory and regulatory prerequisites for an indicated finding under allegation of harm No. 10, substantial risk of physical injury, was not clearly erroneous.

¶ 38 C. Due Process

¶ 39 For the first time on appeal, the mother raises the following six arguments. First, she argues she was not provided proper notice of the charges against her. Second, she argues the school failed to inform her that it was notifying DCFS of the mace spray incident and did not obtain her consent to do so. Third, she argues DCFS's investigation report included the child protection investigator's interviews and investigation notes without the mother's consent or acknowledgment. Fourth, she argues the indicated finding was not supported by evidence and, thus, violated fourteenth amendment due process protections and the requirements of section 7.16 of the Act (325 ILCS 5/7.16 (West 2024)). Fifth, she argues the school contacting DCFS before informing her about the mace spray incident violated her rights under section 300.110 of Title 89 (89 Ill. Admin. Code 300.110 (1998)) and section 1232 of the Family Education Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. § 1232 (2024)). And sixth, she cites *Santosky v. Kramer*, 455 U.S. 745 (1982), to support her argument that her fundamental liberty interest in the care and custody of her child was violated.

¶ 40 The mother, however, has forfeited these arguments because she failed to raise them during the administrative proceedings. "[I]ssues or defenses not presented to the administrative agency will not be considered for the first time on administrative review." *Cinkus v. Stickney Municipal Officers Election Board*, 228 Ill. 2d 200, 214 (2008). And this prohibition applies even if the mother is making a due process argument. See *id.*; *Perez v. Illinois Concealed Carry Licensing Review Board*, 2016 IL App (1st) 152807, ¶ 28 (due process challenge not raised before agency is forfeited).

¶ 41 Forfeiture is particularly appropriate where, as here, the failure to raise an issue before the agency would prevent another party from curing any error or otherwise addressing the problem. *Carpetland U.S.A., Inc. v. Illinois Department of Employment Security*, 201 Ill. 2d 351, 397 (2002). If the mother had raised these issues during the administrative proceedings, DCFS would have had the opportunity to provide documentation regarding what notice was provided to the mother and when. Because review under the Administrative Review Law is limited to the record that was before the administrative agency, raising constitutional issues at the administrative level is "indispensable" to creating a record on which to adjudicate the issue. See *Arvia v. Madigan*, 209 Ill. 2d 520, 528 (2004). The mother's failure to raise these issues during the administrative proceeding prevented the creation of such a record here.

¶ 42 Further, many of the mother's issues were doubly forfeited because they were not raised before the circuit court. In the circuit court, the mother made three claims: the ALJ's findings of fact were against the manifest weight of evidence; the Director's decision was erroneous as a matter of law; and the "indicated finding is being maintained in violation of the due process rights of the Plaintiff." Although the mother raised a generic due process argument in the circuit court, she did not raise a due process claim related to parental consent, FERPA, or constitutional parental

rights as she does now on appeal. "[A]n issue not raised in the trial court is forfeited on appeal." *People v. Cruz*, 2013 IL 113399, ¶ 20.

¶ 43 Forfeiture aside, the mother's arguments regarding DCFS's process lack merit because she has failed to show that DCFS acted improperly or in a manner that prejudiced her. "An administrative hearing comports with due process where the parties are given the opportunity to be heard, the right to cross-examine adverse witnesses and an impartial ruling based on the evidence." *Gonzalez v. Pollution Control Board*, 2011 IL App (1st) 093021, ¶ 42. And "[a] court will find a due process violation only if there is a showing of prejudice." *Id.* The mother was offered the opportunity to testify under oath at the administrative hearing and declined to do so. She also cross-examined adverse witnesses and had the opportunity to raise any objections to the investigation notes at the administrative hearing. Further, as discussed above, the Director's decision comported with the available evidence. Thus, the mother's due process rights were not violated and she was not prejudiced by the processes she received.

