## IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT SHELBY COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS, )	
PLAINTIFF. )	
v. ) NO. 12023- MR-123 E	$\supset$
THERESA BOEHM )	
ROSE TOWNSHIP CEMETERY BOARD ) JUL 3 1 2023	IJ
ROSE TOWNSHIP	
OUO WARRANTO COMPLAINT Clerk of the Circuit Court. Fourth Judicial Circu	ait

Now Comes the People of The State of Illinois by and through The State's Attorney, of and for Shelby County, Illinois, Robert T. Hanlon, with its complaint against THERESA BOEHM, ROSE TOWNSHIP CEMETARY BOARD and ROSE TOWNSHIP pursuant to 735 ILCS 5/18-101 et seq., seeking the removal of THERESA BOEHM from the Rose Township Cemetery Board and in support of this Complaint states as follows:

## PARTIES JURISDICTION AND VENUE

- At all times relevant to this Complaint, Defendant, THERESA BOEHM has been and is a resident of Shelby County, Illinois, and is exercising the claimed right of Cemetery Board Member without lawful authority.
- 2) Situated in Shelby County Illinois, The Defendant ROSE TOWNSHIP is a local unit of government organized under the laws of the State of Illinois as an Illinois Township.
  ROSE TOWNSHIP is named solely as a necessary party to this action.
- 3) Situated in Shelby County, the Defendant, ROSE TOWNSHIP CEMETERY BOARD, is a local unit of government and organized under the laws of the State of Illinois with its members appointed by the Rose Township Board. ROSE TOWNSHIP CEMETERY BOARD is named solely as a necessary party to this action.

## GENERALIZED QUO WARRANTO ALLEGATIONS

- 4) At all times relevant to this complaint, THERESA BOEHM, has been serving on the ROSE TOWNSHIP CEMETARY board.
- 5) According to the January 2023 Minutes of the Rose Township Board, the defendant, THERESA BOEHM, was reporting to the Rose Township Board on behalf of the Rose Township Cemetery Board.
- 6) The defendant, THERESA BOEHM, is exercising the claimed right of Cemetery Board Member without lawful authority.
- 7) By way of this Complaint, the State calls upon the defendant, THERESA

  BOEHM, generally to show by what warrant she exercises the office of Member of the

  Rose Township Cemetery Board Member pursuant to 735 ILCS 5/18-103.

Wherefore, Plaintiff prays this Honorable Court grant the following relief:

- A) Order Defendant, THERESA BOEHM, to show by what warrant she exercises the position of Rose Township Cemetery Board Member pursuant to 735 ILCS 5/18-103.
- B) Declare the office of Member of Rose Township Cemetery Board, presently claimed by THERESA BOEHM, vacant.
- C) Make a finding of fact that holding the appointed office of Cemetery Board Member is incompatible with the Office of County Board Member.
- D) For such other and further relief as the court may deem equitable and just.

Respectfully submitted by the People of the State of Illinois by the State's Attorney in and for Shelby County

/s/Robert T. Hanlon Robert Hanlon State's Attorney Shelby County, Illinois

Prepared by: Robert T. Hanlon Shelby County State's Attorney 301 East Main Street Shelbyville, Illinois 60098