

2015 IL App (2d) 150202-U  
No. 2-15-0202  
Order filed October 20, 2015

**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  
SECOND DISTRICT

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<i>In re</i> THE APPLICATION OF ROBERT SKIDMORE	)	Appeal from the Circuit Court of Lake County.
	)	
	)	No. 12-TX-02
(Suzanne R. White, Petitioner-Appellant, v. Robert Skidmore, Lake County Treasurer, Respondent-Appellee (T.J. Properties, Inc., Respondent)).	)	Honorable Michael J. Fusz, Judge, Presiding.

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JUSTICE JORGENSEN delivered the judgment of the court.  
Justices McLaren and Birkett concurred in the judgment.

**ORDER**

¶ 1 *Held:* We dismissed the appeal of the dismissal of petitioner's section 2-1401 petition as moot, as petitioner had already obtained the relief that she sought in the petition.

¶ 2 Petitioner, Suzanne R. White, appeals the trial court's order dismissing her petition pursuant to section 2-1401 of the Code of Civil Procedure (735 ILCS 5/2-1401 (West 2014)). Petitioner contends that the sale of her home in a tax sale violated her right to due process. We dismiss the appeal.

¶ 3 In 2002, the City of Waukegan cited petitioner for failing to mow her lawn. After petitioner did not respond to this notice or a second one, the City had her lawn mowed and imposed a \$299.25 charge. In 2005, the legislature enacted what became section 9-2-4.5 of the

Illinois Municipal Code (65 ILCS 5/9-2-4.5 (West 2014)), which allows such a charge to become a lien against the property and to be collected as a special assessment.

¶ 4 Petitioner did not pay the special assessment, and her property was eventually sold at a tax sale to T.J. Properties, Inc. Petitioner received a tax-sale notice on February 15, 2010.

¶ 5 Petitioner filed a section 2-1401 petition in which she argued that the judgment of foreclosure and sale was void on various grounds. The only relief the petition sought was the vacation of the tax sale and a stay of the issuance of a tax deed to the purchaser. At some point while the proceedings were pending, petitioner redeemed the property. No tax deed was issued and T.J. Properties was dismissed from this action.

¶ 6 During the same time period, petitioner filed a separate action against respondents Lake County Collector Robert Skidmore, T.J. Properties, and various other defendants. The defendants removed the case to federal court, where it was dismissed. *White v. Mercado*, No. 10-cv-8036, 2011 WL 1398502 (N.D. Ill. Apr. 8, 2011), *aff'd*, 455 Fed. App'x. 691 (7th Cir. 2011).

¶ 7 The trial court dismissed petitioner's section 2-1401 petition, finding that it failed to state a claim for relief. Petitioner timely appeals.

¶ 8 Petitioner, who appears *pro se*, raises several contentions that are difficult to follow. Her primary contentions appear to be that section 9-2-4.5 deprived her of due process by eliminating predeprivation notice and hearing requirements, and that it operated as an *ex post facto* law because it was used to collect a charge that was made before the statute was enacted. We need not reach these contentions, however, because we cannot grant petitioner effective relief.

¶ 9 An issue is moot where "intervening events preclude a reviewing court from granting effective relief." *Holly v. Montes*, 231 Ill. 2d 153, 157 (2008). The only relief petitioner's

petition sought was to vacate the tax sale and stay the issuance of a tax deed to T.J. Properties. In turn, the only relief petitioner seeks on appeal is the reinstatement of the petition. However, petitioner has redeemed the property, so a tax deed will not be issued. Thus, reversing the dismissal of the petition would not provide petitioner any additional relief and would merely result in the court being asked to decide abstract questions. We note parenthetically that any additional claims petitioner may have had against respondents were or could have been raised in the earlier, separate action.

¶ 10 The judgment of the circuit court of Lake County is dismissed.

¶ 11 Dismissed.