

**RECENTLY PUBLISHED CRIMINAL JUSTICE OPINIONS**

(New Cases or Amendments are listed in **BOLD**)

**(Amended: January 1, 2008)**

**December - 2007**

1. **Gordon, Patrick** (1<sup>st</sup> Dist., No. 1-06-1663, December 28, 2007) **Aggravated DUI; Aggravated Possession of a Stolen Motor Vehicle; Felony DWS; and Aggravated Fleeing or Attempting to Allude - - Affirmed.**

ISSUES:    1. **Reasonable Doubt**: Was sufficient evidence introduced? (Yes)  
              2. **Evidence** (HGN): Did the trial court err by failing to hold a **Frye** hearing? (Yes, any error was harmless)  
              3. **Counsel** (Effectiveness): Was the defendant's counsel ineffective for failing to demand such a hearing? (No)  
              4. **Credit**: Was the defendant entitled to additional credit? (Yes)

2. **Williams v. City of Evanston** (1<sup>st</sup> Dist., No. 1-06-3392, December 28, 2007) **Dismissal of Action - - Affirmed.**

ISSUE:    **Liability**: Were the defendants liable for the injuries suffered by the Plaintiff in this case? (No)

3. **Butler, Lisa** (4<sup>th</sup> Dist., No. 4-04-0795, December 28, 2007) **Aggravated Criminal Sexual Abuse - - Affirmed.**

ISSUES:    1. **Evidence** (Expert): Was this testimony properly introduced? (Yes)  
              2. **Evidence** (Other Crimes): Did the trial court err by allowing this evidence to be introduced? (No)  
              3. **Jury Instructions**: Did the trial court err in failing to instruct the defendant's jury on other crimes evidence? (No)  
              4. **Reasonable Doubt**: Was sufficient evidence introduced? (Yes)

4. **Gay, Anthony** (4<sup>th</sup> Dist., No. 4-06-0010, December 28, 2007) **Aggravated Battery - - Affirmed.**

ISSUES:    1. **Speedy Trial**: Was the defendant's right to a speedy trial violated? (No)  
              2. **Jury Procedure**: Did the trial court err by failing to question jurors about their friendship with correctional officers? (No)

5. **Sandefur, Paul** (4<sup>th</sup> Dist., No. 4-06-0822, December 28, 2007) **Aggravated Criminal Sexual Abuse and Predatory Criminal Sexual Assault - - Affirmed.**

ISSUES:    1. **Jury Instructions**: Did the trial court err in failing to give a lesser included offense instruction? (No)  
              2. **Evidence** (Hearsay): Did the trial court err by allowing hearsay into evidence? (No)

6. **In re Justin L.V.** (4<sup>th</sup> Dist., No. 4-06-0239, December 28, 2007) **Adjudication of Delinquency - - Affirmed.**

ISSUES:    1. **Appellate Jurisdiction**: Did this court have jurisdiction to hear a part of the defendant's appeal? (No)

2. **Sentences:** Was the defendant's "recommitment" proper? (It wasn't a recommitment, it was an extension of commitment)
  3. **Counsel:** Did the defendant's attorney fail to file a 604(d) certificate? (No, he didn't have to)
  4. **Credit:** Was the defendant authorized to receive additional credit? (This court was not authorized to rule on that issue.)
7. **Mocaby, Joni** (5<sup>th</sup> Dist., No. 5-06-0418, December 28, 2007) Delivery of Controlled Substances  
 -- Reversed in Part; Vacated in Part, and Modified in Part.
- ISSUES:
1. **Reasonable Doubt:** Did the People properly identify the substances the defendant possessed? (No)
  2. **Restitution:** Could a Drug Task Force receive restitution? (No, it was not a victim)
8. **Tedrick, Rodney** (5<sup>th</sup> Dist., No. 5-07-0182, December 28, 2007) Domestic Battery -- Affirmed in part and cause remanded.
- ISSUES:
1. **Trial Procedure (Shackles):** Did the trial court err by failing to hold a hearing? (Defendant forfeited this Issue)
  3. **Counsel:** Was defendant's counsel ineffective for failing to complain about the shackles? (No)
  1. **Credit:** Was the defendant entitled to additional credit? (Yes)
9. **In re Keith C.** (1<sup>st</sup> Dist., No. 1-06-1807, December 27, 2007) Armed Robbery -- Affirmed.
- ISSUES:
1. **Evidence:** Was sufficient identification evidence introduced? (Yes)
  2. **Evidence:** Did the trial court properly refuse to allow into evidence the testimony of an identification expert? (Yes)
  3. **Evidence (Hearsay):** Was improper hearsay evidence introduced? (Yes, but it was harmless error)
  4. **Reasonable Doubt:** Was sufficient evidence introduced to support the defendant's conviction? (Yes)
  5. **Prosecutor Conduct:** Did the conduct of the prosecutor deny this defendant a fair trial? (No)
  6. **Constitutionality of Statute:** Was the DNA sample statute constitutional? (Yes)
10. **Moreira, Jorge** (2<sup>nd</sup> Dist., No. 2-05-1265, December 27, 2007) Home Invasion and Residential Burglary -- Affirmed.
- ISSUES:
1. **Reasonable Doubt:** Was sufficient evidence introduced to support the defendant's conviction? (Yes)
  2. **Sentences:** Was the defendant's sentence excessive? (No)
11. **Beaty, Kyle** (5<sup>th</sup> Dist., No. 5-05-0511, December 27, 2007) Aggravated Criminal Sexual Assault  
 -- Affirmed.
- ISSUES:
1. **Evidence (Other Crimes):** Was evidence of other crimes properly introduced? (Yes)

