Hearing Date: No hearing scheduled
Location: <<CourtRoomNumber>>
Judge: Calendar, Y

FILED
7/14/2025 12:00 AM
Mariyana T. Spyropoulos
CIRCUIT CLERK
COOK COUNTY, IL
2022L010246
Calendar, Y
33535806

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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
LAW DIVISION

30 DEGREE DESIGN, LLC,	)	
an Illinois limited liability company,	)	
BRAD BEHMER, an individual, and	)	
KENNETH MAYLE, an individual	)	
Plaintiff,	)	**Case No. 22 L 10246**
	)	
Vs.	)	**Calendar Y**
	)	
GP OPPORTUNITY FUND, LLC,	)	**Room 2004**
An Illinois Limited Liability Company,	)	
and CITY OF CHICAGO	)	
Defendants.	)	

MOTION FOR ENTRY OF ORDER NUNC PRO TUNC

NOW COMES, Plaintiff Kenneth Mayle, *Pro-se*, who motions this Honorable Court for entry of its ORDER, *Nunc Pro Tunc*, and in support thereof states:

1.) That on July 11th, 2025, Plaintiff obtained a copy of the July 9th, 2025 Order *after* entry by the Court in this matter. A true and correct copy of said Order is attached hereto as **"Exhibit A."**

2.) That said Order was prepared, and submitted by Plaintiff's Counsel James McLane,

3.) That said Order was not seen for review until 7/12/25.

4.) That McLane failed to enumerate and include all matters that were Ordered by the Court in said Order , and only ***one*** Order is entered, not two, or three or four.

5.) McLane is my attorney of record until the order is entered hence he is responsible for proper submission.

STANDARD

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6.) That at any time, a court may modify its judgment *nunc pro tunc* to correct a clerical error or matter of form so that the record conforms to the judgment actually rendered by the court. *In re Estate of Young* (1953), 414 Ill. 525, 534, 112 N.E.2d 113.

7.) That at any time, a court may modify its judgment *nunc pro tunc* to correct a clerical error or matter of form so that the record conforms to the judgment actually rendered by the court. *In re Estate of Young* (1953), 414 Ill. 525, 534, 112 N.E.2d 113.

8.) The purpose of a nunc pro tunc order is to correct the record of judgment, not to alter the actual judgment of the court. A nunc pro tunc order may not be used to supply omitted judicial action, to correct judicial errors under the pretense of correcting clerical errors, or to cure a jurisdictional defect. *Kooyenga v. Hertz Equipment Rentals, Inc.* (1979), 79 Ill. App.3d 1051, 1056, 35 Ill. Dec. 382, 399 N.E.2d 216.) Judgments may be modified *nunc pro tunc* only when the correcting order is based upon evidence such as a "note, memorandum or memorial paper remaining in the files or upon the records of the court." *Fox*, 34 Ill. 2d at 360, 215 N.E.2d 271. The evidence supporting a *nunc pro tunc* modification must clearly demonstrate that the order being modified fails to conform to the decree actually rendered by the court. *Young*, 414 Ill. at 534, 112 N.E.2d 113.

9.) *Nunc pro tunc* orders must be based upon definite and precise evidence in the record. *Dauderman v. Dauderman* (1970), 130 Ill. App. 2d 807, 263 N.E.2d 708.) The certainty of evidence must be assured without reliance upon the memory of the judge or any other person, and a nunc pro tunc order cannot be based upon ex parte affidavits or testimony. *Fox*, 34 Ill. 2d at 360, 215 N.E.2d 271. *Beck v. Stepp*, 579 NE 2d 824 - Ill Supreme Court 1991.

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WHEREFORE, based on the foregoing, Plaintiff prays that this Honorable Court enter its Order *Nunc Pro Tunc*, directing Attorney James McLane to enter a complete Order to comport with what was Ordered by the Court on July 9th, 2025.

BY: _____
Kenneth Mayle

CERTIFICATION BY VERIFICATION

I, Kenneth Mayle, after being first duly sworn and under pains and penalties of perjury as provided by law pursuant to 735 ILCS 5/1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the facts set forth are true and correct, except as to matters herein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that the same are true

BY: _____
Kenneth Mayle

7/12/25

Kenneth Mayle (Pro Se)
1034 N. Karlov Ave
Chicago, IL 60651
ken.mayle@gmail.com