

# Illinois Official Reports

## Supreme Court

### *Keating v. City of Chicago, 2014 IL 116054*

Caption in Supreme Court: ELIZABETH KEATING *et al.*, Appellants, v. THE CITY OF CHICAGO, Appellee.

Docket No. 116054

Filed November 20, 2014

Held An appeal was dismissed, with the effect of affirming the decision under review but with no precedential impact, where the supreme court could not muster the four votes which are constitutionally required to reach a decision.  
*(Note: This syllabus constitutes no part of the opinion of the court but has been prepared by the Reporter of Decisions for the convenience of the reader.)*

Decision Under Review Appeal from the Appellate Court for the First District; heard in that court on appeal from the Circuit Court of Cook County, the Hon. Michael B. Hyman, Judge, presiding.

Judgment Appeal dismissed.

Counsel on  
Appeal

Derek Y. Brandt, of Simmons Browder Gianaris Angelides & Barnerd LLC, of Alton, Patrick J. Keating, of Roberts McGivney Zagotta LLC, of Chicago, Michael T. Reagan, of Ottawa, and Andrea Bierstein, of Hanly Conroy Bierstein Sheridan Fisher & Hayes LLP, of New York, New York, for appellants.

Stephen R. Patton, Corporation Counsel, of Chicago (Benna Ruth Solomon, Myriam Zreczny Kasper and Kerrie Maloney Laytin, of counsel), for appellee.

*PER CURIAM*

**OPINION**

¶ 1 In this case, two Justices of this Court have recused themselves 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 KARMEIER and BURKE, JJ., took no part.