2. **Trial Procedure (Shackles)**: Did the trial court err by failing to hold a hearing? (Yes, but any error was harmless)
3. **Counsel**: Was defendant's counsel ineffective for failing to complain about the shackles? (No)
4. **Evidence (Post-Arrest Silence)**: Was the defendant denied a fair trial when his post-arrest silence was raised? (Issue Waived and no prejudice)
5. **Evidence (Witnesses)**: Did the trial court improperly prevent the defendant from introducing evidence? (No)
6. **Prosecutor Conduct**: Did the prosecutor fail to correct the inaccurate testimony of a witness did his other conduct deny the defendant a fair trial? (No)
7. **Counsel**: Should other counsel have been appointed to deal with the defendant's ineffective assistance of trial counsel claim? (Yes)

12. **In re Rogelio S.** (1<sup>st</sup> Dist., No. 1-06-1603, December 26, 2007) Adjudication of Delinquency - - Affirmed.

- ISSUES:
1. **Constitutionality of Statute**: Was the Sex Offender Registration Statute constitutional as it was applied to a juvenile? (Yes)
  2. **Constitutionality of Statute**: Was the DNA sample statute constitutional? (Yes)

13. **Brooks, Derrick** (4<sup>th</sup> Dist., No. 4-06-0163, December 26, 2007) Dismissal of Post-Conviction Petition - - Reversed and Remanded.

- ISSUES:
1. **Appellate Procedure**: Should the Appellate Defendant be allowed to withdraw? (No)
  2. **Post-Conviction Petition**: Was it properly dismissed? (No)

14. **Paige, Brianon** (Dist., No. 1-06-3523, December 21, 2007) Possession of a Controlled Substance - - Affirmed.

- ISSUES:
1. **Evidence**: Did the People introduce sufficient evidence of chain of custody? (Yes)
  2. **Fees and Fines**: Were the defendant's fees and fines properly applied? (Yes and No)

15. **Sims, Maurice** (1<sup>st</sup> Dist., No. 1-06-1011, December 21, 2007) Dismissal of Post-Conviction Petition - - Affirmed.

- ISSUE: **Post-Conviction Petition**: Did the trial court err in dismissing the defendant's petition? (No)

16. **Gibson, Willie** (2<sup>nd</sup> Dist., No. 2-06-0821, December 21, 2007) Dismissal of Post-Conviction Petition - - Reversed.

- ISSUE: **Post-Conviction Petition**: Did the trial court err in dismissing the defendant's petition? (No, more than 90 days passed before the dismissal)

17. **Ciechanowski, Wlodzimierz** (1<sup>st</sup> Dist., No. 1-06-0868, December 19, 2007) Aggravated DUI - - Affirmed.

- ISSUES:
1. **Reasonable Doubt (Aggravated DUI)**: Did the People prove that the defendant burglarized a car and a truck? (Yes)

3. **Statutory Construction**: Was the defendant properly convicted of Aggravated DUI based upon driving on a suspension if, thereafter, the suspension was rescinded? (Yes)

18. **Thomas, Jerome** (1<sup>st</sup> Dist., No. 1-05-2778, December 19, 2007) First-Degree Murder and Home Invasion - - Affirmed.

- ISSUES:
1. **Counsel** (Effectiveness): Did the defendant's attorney render ineffective assistance by introducing certain pieces of evidence? (No)
  2. **Evidence**: Did the trial court err when it barred the introduction of evidence? (No)
  3. **Judicial Conduct**: Was there a conflict of interest because the trial judge was good friends with the defendant's attorney and the defendant alleged ineffective assistance? (No)
  4. **Judicial Conduct**: Did the trial court improperly take judicial notice of various facts? (No)

19. **Banks, Ronnell** (Dist., No. 1-06-0868, December 19, 2007) Aggravated DUI - - Affirmed.

