

APPEAL TO THE APPELLATE COURT OF ILLINOIS
FIFTH JUDICIAL DISTRICT
FROM THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

CITY OF MADISON

Plaintiff/Petitioner

Reviewing Court No: 5-18-0453

Circuit Court No: 2018OV400153

Trial Judge: HONORABLE JUDGE SLEMER

v.

KEVIN LINK

Defendant/Respondent

E-FILED
Transaction ID: 5-18-0453
File Date: 11/14/2018 10:06 AM
John J. Flood, Clerk of the Court
APPELLATE COURT 5TH DISTRICT

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Date of

Proceeding

Title/Description

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August 16, 2018 Hearing on Motion to
Reconsider, 18-OV-400153

R 2-R 8

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

CITY OF MADISON,)
)
 Plaintiff,)
)
 vs.) NO. 18-OV-400153
)
 KEVIN G. LINK,)
)
 Defendant.)

HEARING ON MOTION TO RECONSIDER

REPORT OF PROCEEDINGS of the hearing before Associate
Judge Ron Slemer, on August 16, 2018.

APPEARANCES:

MR. JOHN T. PAPA, ESQ.
for the City of Madison;

MR. KEVIN G. LINK,
Pro se.

Erin M. Panzau, CSR, RPR
CSR# 084-004263
Official Court Reporter
155 N. Main Street, Room 219
Edwardsville, Illinois 62025

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(The following proceedings were had in open court.)

THE COURT: Okay. 18-OV-400153, City of Madison versus Kevin Link. Mr. Papa is here for the City of Madison. Is that right, Mr. Papa?

MR. PAPA: Yes, your Honor.

THE COURT: Mr. Link, you are here representing yourself, right?

MR. LINK: That is correct.

THE COURT: Mr. Link, I believe you have a post-trial motion that you have already filed. Let's hear your -- and, Court Reporter, are you ready?

COURT REPORTER: Yes.

THE COURT: Okay. Let's proceed. Mr. Link, it's your motion.

MR. LINK: Well, I filed a second motion in respect to theirs. Have you got the one that I'd -- I'd like to submit this latest motion in response to theirs.

THE COURT: When did you file that, Mr. Link?

MR. LINK: Approximately five days ago.

THE COURT: Do you have a file stamp on there?

MR. LINK: No, I don't, but it had been filed.

THE COURT: Okay. If it's been filed, I have it.

1 MR. LINK: I have a copy of it.

2 MR. PAPA: It appears, your Honor, something was
3 filed on August 9.

4 THE COURT: Okay. Mr. Link, I believe you filed your
5 motion on July the 6th; Mr. Papa filed a motion on August
6 the 6th; and you filed, which you titled a Response, on
7 August the 9th. Yes, I have that. Is that what you're
8 talking about?

9 MR. LINK: Yes, I am, and that's --

10 THE COURT: All right.

11 MR. LINK: -- based on my statement, I stand by
12 that.

13 THE COURT: Do you have anything else to say,
14 Mr. Link?

15 MR. LINK: Not at this time.

16 THE COURT: Well, Mr. Link, this is the time for the
17 motion.

18 MR. LINK: Okay.

19 THE COURT: Do you understand that?

20 MR. LINK: I understand. Everything I had to say is
21 in my response that I have filed, and I stand by what I --

22 THE COURT: And there's nothing you want to add?

23 MR. LINK: Not at this time.

24 THE COURT: Mr. Papa, I'm waiting for it to pull up,

1 but I have read Mr. Link's motion and Mr. Link's response,
2 and now the computer has pulled it up. Okay. Mr. Link -- I
3 mean, Mr. Papa, what do you have to say in response to
4 Mr. Link's motion?

5 MR. PAPA: Your Honor, I have nothing beyond what is
6 mentioned in our Motion to Deny and/or Dismiss Motion to
7 Reconsider. In essence, Mr. Link is attempting to introduce
8 testimony that should have been introduced, if it was going
9 to be introduced at all, at the trial of this matter, and
10 that serves as primarily the basis for his position today.
11 We don't believe that that sufficiently challenges or
12 questions the Court order nor does it offer any particular
13 basis to set aside the Court's order of July the 6th.

14 THE COURT: All right. Anything else, Mr. Papa?

15 MR. PAPA: No, sir.

16 THE COURT: Mr Link, anything else?

17 MR. LINK: I disagree.

18 THE COURT: Well, do you have anything else to say?

19 MR. LINK: I stand by my latest response.

20 THE COURT: Okay. All right. Well, in light of
21 that, the Court notes that this matter was called for a
22 nonjury trial -- this matter was called for a nonjury trial
23 on June the 14th. The Defendant was found guilty of the
24 ordinance violation. That was a nonjury trial for an

1 ordinance violation brought by the City of Madison.

2 Defendant was found guilty, assessed a fine of \$500.

3 As I already stated, on July the 6th Mr. Link
4 filed a Motion to Reconsider. Mr. Papa filed a response to
5 that on July the 12th -- no, on July the -- August the 6th.
6 On August the 9th, Mr. Link filed another response to that.

7 All right. I have reviewed the pleadings that
8 have previously been filed, I have considered the testimony
9 that was presented, and I deny the post-trial motion. This
10 Court stands by its ruling.

11 Mr. Link, what I'm going to do, though, I'm going
12 to prepare a formal order about my judgment. So your time
13 for an appeal, if you choose to appeal, is thirty days from
14 when that final order is entered. Do you understand that,
15 Mr. Link?

16 MR. LINK: Yes, I do.

17 THE COURT: Now, Court Reporter, do you have a
18 business card on you?

19 COURT REPORTER: Yes.

20 THE COURT: Deputy, would you give the business card
21 to Mr. Link.

22 MR. LINK: Thank you very much.

23 THE COURT: All right. Anything else, Mr. Link?

24 MR. LINK: Nothing comes to mind.

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THE COURT: Mr. Papa, anything else?

MR. PAPA: No, sir. Thank you.

THE COURT: That concludes this matter. Thank you.

(End of proceedings.)

1 IN THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT
2 MADISON COUNTY, ILLINOIS
3

4
5 I, Erin M. Panzau, CSR# 084-004263, an Official Court
6 Reporter for the Circuit Court of Madison County, Third
7 Judicial Circuit of Illinois, reported in machine shorthand
8 the proceedings held on the hearing in the above-entitled
9 cause and transcribed the same by computer-aided
10 transcription, which I hereby certify to be a true and
11 accurate transcript of the proceedings had before Associate
12 Judge Ron Slemer.

13
14 Dated this 27th day of August, 2018.
15

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17 Erin M. Panzau
18 Official Court Reporter
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