

A400627
REPORT OF PROCEEDINGS **January 15, 2010**

1 THE COURT: What is next?
2 THE CLERK: Sykes.
3 MR. WALLER: Good morning, your Honor. Mark
4 Waller on behalf of the Guardian.
5 MS. FARENGA: Good morning, your Honor.
6 Cynthia Farenga one of two guardian ad litem in this
7 case.
8 MR. STERN: And Adam Stern, one of the other
9 guard ad litem.
10 MR. ALEXANDER: Randall Alexander on behalf
11 of Denison and Associates.
12 GLORIA SYKES: And Gloria Jean Sykes, Mary
13 Sykes's daughter, and I'm also pro se at this point.
14 THE COURT: Can I ask why do we have two
15 GALs in this case? Go ahead, Mr. Stern.
16 MR. STERN: Ms. Farenga was the original
17 guardian ad litem and issues came up when she was on
18 vacation. Judge Connors appointed me as special
19 guardian ad litem. When Ms. Farenga returned, Judge
20 Connors asked me to stay on board and we've had issue
21 after issue --
22 THE COURT: So you've been working together,
23 is that it?
24 MS. FARENGA: We've been on this together.

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1 THE COURT: I thought that this gentleman in
2 the rear told me he was on this case too. Are you --
3 GLORIA SYKES: No. He's just here with me.
4 THE COURT: All right. We have a separate
5 court reporter, I understand. Now, I received a
6 courtesy copy of a notice of a filing --
7 MR. ALEXANDER: For the motion for extension
8 of time.
9 THE COURT: Right. Are you with JoAnne
10 Denison?
11 MR. ALEXANDER: Yes.
12 THE COURT: Does anybody want to respond to
13 this?
14 MS. FARENGA: Yes, we do, your Honor. This
15 is a very complicated matter, which it's really not
16 possible to fill in all the background.
17 This matter is scheduled to be heard before
18 Judge Connors on the 25th of January. Everyone knew
19 that Judge Connors was out this week. This really
20 shouldn't be filed for today. One of the parties doing
21 the filing, JoAnne Denison, has been expressly denied
22 leave to appear in this matter and there are the --
23 THE COURT: Excuse me, excuse me. Sir,
24 please have a seat. He can sit at the counsel table.

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1 Ma'am, there's no talking in the courtroom. Okay.
2 MS. FARENGA: The bottom line is that this
3 should all be put over for Judge Connors --
4 THE COURT: Does anybody have any other
5 reaction to this particular motion? Do I understand
6 that Ms. Denison is not going to be here today?
7 MR. ALEXANDER: That's correct, your Honor.
8 I'm here on her behalf.
9 MR. WALLER: I object to the motion at this
10 point and suggest that we continue it.
11 THE COURT: Anything else --
12 GLORIA SYKES: Yes, your Honor. There has
13 been --
14 THE COURT: Wait a second. It's her motion,
15 so maybe Mr. Stern can respond.
16 GLORIA SYKES: But she was my attorney, your
17 Honor.
18 THE COURT: Excuse me. She was your
19 attorney.
20 GLORIA SYKES: She was my attorney of choice
21 and they brought in allegations that were basically
22 unfounded and --
23 THE COURT: But my question is legally. I'm
24 looking for does anybody have a legal argument relative

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1 to this particular filing?
2 MR. STERN: There's a couple of different
3 things, Judge. I mean, besides the fact what counsel
4 just raised, they're looking to appeal the December 10th
5 order for guardianship. One, I am not aware of any
6 notice of appeal filed in the Circuit Court, no one has
7 tendered me any notice of filing here in the Circuit
8 Court of a notice to appeal which is required.
9 THE COURT: Can by agree that it's past 30
10 days now, right?
11 MR. STERN: It is past 30 days.
12 THE COURT: So I think on this particular
13 motion the Court has lost jurisdiction. I'd refer
14 counsel to 303(d) --
15 MR. ALEXANDER: Your Honor, this is why the
16 motion was brought on behalf of Ms. Denison, such that
17 we were unable to make the filing deadline on Monday,
18 which was --
19 THE COURT: So now I've lost jurisdiction
20 because you did not make -- I or any judge sitting in
21 Judge Connors's courtroom would have lost
22 jurisdiction --
23 MR. ALEXANDER: I'm just asking, although
24 Judge Connors is out, we just wanted to see if she would

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1 grant us the extension of time so that we might --
2 THE COURT: And I'm saying that she wouldn't
3 be able to do it, even if she were here. That 303(d),
4 Supreme Court Rule 303(d) is applicable here, that she's
5 already lost jurisdiction, that any motion to extend the
6 filing of an appeal needs to be filed in the appellate
7 court. But I will be glad to leave every one of these
8 motions to her. I know nothing about this case. I can
9 see having been handed one, two, three, four other
10 motions, which I will not name at this time, that these
11 are most proper, though, having looked at the title, for
12 her to answer because -- for her to deal with. Now, one
13 I think of these motions --
14 MR. STERN: Judge, I've been served with two
15 motions.
16 THE COURT: All right. I'll read them for
17 the record. Gloria Sykes's first discovery request to
18 plenary guardian Carolyn T-o-e-r-p-e, for the record.
19 The second one that was placed up here was a motion to
20 revoke the power of attorney and or withdraw for Kevin
21 Joyce and his firm to represent Gloria J. Sykes. And
22 the third is an emergency motion to move Mary Sykes
23 home --
24 MR. STERN: That's a motion for today?