- ISSUES:
1. **Reasonable Doubt** (Aggravated DUI and DWS): Did the People introduce sufficient information to support these convictions? (Yes)
  2. **Evidence**: Did the lost of a video tape deny this defendant his right to appeal? (No)

20. **Ortiz, Salvador** (1<sup>st</sup> Dist., No. 1-06-1314, December 17, 2007) Dismissal of Post-Conviction Petition - - Reversed.

- ISSUE: **Post-Conviction Petition** (Newly Discovered Evidence): Did the trial court err in dismissing the defendant's petition? (Yes. The defendant gets a new trial)

21. **Nelson, Byron** (1<sup>st</sup> Dist., No. 1-06-3522, December 14, 2007) First-Degree Murder - - Appeal Dismissed.

- ISSUE: **Trial Procedure**: Did the trial court err in refusing to grant use immunity to the People's witnesses? (No appellate jurisdiction, appeal dismissed)

22. **Hudson v. City of Chicago** (1<sup>st</sup> Dist., No. 1-05-2822, December 14, 2007) Denial of Motion for JNOV - - Affirmed. (**THIS OPINION WAS ORIGINALLY FILED ON SEPTEMBER 7<sup>TH</sup>, WITHDRAWN AND THEN REFILED ON THIS DATE**)

- ISSUES:
- 1) **Liability**: Were the defendant's entitled to immunity from liability? (No)
  - 2) **Evidence**: Was the plaintiff's expert witness properly allowed to introduce a computer display into evidence? (Yes)

23. **Parham, Marion** (2<sup>nd</sup> Dist., No. 2-06-0292, December 14, 2007) Burglary - - Reversed and Remanded.

- ISSUES:
1. **Reasonable Doubt** (Burglary): Did the People prove that the defendant burglarized a car and a truck? (Yes and No)
  2. **Juries**: Did the trial court err when it responded to a jury question? (Yes, it was reversible error)

24. **Morgan, Jeffrey** (3<sup>rd</sup> Dist., No. 3-06-0362, December 14, 2007) Sex Offender Violation - -  
Affirm in Part, Vacate in Part, and Remand in Part.

ISSUES: 1. **Constitutionality of Statute**: Was the Sex Offender Registration provisions violative of the ex post facto provisions? (No)  
2. **Fees and Fines**: Was the defendant entitled to credit off of his fine and did he have to pay the Violent Crime Victims Assistance Fund Fine? (Yes and No)

25. **Whitfield, Travis** (Ill. Sup. Ct, No. 102985, December 13, 2007) Denial of Credit for Time Spent on Probation - - Affirmed.

ISSUE: **Sentencing**: Did the trial court properly fail to consider giving the defendant credit for the time he spent on probation? (Yes)

26. **Thompson, Tommy** (1<sup>st</sup> Dist., No. 1-05-0523, December 12, 2007) First-Degree Murder and Armed Robbery - - Affirmed.

ISSUE: **Post-Conviction Petition**: Did the trial court err in re-characterizing and dismissing the defendant's petition? (No)

27. **Moore, Carnell** (1st Dist., No. 1-06-0432, December 11, 2007) First-Degree Murder – Affirmed.

ISSUES: 1. **Search and Seizure**: Did the collective knowledge of the police support the arrest of the defendant? (Yes)  
2. **Evidence (Crawford)**: Is an autopsy report a business record? (Yes)

28. **Davis, Nathaniel** (1st Dist., No. 1-05-3086, December 10, 2007) Aggravated Kidnapping and Possession of a Stolen Motor Vehicle - - Affirmed.

ISSUES: 1. **Waiver**: Did the defendant properly waive his right to testify? (Yes)  
2. **Competency**: Should the trial court have ordered a fitness hearing for the defendant? (No)  
3. **Constitutionality of Statute (Sex Offender Registration)**: Was the Sex Offender Registration statute unconstitutional? (No)

29. **Spicer, Charles** (1st Dist., No. 1-05-3358, December 10, 2007) Aggravated Criminal Sexual Assault and Forgery - - Affirmed.

ISSUES: 1. **Evidence (Crawford)**: Was the testimony of a doctor properly introduced? (Yes)  
2. **Reasonable Doubt (Forgery)**: Was sufficient evidence introduced? (Yes)  
3. **Prosecutor Conduct**: Was the Prosecutor's closing argument improper? (No)  
4. **Sentencing**: Did the trial court deny this defendant a fair sentencing hearing? (No)

30. **Holley, Aaron** (3<sup>rd</sup> Dist., No. 3-05-0382, December 7, 2007) Aggravated Criminal Sexual Assault Affirmed in part; vacated in part; and Remanded With Directions.

