

IN THE  
SUPREME COURT OF ILLINOIS

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PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court of the
	)	Second Judicial Circuit, Crawford
Plaintiff-Appellant,	)	County, Illinois
	)	
v.	)	No. 2009 CF 50
	)	
MICHAEL D. ALLISON,	)	The Honorable
	)	David K. Frankland,
Defendant-Appellee.	)	Judge Presiding.

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**MOTION TO VOLUNTARILY DISMISS APPEAL**

Pursuant to Supreme Court Rules 343 and 361, Plaintiff-Appellant People of the State of Illinois hereby moves to voluntarily dismiss the appeal in the above-captioned cause. In support, the People state as follows:

1. On October 14, 2011, the People filed a notice of appeal to this Court from the September 15, 2011, order of the Circuit Court of Crawford County dismissing five charges of eavesdropping against defendant Michael Allison on the ground that Illinois's eavesdropping statute, 720 ILCS 5/14-2 (West 2008), is unconstitutional. *See* Sup. Ct. R. 603.
2. The People's opening brief has not yet been filed. It is currently due on or before March 27, 2012.
3. After consultation between the Office of the Attorney General and the Crawford County State's Attorney, the People have determined that they no longer wish to pursue this appeal.
4. Accordingly, the People hereby move to voluntarily dismiss the instant appeal.

5. Should this motion be denied, the People request in the alternative a thirty-five day extension of time, from March 27, 2012, to and including May 1, 2012, in which to file their appellant's brief.

March 20, 2012

Respectfully submitted,

LISA MADIGAN  
Attorney General of Illinois

By:

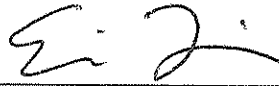


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ERIC M. LEVIN  
Assistant Attorney General  
100 West Randolph Street, 12th Floor  
Chicago, Illinois 60601-3218  
(312) 814-8812

VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



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ERIC M. LEVIN  
Assistant Attorney General

No. 113221

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	)	David K. Frankland,
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**ORDER**

This matter coming on to be heard on the motion of Plaintiff-Appellant People of the State of Illinois to voluntarily dismiss the appeal in the above-captioned cause, the motion is hereby GRANTED/DENIED.

DATED: \_\_\_\_\_

ENTER: \_\_\_\_\_

JUSTICE

*Prepared by:*

ERIC M. LEVIN  
Assistant Attorney General  
100 West Randolph Street, 12th Floor  
Chicago, Illinois 60601-3218  
(312) 814-8812

*Counsel for Plaintiff-Appellant  
People of the State of Illinois*

STATE OF ILLINOIS     )  
                                  )  
COUNTY OF COOK     )     ss.

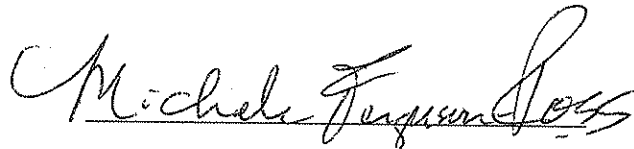
**PROOF OF FILING AND SERVICE**

The undersigned deposes and states that on March 20, 2012, the original and one copy of the attached **Motion to Voluntarily Dismiss Appeal**, which complies with the proposed-order requirement of Supreme Court Rule 361(b)(3), were filed with Clerk, Supreme Court of Illinois, Springfield, Illinois, 62701, and one copy was served upon each of the following, by placement in the United States mail box at 100 West Randolph Street, Chicago, Illinois, 60601, in an envelope bearing sufficient first-class postage:

William A. Sunderman  
BRAINARD LAW OFFICES  
600 Jackson Avenue  
Charleston, Illinois 61920

Honorable Lloyd A. Karmeier, Justice  
Supreme Court of Illinois  
1100 South Mill Street  
P.O. Box 266  
Nashville, Illinois 62263

Thomas R. Wiseman  
Crawford County State's Attorney  
105 Douglas Street  
Robinson, Illinois 62454



SUBSCRIBED and SWORN to  
before me on March 20, 2012.

  
\_\_\_\_\_  
NOTARY PUBLIC