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1 THE COURT: It's been filed. And then
2 there's a motion to obtain permanent visitation
3 schedule. Now, I don't know relative to the
4 emergency --
5 MR. STERN: I believe that was motioned up
6 for the 25th.
7 THE COURT: It was? Very good. Then
8 everything is put over, entered, and continued until the
9 25th.
10 GLORIA SYKES: Your Honor, may I please ask
11 for one thing? When I was last in front of Judge
12 Connors on the fifth and I submitted the motion
13 regarding Kevin Joyce, who was my attorney, she had said
14 to me that I should put him back on and Mr. Joyce
15 actually e-mailed everybody, saying that they should
16 talk to me, yes, he's off the case, yada-yada, and as
17 far as I know, he is, you know, he's off the case, and
18 yet he e-mailed everybody, he's off the case. It was a
19 mutual rationale why he's off the case right now. I
20 filed for -- a long time ago I had filed for pro se
21 because at one point Judge Connors actually said I
22 didn't need an attorney, but I filed an appearance
23 anyway as pro se and so now no one will talk to me or
24 deal with me because they're saying Mr. Joyce hasn't

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1 filed, and I understand he did file a withdrawal. I --
2 THE COURT: Has he filed a withdrawal.
3 MR. STERN: He has.
4 MS. FARENGA: It was heard on the 22nd, your
5 Honor.
6 THE COURT: In terms of you representing
7 yourself pro se, any filings would need to be delivered
8 to you.
9 Has the Judge allowed him to withdraw?
10 MS. FARENGA: No. It is set for the 22nd.
11 GLORIA SYKES: No, that's not actually true.
12 What Judge Connors said last time in Court and that's
13 why I have my own court reporter, we've been having
14 difficulty getting the transcripts on this case. But
15 what Judge Connors actually said was is that I needed to
16 file that properly because I got --
17 THE COURT: File what properly, Dear?
18 GLORIA SYKES: My motion here.
19 THE COURT: The motion to revoke the power
20 of attorney and/or withdraw for Kevin Joyce and his
21 firm?
22 GLORIA SYKES: Right. She said I needed to
23 do it, she did not deny me that right.
24 THE COURT: All right, so you've done it.

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1 GLORIA SYKES: And I've done it. But the
2 problem here now is that I have a 91-year-old mother who
3 I'm now able to talk to all of a sudden, and yet my
4 sister will not let me visit her, even though when she
5 was under oath and with Judge Connors she said, you
6 know, she was going to let people visit her and take her
7 out and all that stuff. My sister -- and what's
8 happening here, and you'll have to excuse me, your
9 Honor, I'm just trying to care for my mother, okay, and
10 what is happening here is there's allegations brought
11 into Court, they're unfounded, they're not put on paper.
12 I have no opportunity or none of my attorneys in the
13 past have had an opportunity to, you know, give our side
14 of the story --
15 THE COURT: I'm sorry, excuse me, but didn't
16 you have a full hearing in this matter?
17 MS. FARENGA: Yes, we did, your Honor.
18 THE COURT: All right, thank you.
19 GLORIA SYKES: But right here in the
20 transcript my sister agrees that she's going to allow
21 mom have visits, go out. The Judge is very insistent
22 here, and yet when I talked to my mother, my mother
23 says, oh, I want to see you --
24 THE COURT: For the record, she's referring

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1 to some piece of paper that may or may not be a
2 transcript. Go ahead -- the Court has not examined it.
3 Go ahead, ma'am.
4 GLORIA SYKES: Okay, I'm sorry. And, you
5 know, I'm really concerned here that there's something
6 going on there. My mother is very together, she's had
7 many conversations with me over the -- every day she's
8 talking to me. She wants to come home. She's very
9 together, she wants to see me, and my sister will then
10 take the phone out of her hand and say you can't and all
11 this other stuff. So --
12 THE COURT: Okay. So there is some motion
13 for a set visitation schedule and that seems like that's
14 an appropriate motion, under the circumstances, but this
15 Court is not going to rule on it.
16 THE COURT: I understand that, your Honor.
17 But what I'm asking is, is that there's something here
18 because no one will talk to me, and even though Kevin
19 Joyce e-mailed everybody, they received it and he said
20 no, I'm not --
21 THE COURT: Here's our -- wait a minute.
22 Here's a real important salient point. I could care
23 less about an e-mail, it's what we call hearsay, it is
24 not evidence, and unless the Judge has allowed in

1 writing for him to withdraw, I cannot order and I will
2 not order anyone to specifically communicate with you, I
3 cannot do that. I cannot do that. So you'll have to
4 wait for Judge Connors.
5 Now, you say this is set on the 25th --
6 GLORIA SYKES: It's set for me --
7 THE COURT: It's set on the 25th.
8 GLORIA SYKES: Pro se, so what I'm trying to
9 say is that Judge Connors already okayed that in Court
10 and that's why she allowed me to set the 25th and it's
11 under pro se.
12 THE COURT: Then you'll see her on the 25th
13 and she'll deal with each and every one of these motions
14 and she'll tell everybody how she expects you to go
15 forward from here. Judge Connors is very clear, I know,
16 in her orders. It's not my case. I can see this is a
17 long involved case just by looking at the Court file and
18 I cannot get into the middle of it and I will not get
19 into the middle of it. So, see you all on the 25th.
20 MR. STERN: Thank you, your Honor.
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1 STATE OF ILLINOIS)
)SS.
2 COUNTY OF C O O K)
3
4 DAVID J. DEMSKI, being first duly sworn on oath
5 says that he is a court reporter doing business in the
6 City of Chicago; that he reported in shorthand the
7 proceedings given at the taking of said hearing on the
8 15th day of January, 2010, and that the foregoing is a
9 true and correct transcript of his shorthand notes so
10 taken as aforesaid, and contains all the proceedings
11 given at said hearing.
12
13
14
15 _____
16 DAVID J. DEMSKI - CSR# 084-004386
17
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23
24

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