ISSUES: 1. **Counsel (Effectiveness)**: Did the trial court err by failing to properly rule on the defendant's complaint about the ineffectiveness of his counsel? (Yes and for that reason this cause was remanded back to the trial court)

2. Sentencing: Was the defendant improperly sentenced? (Yes)
3. Sentencing (Disproportionate Penalties): Did the defendant have standing to complain about this argument? (No)

**31. Calhoun, Leontea (1<sup>st</sup> Dist., No. 1-05-4073, December 5, 2007) Reckless Homicide - - Affirmed.**

**ISSUE: Sentencing: Did the trial court err in failing to allow the defendant to chose under which version of the law he would be sentenced? (No)**

**32. Boyd v. City of Chicago (1<sup>st</sup> Dist., No. 1-06-0358, December 5, 2007) Jury Verdict in Favor of the Defendants - - Affirmed.**

**ISSUE: Liability: Were the defendants liable for the injuries suffered by the Plaintiff in this case? (No)**

**33. Bannister, James (1<sup>st</sup> Dist, No. 1-04-2894, December 4, 2007) First-Degree Murder - - Affirmed.**

- ISSUES:**
1. Double Jeopardy: Was the defendant improperly tried twice for this same offense? (No, the defendant waived this issue and the re-trial was ordered because of the recantation of the testimony of a witness and not from a lack of other evidence)
  2. Plea Agreement: Did the co-defendant's plea agreement violate any of the defendant's rights? (No)
  3. Judicial Conduct: Did the trial court improperly fail to recuse himself? (No)
  4. Indictments: Was the defendant improperly tried by using his old indictment? (No)
  5. Witnesses: Did the trial court err when it allowed a witness to testify against the defendant? (No)
  6. Trial Practice: Did the cumulative errors of the trial court deny this defendant a fair trial? (No)
  7. Reasonable Doubt: Was this defendant properly convicted beyond a reasonable doubt? (Yes)

**November - 2007**

**1. Peoples, Christopher (1<sup>st</sup> Dist., No. 1-05-0472, November 30, 2007) First Degree Murder - - Affirmed.**

**ISSUE: Evidence (Crawford): Did the testimony of a police officer violate the defendant's confrontation rights? (No, it was part of the "Explanatory Exception" to Crawford)**

**2. In re Alexander R. (2<sup>nd</sup> Dist., No. 2-07-0779, November 30, 2007) Termination of Parental Rights - - Affirmed.**

**ISSUE: Termination of Parental Rights: Did the trial court err when it granted the People's motion to terminate parental rights? (No)**

3. Moore, Gregory (Ill. Sup. Ct, No. 98609, November 29, 2007) First-Degree Murder - - Affirmed.

- ISSUES:
1. Jurors (Batson): Did the trial court err by raising a reverse Batson argument against the defendant? (Yes, but any error was harmless)
  2. Sentencing (Apprendi): Was the application of the defendant's extended term sentence improperly determined by the trial judge rather than by his jury? (Yes, but again any error was harmless)

4. O'Connell, John (Ill. Sup. Ct, No. 102707, November 29, 2007) Denial of Motion for DNA Testing - - Affirmed.

- ISSUE: DNA Testing: Did the trial court properly deny the defendant's pro se motion for DNA testing? (Yes)

5. Perkins, Jahmal (Ill. Sup. Ct, No. 103693, November 29, 2007) Dismissal of a Post-Conviction Petition - - Affirmed.

- ISSUE: PCP (Dismissal): Did the trial court properly dismiss the defendant's post-conviction petition? (Yes)

6. Ewing, James (4<sup>th</sup> Dist., No. 4-07-0184, November 29, 2007) Suppression of Evidence - - Reversed and Remanded.

- ISSUE: Search and Seizure (Terry Stop): Did the police reasonable conduct a Terry stop of the defendant? (Yes)

7. Allen, Robert (1<sup>st</sup> Dist., No. 1-04-1090, November 28, 2007) Dismissal of Petition for Post-Conviction Relief - - Affirmed.

- ISSUES:
1. Section 2-1401 Petition: Did the trial court err by treating this petition as a Post-Conviction Petition and improperly failing to address all of its allegations? (No)
  2. Section 2-1401 Petition: Did the trial court err by improperly summarily dismissing this petition? (No)

8. Stefanski, Daniel (2<sup>nd</sup> Dist, No. 2-06-1176, November 26, 2007) Application of Sanctions - - Affirmed.

- ISSUE: Trial Practice (Sanctions): Did the trial court properly sanction the People for they way they filed notices of motions? (Yes)

9. Sipp, James (1<sup>st</sup> Dist, No. 1-06-2667, November 26, 2007) First-Degree Murder - - Affirmed.

- ISSUES:
1. Evidence: Was the defendant's sister improperly prevented from testifying for the defendant? (No)
  2. Judicial Conduct: Did the trial court improperly sustain the prosecutor's objections to the cross-examination of the People's witnesses? (No)
  3. Jury Instructions: Did the trial court improperly deny the defendant an opportunity to have his jury instructed on involuntary manslaughter or second degree murder? (No)
  4. Jurys (Batson): Did the trial court improperly reject the defendant's argument that the People had an improper racial motivation in excluding one of the defendant's jurors? (No)

