

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

PEOPLE OF THE STATE OF ILLINOIS,
Petitioner,

v.

LARRY D. SAPP,
Respondent.

Case No. 22 CH 02567

Judge Celia Gamrath

Calendar 6

ORDER

This matter came on the Petitioner's Second Petition for Rule to Show Cause against Mr. Sapp, which is scheduled to be heard on January 6, 2023. After reviewing the Petition and plain language of the September 30, 2022 court order, which Mr. Sapp is alleged to have violated, the court finds no briefing or oral argument is necessary on the Petition. For the following reasons, the Petition is denied.

Petitioner seeks a finding of contempt against Mr. Sapp for filing a petition for candidacy for office after the court ousted him from office in a quo warranto action on September 30, 2022. The ouster has taken effect and Mr. Sapp no longer holds the elected office. The court's judgment was complied with and there are no grounds for contempt or issuance of a rule to show cause against Mr. Sapp.

The court's quo warranto order entered on September 30, 2022, is limited to the ouster of Mr. Sapp from the position he occupied on that date, based on facts and circumstances as they existed at the time of judgment. The order does not extend to prevent Mr. Sapp from forever holding office if he is eligible, or from filing a petition for candidacy for office now or in the future. Indeed, the purpose of quo warranto is to oust a person from the office he or she occupies. It is not used to evaluate one's eligibility to hold a future position or bar them from seeking office in the future.

If Mr. Sapp is ineligible to file a petition for candidacy, perhaps there will be a challenge to his petition in a separate action. If he is elected to an office and takes office while he is ineligible to hold the office, perhaps there will be another quo warranto proceeding. However, it is not the province of this court to be the gatekeeper for Sauk Village or to hold Mr. Sapp in contempt of court for filing a petition for candidacy to hold an elected position in the future, even if it is the same position from which he was ousted in 2022.

IT IS ORDERED:

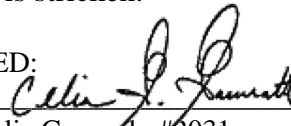
1. Petitioner's Second Petition for Rule to Show Cause is denied.
2. The presentment date of January 6, 2023 at 9:15 AM is stricken.

Judge Celia G. Gamrath

JAN 05 2023

Circuit Court-2031

ENTERED:



Judge Celia Gamrath, #2031
Circuit Court of Cook County, Illinois
County Department, Chancery Division