

No. 1-09-2889

**NOTICE:** This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

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IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST JUDICIAL DISTRICT

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<i>In re</i> MARRIAGE OF	)	APPEAL FROM THE
VIKRAM AKULA,	)	CIRCUIT COURT OF
Petitioner-Appellee,	)	COOK COUNTY
	)	
and	)	No. 01 D 15700
	)	
MALINI AKULA, n/k/a MALINI BYANNA,	)	HONORABLE
Respondent-Appellant.	)	LaQUIETTA HARDY-
	)	CAMPBELL,
	)	JUDGE PRESIDING.

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JUSTICE STEELE delivered the judgment of the court.  
Presiding Justice Quinn and Justice Murphy concurred in the judgment.

**ORDER**

*HELD:* This court, having previously ruled that the circuit court lost exclusive, continuing jurisdiction over the parties' dispute under the Uniform Child Custody Jurisdiction and Enforcement Act on November 24, 2009, is unable to grant effectual relief on the ancillary issues raised in this appeal, and none of the exceptions to the mootness doctrine apply.

Respondent Malini Akula, n/k/a Malini Byanna (Malini) petitioned for leave to appeal orders of the circuit court of Cook County entered on October 15 and 20, 2009: declining to

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withdraw her son, T.B.A., from his school in Hyderabad, India; declining to place physical possession of T.B.A. with Malini, instead of T.B.A.'s father, petitioner Vikram Akula (Vikram); and ordering that Malini's physical possession and contact with T.B.A. be supervised. On June 4, 2010, this court granted Malini's petition. For the following reasons, we dismiss the appeal.

This appeal is related to this court's opinion *In re Marriage of Akula*, No. 1-10-1084 (August 25, 2010); the underlying facts and procedural history of the litigation between Malini and Vikram are detailed therein. Our opinion in that appeal holds that the circuit court lost exclusive, continuing jurisdiction over this case under the Uniform Child Custody Jurisdiction and Enforcement Act (750 ILCS 36/101 et seq. (West 2006)) on November 24, 2009, when the Family Court in Hyderabad, India determined that Malini, Vikram and T.B.A. were now ordinarily residing in Hyderabad, India. See *Marriage of Akula*, slip op at 18. The Illinois Supreme Court denied Vikram leave to appeal our decision. *Marriage of Akula*, No. 111165 (October 29, 2010). The Illinois Supreme Court also denied Vikram's motion to reconsider the denial of leave to appeal. *Marriage of Akula*, No. 111165 (December 14, 2010). Vikram then filed a motion with this court, requesting that this court find certain aspects of the circuit court's orders entered on October 15 and 20, 2009, void for lack of subject matter jurisdiction.

When intervening events render it impossible for a reviewing court to grant effectual relief to the complaining party, the appeal, and issues therein, are considered moot. *In re J.T.*, 221 Ill. 2d 338, 349-50, 851 N.E.2d 1, 8 (2006). "The fact that a case is pending on appeal when the events which render an issue moot occur does not alter this conclusion." *Dixon v. Chicago & North Western Transportation Co.*, 151 Ill. 2d 108, 116-17, 601 N.E.2d 704, 708 (1992), citing

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*Bluthardt v. Breslin*, 74 Ill. 2d 246, 250, 384 N.E.2d 1309, 1311 (1979). The loss of exclusive, continuing jurisdiction in this case renders it impossible for this court to grant effectual relief over the ancillary issues decided in the orders at issue in this appeal.

A reviewing court may nevertheless review an otherwise moot issue in cases involving events of short duration that are "capable of repetition, yet evading review," or under the public interest exception to the mootness doctrine, which requires: (1) the existence of a question of public importance; (2) the desirability of an authoritative determination for the purpose of guiding public officers in the performance of their duties; and (3) the likelihood that the question will recur. *J.T.*, 221 Ill. 2d at 350, 851 N.E.2d at 8. This case does not involve events of short duration. Review of the orders appealed from here would not offer guidance to public officials in the discharge of their duties. Moreover, given the complex procedural history of this particular case, we cannot say that the questions posed in this appeal are likely to recur. Accordingly, neither of the exceptions to the mootness doctrine applies here.

For all of the aforementioned reasons, the appeal is dismissed for lack of jurisdiction.

Appeal dismissed.