10. Cox, Quentin (1<sup>st</sup> Dist, No. 1-05-3436, November 21, 2007) First-Degree Murder - - Affirmed.

- ISSUES:
1. Reasonable Doubt: Was the defendant's identification to uncertain to support his conviction? (No)
  2. Evidence (Hearsay): Did the prosecutor improperly use hearsay evidence to bolster the defendant's identification? (No)
  3. Prosecutor Conduct: Did the prosecutor improperly use an argument that was unsupported by the evidence? (No)
  4. Sentences: Was the defendant's 65-year sentence excessive? (No)

11. Davis, Lavelle (2<sup>nd</sup> Dist, No. 2-06-0319, November 20, 2007) Felony Murder - - Reversed and Remanded.

- ISSUES:
- 1) Post-Conviction Petition (Waiver and Res Judicata): Did the defendant waive any complaint about the effectiveness of his counsel by failing to argue it on direct appeal? (No)
  - 2) Post-Conviction Petition: Did the trial court properly grant the defendant's request of a new trial? (Yes)

12. Farrell, Malcom (4<sup>th</sup> Dist, No. 4-06-0945, November 16, 2007) Aggravated Robbery - - Affirmed.

- ISSUE: Evidence (Impeachment): Did the People properly introduce the defendant's prior conviction for purposes of impeachment? (Yes)

13. Jones, Allen (2<sup>nd</sup> Dist, No. 2-05-1135, November 14, 2007) Revocation of Probation - - Affirmed.

- ISSUES:
- 1) Probation Violation: Did the People prove that the defendant failed to report to the probation department? (Yes)
  - 2) Probation Violation: Did the People have to prove that the defendant willfully failed to report to the probation department? (No)

14. Moore, Gregory (1<sup>st</sup> Dist, No. 1-06-0505, November 13, 2007) Denial of Motion for DNA Testing - - Affirmed.

- ISSUES:
1. DNA Testing: Was the defendant's motion for DNA testing improperly denied? (No)
  2. Guilty Plea (Voluntary): Was the defendant's guilty plea voluntary? (Yes)
  3. Judicial Conduct: Did the trial court consider issues outside of the scope of this hearing? (No)

15. Smith, Antonio (1<sup>st</sup> Dist, No. 1-05-2694, November 9, 2007) Aggravated Battery of a Peace Officer - - Affirmed.

- ISSUES:
1. Judicial Conduct: Did the trial court err when it refused to appoint the defendant standby counsel? (No)
  2. Reasonable Doubt: Was the defendant properly convicted of Contempt? (Yes)

16. Artis, Maurice (3<sup>rd</sup> Dist, No. 3-06-0346, November 9, 2007) Aggravated Criminal Sexual Assault; Home Invasion; Residential Burglary; and Unlawful Restraint - - Affirmed in Part and Vacated and Remanded in Part.

- ISSUES:
1. One Act, One Crime: Was the defendant properly improperly convicted of two counts of Criminal Sexual Assault? (Yes)
  2. Lesser Included Offenses (Intent): Was the defendant's Home Invasion charge a lesser included offense of Aggravated Criminal Sexual Assault? (Yes)
  3. Sentences (Extended Term): Did the defendant properly receive an extended term sentence following his unlawful restraint conviction? (Nope)

17. Gilgart, Stanley (1<sup>st</sup> Dist, No. 1-06-1484, November 7, 2007) Possession of Cocaine - - Affirmed as Modified.

- ISSUES:
1. Constitutionality of Statute (Youth Diversion/Peer Court Charges): Were they constitutional? (Yes)
  2. Fees, Fines and Costs: Were the defendant's fees, fines and costs properly calculated? (No)

18. Leonard, James (1<sup>st</sup> Dist, No. 1-06-2501, November 7, 2007) Indecent Solicitation of a Child - - Affirmed.

- ISSUES:
1. Reasonable Doubt (Identity): Was the defendant properly identified as the person who committed this offense? (Yes)
  2. Reasonable Doubt (Intent): Did the People prove that the defendant had the required mental state? (Yes)
  3. Sentences (Excessive): Was the defendant's three-year sentence excessive? (Nope)

19. Collier, Neisha (4<sup>th</sup> Dist, No. 4-06-0981, November 6, 2007) Obstructing Justice - - Sentence Vacated and Cause Remanded With Instructions.

