

Illinois Official Reports

Supreme Court

Easterday v. Village of Deerfield, 2021 IL 126840

Caption in Supreme Court: DANIEL D. EASTERDAY *et al.*, Appellants, v. THE VILLAGE OF DEERFIELD *et al.*, Appellees.

Docket Nos. 126840, 126849 cons.

Filed November 18, 2021

Decision Under Review Appeal from the Appellate Court for the Second District; heard in that court on appeal from the Circuit Court of Lake County, the Hon. Luis A. Berrones, Judge, presiding.

Judgment Appeal dismissed.

Counsel on Appeal Christian D. Ambler, of Stone & Johnson, Chtrd., of Chicago, and David H. Thompson (*pro hac vice*), Peter A. Patterson (*pro hac vice*), and Brian W. Barnes (*pro hac vice*), of Cooper & Kirk, PLLC, of Washington, D.C., for appellants Guns Save Life, Inc., and John W. Wombacher III.

David G. Sigale, of Law Firm of David G. Sigale, P.C., of Wheaton, for appellants Daniel D. Easterday, Illinois State Rifle Association, and Second Amendment Foundation, Inc.

Christopher B. Wilson, Kathleen A. Stetsko, and Kathryn A. Campbell, of Perkins Coie LLP, and Steven M. Elrod and Hart M. Passman, of Elrod Friedman LLP, both of Chicago, and Jonathan E. Lowy, of Brady Center to Prevent Gun Violence, of Washington, D.C., for appellees.

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PER CURIAM

OPINION

¶ 1

In this case, one Justice of this court has recused himself, and the remaining members of the court are divided so that it is not possible to secure the constitutionally required concurrence of four judges for a decision (see Ill. Const. 1970, art. VI, § 3). Accordingly, the appeal is dismissed. The effect of this dismissal is the same as an affirmance by an equally divided court of the decision under review but is of no precedential value. See *Perlman v. First National Bank of Chicago*, 60 Ill. 2d 529, 530 (1975).

¶ 2

MICHAEL J. BURKE, J., took no part.