¶ 44 The mother also argues the investigation took place without her consent and notes were taken without her consent, in violation of due process. But neither the statutes nor the administrative code requires parental consent to investigate that parent for child abuse. See 89 Ill. Admin. Code § 300.110 (1998) (requiring only that a parent in a child abuse investigation be notified after the initial investigation is complete and not requiring consent). Indeed, a requirement for parental consent would defeat the purpose of protecting children from caregiver abuse. See *Croft v. Westmoreland County Children & Youth Services*, 103 F.3d 1123, 1125 (3d Cir. 1997) (constitutionally protected parental rights do "not include a right to remain free from child abuse investigations"). DCFS therefore complied with the governing statute and regulations, and the mother provides no basis for concluding that, in doing so, DCFS violated due process.

¶ 45 Further, the mother argues the indicated finding violated 14th amendment due process protections and the requirements of section 7.16 of the Act because the finding was not supported by evidence. This argument also fails because, as discussed above, the Director appropriately determined that A.C.'s possession of the mace spray met the standard of a substantial risk of physical injury. And there is no basis for the mother to make a due process challenge under section 7.16, which sets time frames for an appeal of the Director's decision. Section 7.16 requires that an appeal be made within 60 days of notification of the completion of the investigation, a "hearing shall be held within a reasonable time after the perpetrator's request," and "[t]he decision shall be made, in writing, at the close of the hearing, or within 60 days thereof." 325 ILCS 5/7.16 (West 2024). The mother makes no claim that any of these requirements were not followed.

¶ 46 In addition to generally claiming due process violations, the mother asserts her rights were violated under section 300.110 of Title 89 and section 1232 of FERPA because the school did not inform her about the incident "before contacting investigators." But section 300.110 of Title 89 requires that the legal custodian and alleged perpetrator be informed of the report to DCFS and related information "as soon as investigative staff make a determination following the initial investigation that there is reasonable cause to believe that child abuse or neglect exists." 89 Ill. Admin. Code § 300.110 (1998). The mother was not entitled to notification before investigators were contacted. The mother, in fact, received notice of the investigation when Castro spoke to her and A.C., which occurred before any determination was made, and so the mother received notice earlier than required by statute.

¶ 47 Section 1232 of FERPA is a federal statute that does not pertain to parental notice of DCFS investigations or child abuse investigations more broadly. The statute instead requires that "parents *** are notified of [judicial] orders or subpoenas in advance of *** compliance" by certain

educational institutions, with an exception for "a parent [who] is a party to a court proceeding involving child abuse and neglect." 20 U.S.C. § 1232g(b)(2)(B) (2024). No such order or subpoena existed when the school notified DCFS, and if such order or subpoena had existed, the mother would have fallen within the statutory exception.

¶ 48 The mother also refers to *Santosky v. Kramer*, 455 U.S. 745 (1982), for the proposition that "parents have a fundamental liberty interest in the care and custody of their children." The mother does not explain how her fundamental liberty interest was violated, nor can she make a colorable argument under *Santosky*. *Santosky* concerned the process afforded to parents in proceedings for the termination of parental rights. *Id.* at 753. In other contexts, the Court has acknowledged that "the state has a wide range of power for limiting parental freedom and authority in things affecting the child's welfare." *Prince v. Massachusetts*, 321 U.S. 158, 167 (1944). The indicated finding here plainly falls within the state's wide ambit for protecting child welfare. The mother was not deprived of any right to parent her child. She was merely placed on a central register after creating a substantial risk of harm. *Lyon*, 209 Ill. 2d at 278 ("the central register is one mechanism the state uses" in "protecting the welfare of children"). Any claim for violation of parental rights thus fails.

¶ 49 Finally, in July 2025, the mother moved this court to expunge and remove the indicated finding from all Cook County or associated agency records. She argues the indicated finding is unfounded; A.C. did not use or threaten to use the mace spray against anyone; she did not encourage or allow A.C. to bring or use the mace spray in any unsafe manner; and no threat, harm or neglect resulted from this situation. This court ruled that the mother's motion is taken with the case.

¶ 50 As discussed above, the Director's decision to deny the mother's request to expunge the indicated finding was neither against the manifest weight of the evidence nor clearly erroneous. Accordingly, we dismiss the mother's motion as moot.

¶ 51 III. CONCLUSION

¶ 52 For the reasons stated, we affirm the judgment of the circuit court, which affirmed the Director's decision to deny the mother's request to expunge the indicated finding against her.

¶ 53 Affirmed.