- ISSUE: Judicial Conduct: Was this defendant properly given an extended term sentence based upon her failure to appear at her sentencing hearing? (No)

20. Gay, Anthony (4<sup>th</sup> Dist, No. 4-05-0915, November 6, 2007) Aggravated Battery - - Affirmed.

- ISSUE: Speedy Trial: Were the defendant's speedy trial rights violated? (No)

21. Kenton, Jerry (4<sup>th</sup> Dist, No. 4-06-0808, November 6, 2007) Unlawful Restraint - - Affirmed.

- ISSUE: Sentences: Did the trial court err in sentencing the defendant to prison rather than ordering mental health treatment? (No)

22. Diaz, Jamie (1<sup>st</sup> Dist, No. 1-06-2690, November 5, 2007) DUI - - Affirmed as Modified.

- ISSUES:
1. Reasonable Doubt (Aggravated DUI): Was the defendant properly convicted of aggravated DUI? (Yes)
  2. Counsel (Effectiveness): Did the defendant's attorney render ineffective assistance by failing to move to suppress, by failing to move for a Frye hearing, or by failing to challenge HGN evidence? (Any error was harmless)
  3. Fees, Fines and Costs: Were the defendant's fees, fines and costs properly applied? (Some were and some weren't)
  4. Mittimus: Should the defendant's mittimus be amended to reflect that he was convicted of only one offense? (No)

23. Love, Rodney (1<sup>st</sup> Dist, No. 1-06-0446, November 5, 2007) First-Degree Murder - - Affirmed.  
ISSUES:     1. Evidence (Other Crimes): Did the trial court improperly allow the introduction of the defendant's other crimes? (No)  
              2. Counsel (Effectiveness): Did the defendant's attorney render ineffective assistance by failing to challenge a suggestive lineup? (No)  
              3. Prosecutor Conduct: Did the conduct and comments of the prosecutor deny this defendant a fair trial? (No)  
              4. Judicial Conduct: Did the trial judge improperly coerce the defendant's jury? (No)
24. Owens, Calvin (1<sup>st</sup> Dist, No. 1-06-0445, November 5, 2007) Aggravated Unlawful Use of a Weapon - - Sentence Vacated and Cause Remanded For a New Sentencing Hearing.  
ISSUE:       Sentencing: Was this defendant properly sentenced as a Class X felon? (No)
25. Luss v. Village of Forest Park (1<sup>st</sup> Dist, No. 1-06-0731, November 5, 2007) Grant of Motion For Summary Judgment - - Affirmed.  
ISSUE:       Liability: Was the City liable for the death of the prison? (No)
26. Shuttlesworth v. City of Chicago (1<sup>st</sup> Dist, No. 1-06-3433, November 5, 2007) Grant of Motion For Summary Judgment - - Affirmed.  
ISSUE:       Liability: Was the City liable for injuries that occurred during a high-speed chase? (No)
27. Johnson, Corey (5<sup>th</sup> Dist, No. 5-05-0461, November 5, 2007) Dismissal of the Defendant's Post-Conviction Petition - - Reversed and Remanded.  
ISSUES:     1. Post-Conviction Petition: Did the defendant waive claims of error here? (No)  
              2. Post-Conviction Petition: Did the defendant present the gist of a constitutional claim? (Yes)
28. Peden, James (1<sup>st</sup> Dist, No. 1-05-2995, November 2, 2007) Residential Burglary - - Reversed and Remanded.  
ISSUE:       Judicial Conduct: Did the trial judge deny this defendant due process by interfering with his attorney/client relationship? (Yes)
29. Stewart, Orlando (1<sup>st</sup> Dist, No. 1-05-3868, November 2, 2007) Residential Burglary - - Reversed.  
ISSUE:       Reasonable Doubt: Did the People present sufficient evidence to support the defendant's conviction for residential burglary? (No)
30. Begay, Sylvia (1<sup>st</sup> Dist, No. 1-05-2453, November 1, 2007) Armed Violence and Aggravated Battery - - Affirmed in Part and Vacated in Part.  
ISSUES:     1. Evidence (Other Crimes): Did the trial court improperly allow the introduction of the defendant's other crimes? (No)  
              2. Counsel (Effectiveness): Did the defendant's attorney render ineffective assistance by failing to challenge a juror? (No)  
              3. Prosecutor Conduct: Did the conduct and comments of the prosecutor deny this defendant a fair trial? (No)

4. One Act – One Crime: Was the defendant improperly convicted of both armed violence and aggravated battery? (Yes)

31. Spivey, Ray (2<sup>nd</sup> Dist, No. 2-05-1030, November 1, 2007) Dismissal of Successive Post-Conviction Petition - - Affirmed.

ISSUE: Post-Conviction Petition: Did the trial court err by dismissing the defendant's successive PCP? (No)

## **October - 2007**

1. Feazell, Shakina (1<sup>st</sup> Dist, No. 1-05-1065, October 31, 2007) First-Degree Murder; Armed Robbery; and Armed Vehicular Hijacking - - Affirmed.

