2026 IL App (1st) 251695-U

No. 1-25-1695

Sixth Division

Order filed October 30, 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NOTICE: This order was filed under Illinois Supreme Court Rule 23 and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).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

SVENSKA LINDROTH and LAURA LINDROTH, Plaintiffs-Appellees,

v.

THE BRAND THE ARTIST THE MOGUL LLC and STEPHANIE BLAKLEY, Defendants-Appellants,

Appeal from the Circuit Court of Cook County.
Honorable James L. Allegretti, Judge, Presiding.
No. 25 M2 000674

JUSTICE EVANS delivered the judgment of the court.
Presiding Justice Gamrath and Justice Hyman concurred in the judgment.

ORDER

¶ 1 *Held*: Dismissed for lack of jurisdiction. Notice of appeal was untimely.

¶ 2 In this eviction case, the circuit court entered an order granting the plaintiffs' possession of the subject property and a judgment in the amount of $30,888.51 after a June 12, 2025, contested hearing. The defendants filed a timely motion to reconsider the monetary judgment on July 8. See 735 ILCS 5/2-1203(a) (West 2024) (providing a 30-day deadline for filing postjudgment motions in nonjury cases). The circuit court denied that motion on July 28.

¶ 3 Thereafter, the defendants filed an emergency motion to retain possession of the premises on July 29, which the circuit court denied on August 1. The defendants filed a second motion to retain possession on August 6. That motion was denied on August 15.

¶ 4 Defendants filed a notice of appeal on August 29, 2025, seeking to appeal the orders of July 28, June 12, May 16, and April 17 of 2025.

¶ 5 We took the case on the appellant's brief alone, as the plaintiffs did not appear on appeal. See *People ex rel. Wofford v. Brown*, 2017 IL App (1st) 161118, ¶ 11 (the appellate court may review a case without an appellee's brief).

¶ 6 This court has an independent duty to consider the issue of jurisdiction and dismiss an appeal when our jurisdiction is lacking. *Johnson v. Fuller Family Holdings, LLC*, 2017 IL App (1st) 162130, ¶ 23.

¶ 7 The timely filing of a notice of appeal is mandatory and jurisdictional. *Won v. Grant Park 2, LLC*, 2013 IL App (1st) 122523, ¶ 20. Strict compliance with the supreme court rules governing the time limits for filing a notice of appeal is required, and neither a trial court nor an appellate court has the authority to excuse compliance with the filing requirements mandated by the supreme court rules. *Id.* When an appeal is untimely, this court has no discretion to act other than to dismiss the appeal. *Id.*

¶ 8 Under Illinois Supreme Court Rule 303(a)(1) (eff. July 1, 2017), a notice of appeal must be filed within 30 days after the entry of the final judgment appealed from, or, if a timely posttrial motion directed against judgment is filed, within 30 days after the entry of the order disposing of the last pending postjudgment motion directed against that judgment or order.

¶ 9 Here, the defendants filed a timely postjudgment motion directed against the final June 12 order on July 8. The circuit court denied that motion on July 28. Therefore, the defendant had 30

days from July 28 to file a timely notice of appeal. The 30-day deadline was August 27, 2025. See 5 ILCS 70/1.11 (West 2024) (the time within which an act is to be done is computed by excluding the first day and including the last). August 27, 2025, was a Wednesday, so it was the last day to file a timely notice of appeal. *Id*. (when the last day falls on a Saturday, Sunday, or legal holiday, it is excluded).

¶ 10 The defendants' July 29 and August 6 motions to retain possession did not extend the time to appeal. *Parker v. Liberty Insurance Underwriters, Inc.*, 2022 IL App (1st) 200812, ¶ 25 ("Successive postjudgment motions do not toll the time for filing a notice of appeal.").

¶ 11 For these reasons, we find the August 29, 2025, notice of appeal untimely. Consequently, we must dismiss this appeal for lack of jurisdiction.

¶ 12 Appeal dismissed.