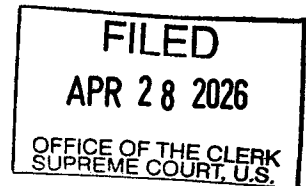


ORIGINAL

No. 26-102

In the
Supreme Court of the United States



JOAN DANIEL,

Petitioner,

v.

ILLINOIS CIVIL SERVICE COMMISSION, ET AL.,

Respondents.

On Petition for a Writ of Certiorari to the
Appellate Court of Illinois, First District

PETITION FOR A WRIT OF CERTIORARI

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July 1, 2026

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QUESTIONS PRESENTED

1. Whether the Due Process Clause of the Fourteenth Amendment permits a state court to dismiss an appeal as untimely where a litigant complied with the Court's established procedures for reporting electronic system failures, including obtaining a certificate of waiver, but the Court nonetheless refused to accept the filing and denied appellate review of federal claims?

2. Whether a state court's refusal to accept a certificate of waiver documenting electronic filing system failure, resulting in dismissal of an appeal as untimely, violates the Due Process Clause of the Fourteenth Amendment by denying meaningful access to appellate review?

PARTIES TO THE PROCEEDINGS

Petitioner and Plaintiff-Appellant below

- Joan Daniel

Respondents and Respondents-Appellees below

- Illinois Civil Service Commission
- Illinois Department of Human Services

LIST OF PROCEEDINGS

Supreme Court of Illinois

No. 132555

In re: Joan Daniel, *Petitioner*, v.

Illinois Civil Service Commission, et al., *Respondents*

Denial of Petition for Leave to Appeal:

January 28, 2026

Appellate Court of Illinois, First District

No. 1-25-0166 (2025 IL App (1st) 250166-U)

Joan Daniel, *Plaintiff-Appellant*, v. Illinois Civil
Service Commission and Illinois Department of
Human Services, et al., *Defendants-Appellees*.

Final Order: October 10, 2025

Rehearing Denial: November 3, 2025

Circuit Court of Cook County, Illinois County
Department, Chancery Division

Case No: 24L50230

Joan Daniel, *Petitioner* v. Illinois Civil Service
Commission and Illinois Department of Human
Services, et al., *Respondents*

Final Order: December 30, 2024

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PETITION FOR A WRIT OF CERTIORARI

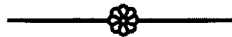
Petitioner JOAN DANIEL respectfully requests that the Court grant this petition for writ of certiorari and ultimately provide the following specific relief.

1. Allow the complaint to be considered timely filed due to the demonstrated good cause.
2. Grant any other relief that the Court finds just and appropriate.



OPINIONS BELOW

Petitioner seeks review of the Order of the Appellate Court of Illinois, First District. App.2a. That order affirmed the Order of the Circuit Court of Cook County decision. App.8a.



JURISDICTION

The Illinois Supreme Court denied a petition for leave to appeal on January 28, 2026. App.1a. This Court has jurisdiction under 28 U.S.C. § 1257(a).



INTRODUCTION

Petitioner, Joan Daniel, respectfully moves this Honorable Court to review the Illinois Supreme Court denial of petition for leave to appeal dated January 28, 2026. The denial was based on a determination that the Petitioner failed to comply with the filing requirements set forth by Illinois Supreme Court Rule 9. However, critical evidence was overlooked, and the provisions of Rule 9(c)(5)(iii) allow for exemptions from electronic filing upon a showing of good cause.



STATEMENT OF THE CASE

On March 15, 2024, the Illinois Civil Service Commission affirmed an ALJ decision regarding the Petitioner's rule violation complaint. Due to unforeseen technical difficulties while attempting to e-file, the Petitioner was unable to file electronically file the complaint on April 19, 2024, the deadline for filing the complaint. The Petitioner documented her attempts and submitted evidence to the clerk on the next business day, April 22, 2024, to support her claim of good cause.



REASONS FOR GRANTING THE PETITION

1. CLERK'S ACCEPTANCE INDICATES VALIDITY

The clerk accepted the evidence, filing, and payment on April 22, 2024, indicating recognition of the Petitioner attempt to comply with the filing requirements. App.19a-20a. This acceptance should be viewed as evidence of the validity of the filing.

Petitioner submits that the notice of appeal, though initially submitted electronically, encountered a system error. App.14a-15a. Petitioner promptly submitted a certificate of waiver documenting the technical problem, and the clerk accepted and stamped the filing. App.16a-20a. Under Illinois Supreme Court Rule 9(d)(2), a filing rejected by the clerk may be considered timely if the party seeks relief and demonstrates good cause. As the Illinois Supreme Court explained in *Waukegan Hospitality Group, LLC v. Stretch's Sports Bar & Grill Corp.*, 2024 IL 129277, ¶ 15:

“If a document is rejected by the clerk and is therefore untimely, the filing party may seek appropriate relief from the court, upon good cause shown.”

Additionally, the Appellate Court in the same case recognized that the filing becomes effective when accepted by the clerk:

“When the circuit clerk rejected the notice of appeal, plaintiff's earlier electronic transmission of the document had no effect. The notice of appeal became effective . . . when it

was resubmitted, accepted, and stamped 'filed' by the clerk."

2022 IL App (2d) 210179, ¶ 16.

Because the clerk accepted the notice of appeal along with the certificate documenting the system error, the filing should be treated as timely and effective, satisfying the procedural requirements of Rules 9(d)(2) and 303(d), as recognized by both the Appellate and Supreme Courts in *Waukegan Hospitality*.

2. DEMONSTRATION OF GOOD CAUSE:

The Petitioner provided sufficient documentation demonstrating good faith efforts to e-file her complaint, consistent with Rule 9(c)(5)(iii), which supports exemptions for self-represented litigants facing legitimate obstacles.

3. RELEVANT PRECEDENTS:

The Illinois Supreme Court has established precedents allowing for leniency in late filings when good cause is shown, as seen in *Waukegan Hospitality Group, LLC v. Stretch's Sports Bar & Grill Corp.*

4. EQUITABLE CONSIDERATIONS:

Denying the Petitioner the opportunity to be heard undermines the principles of justice and fairness.



CONCLUSION

Courts have taken materially different approaches when litigants miss filing deadlines due to electronic filing systems failures. Some courts recognize that technical failures beyond a litigant's control justify relief, particularly where the litigant acted diligently and attempted timely filing. These courts treated system errors as a basis for equitable relief and preservation of claims. Other courts apply deadlines strictly, even where the failure resulted from a court-controlled electronic filing system malfunction, thereby extinguishing claims despite good-faith compliance efforts. This divergence creates inconsistent access to appellate review, depending solely on jurisdiction and undermines uniform application of due process principles. In this case, the Petitioner utilized the relief made available in accordance with the Illinois Supreme Court Rule regarding e-filing technical difficulties. For the reasons outlined herein, the Petitioner respectfully requests that the United States Supreme Court deem the complaint timely filed.

Respectfully submitted,

/s/ Joan Daniel

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July 1, 2026