ISSUES: 1. Prosecutor Conduct: Did the conduct and comments of the prosecutor deny this defendant a fair trial? (No)  
2. Evidence (Crawford): Was this defendant's confrontation rights violated when hearsay statements were used against her? (Yes)

2. Roa, Andres (3<sup>rd</sup> Dist, No. 3-05-0420, October 31, 2007) Denial of Motion to Suppress - - Affirmed.

ISSUE: Search and Seizure: Did this defendant properly consent to a search of his car? (Yes)

3. Appelgren, Robert (2<sup>nd</sup> Dist, No. 2-05-0018, October 30, 2007) Harassment by Telephone - - Reversed and Remanded.

ISSUE: Evidence: Did the loss of a videotape deprive this defendant of his right to appeal his conviction? (Yes)

4. Felton, Brandy (2<sup>nd</sup> Dist, No. 2-06-0369, October 30, 2007) Obstruction of Justice - - Affirmed.

ISSUE: Reasonable Doubt: Did the People offer sufficient evidence to support the defendant's conviction for obstructing justice based upon her lies to the police? (Yes)

5. Ocampo, Tomas (2<sup>nd</sup> Dist, No. 2-06-0556, October 30, 2007) Suppression of Evidence - - Affirmed.

ISSUES: 1. Search and Seizure: Was this defendant seized when the police approached him? (Yes)

2. Search and Seizure: Did the police have sufficient reasonable suspicion to believe that a drug deal had occurred in order to detain this defendant? (No)

6. Meza, Apolinar (3<sup>rd</sup> Dist, No. 3-06-0164, October 26, 2007) Denial of Motion to Withdraw Guilty Plea - - Affirmed.

ISSUE: Guilty Plea: Did the trial court violate Supreme Court Rule 402(d)(2) when it refused to allow the defendant to withdraw his guilty plea after the trial judge withdrew his offer to sentence the defendant to 15 years' imprisonment? (No)

7. Mizaur, Ronald (2<sup>nd</sup> Dist, No. 2-06-1134, October 25, 2007) Denial of Motion to Rescind Summary

Suspension - - Reversed and Remanded.

ISSUE: Summary Suspension: Is the hearing date delineated on a bail bond the same as “the first appearance date on the Uniform Traffic Complaint” for purposes of the 30-day rule in summary suspension cases? (Yes)

8. Marsala, Sam (2<sup>nd</sup> Dist, No. 2-06-1044, October 24, 2007) Rescission of Summary Suspension - - Reversed and Remanded.

ISSUE: Summary Suspension: Did the trial court err in granting the defendant’s petition to rescind his summary suspension because the defendant failed to make a prima facie case? (Yes)

9. Escobedo, Daniel (1<sup>st</sup> Dist, No. 1-05-2229, October 19, 2007) Dismissal of the Defendant’s Post-Conviction Petition - - Affirmed in Part; Vacated in Part; Cause Remanded with Directions.

ISSUES: 1. Post-Conviction Petition: Did the trial court err in summarily dismissing this defendant’s Post-Conviction Petition? (No)  
2. Post-Conviction Petition: Did the trial court err in treating both of this defendant’s petitions as Post-Conviction Petitions? (Yes)

10. Stralka, Paul (Ill. Sup. Ct., No. 102962, October 18, 2007) Vacation of Juvenile Probation - - Reversed and Remanded.

ISSUE: Juvenile Law: Can a trial judge vacate a sentence of juvenile probation after the juvenile successfully completes that probation? (No)

11. Harrison, Dwight (Ill. Sup. Ct., No. 102859, October 18, 2007) Dismissal of Appeal - - Affirmed.

ISSUE: Appellate Jurisdiction: Can a defendant found not guilty by reason of insanity appeal the outcome of his case? (No)

12. Pierce, Antonio (Ill. Sup. Ct., No. 103272, October 18, 2007) Theft From the Person - - Affirmed.

ISSUE: Statutory Construction: Was the defendant properly convicted of theft from the person when he took money that was placed on a bar in front of the victim? (Yes)

13. In re C.S. (3<sup>rd</sup> Dist, No. 3-06-0425, October 18, 2007) Adjudication of Abuse and Neglect - - Reversed and Remanded.

ISSUE: Juvenile Law: Did the trial court err when it denied the respondent’s request for a mental examination prior to a determination by the Court? (Yes)

14. House, James (1<sup>st</sup> Dist., No. 1-05-1923, October 17, 2007) 1<sup>st</sup> Degree Murder - - Affirmed.

ISSUES: 1) Counsel: Did the trial court err in disqualifying the defendant’s attorney? (No)  
2) Evidence (Prior Consistent Statement): Did the trial court err in refusing to allow into evidence the prior consistent statements of defense witnesses? (No)

15. Walton, Romaris (1<sup>st</sup> Dist., No. 1-06-1276, October 17, 2007) 1<sup>st</sup> Degree Murder - - Affirmed as Modified.

ISSUES: 1) Counsel: Did the defendant’s attorney usurp his right to decide whether to seek a lesser offense instruction? (No)  
2) One Act, One Crime: Was the defendant improperly convicted of two murders where

only one person was killed? (Yes)

16. Bennett, Aaron (1<sup>st</sup> Dist., No. 1-05-3038, October 12, 2007) 1<sup>st</sup> Degree Murder - - Affirmed.

- ISSUES:
- 1) Search and Seizure: Was the defendant properly detained? (Yes)
  - 2) Search and Seizure: Did the police arrest the defendant when they transported him to the scene of the crime? (No)
  - 3) Confessions and Admissions: Did the defendant's 86-hour detention render his confession involuntary? (No)
  - 4) Evidence: (Did the trial court err in precluding the testimony of an expert on "Interrogative Suggestibility"? (No)

17. Carter, Gerald (1<sup>st</sup> Dist., No. 1-06-0210, October 12, 2007) Possession of a Controlled Substance With the Intent to deliver - - Affirmed.

- ISSUES:
- 1) Fees and Fines: Were the defendant's fees properly imposed? (Yes)
  - 2) Sentencing: Should the defendant be credited with seven additional days of sentencing credit? (Yes)

18. Chapman, Forrest (4<sup>th</sup> Dist., No. 4-06-0228, October 11, 2007) Possession of a Controlled Substance and Cannabis - - Affirmed.

- ISSUES:
- 1) Search and Seizure: Did the use of a detonation device violate the defendant's "knock and announce rights? (No)
  - 2) Trial Practice: Was that stipulated bench trial tantamount to a guilty plea where the defendant preserved two defenses? (No)

19. Lofton, Walter (4<sup>th</sup> Dist, No. 4-06-0382, October 11, 2007) Aggravated Battery and Criminal Damage to Government Supported Property - - Remanded With Directions.

- ISSUE: Judicial Conduct: Did the trial court deny this defendant his rights by filing a notice of appeal without consulting with the defendant? (Yes)

20. Walton, Tyrone (4<sup>th</sup> Dist., No. 4-05-0873, October 11, 2007) Predatory Criminal Sexual Assault of a Child - - Affirmed as Modified and Remanded With Directions.

- ISSUES:
- 1) Evidence: Was the defendant denied a fair trial when the People withheld DNA evidence? (No)
  - 2) Evidence: Did the People improperly withhold impeachment evidence? (No)
  - 3) Prosecutor Conduct: Did the prosecutor deny this defendant a fair trial by improperly commenting during his closing rebuttal argument? (No)
  - 4) Sentences: Was the defendant entitled to one additional day of sentencing credit? (Yes)
  - 5) Fines: Was the defendant's assessment of fines proper? (No)

21. Parker, James (1<sup>st</sup> Dist, No. 1-06-1637, October 9, 2007) Suppression of Evidence - - Reversed and Remanded.

- ISSUE: Search and Seizure: Was the consent to search given by the defendant's girlfriend valid? (Yes)

22. Welch, Robert (2<sup>nd</sup> Dist, No. 2-05-0688, October 9, 2007) Dismissal of Post-Conviction Petition - -

Reversed and Remanded.

ISSUE: Post-Conviction Petitions: Did the trial court err in dismissing the defendant's successive petition after he was not admonished about MSR? (Yes)

23. Lisle, Steven (3<sup>rd</sup> Dist., No. 3-05-0032, October 5, 2007) First-Degree Murder - - Affirmed.

ISSUES: 1) Evidence: Was the testimony of a witness an excited utterance? (Yes)  
2) Evidence: Was that evidence introduced in violation of Crawford? (No)  
3) Reasonable Doubt: Did the People prove this defendant guilty beyond a reasonable doubt? (Yes)

24. Silver, Paul (2<sup>nd</sup> Dist, No. 2-06-1022, October 2, 2007) Possession of Child Pornography - - Reversed and Remanded.

ISSUE: Speedy Trial: Did the delay in prosecuting this defendant violate his constitutional speedy trial rights? (Yes)

### **September - 2007**

1. Allen, Walter (1<sup>st</sup> Dist., No. 1-06-1943, September 28, 2007) Attempt First-Degree Murder, Attempt Armed Robbery and Aggravated Battery With a Firearm - - Reversed and Remanded.

ISSUES: 1) Search and Seizure: Was the test performed on the defendant an unreasonable search? (No)  
2) Evidence: Was the police photo array too suggestive? (No)  
3) Evidence: Did the trial court err in excluding the defendant's expert on identification? (Yes)

2. Johnson, Larry (1<sup>st</sup> Dist, No. 1-05-0997, September 28, 2007) Indecent Solicitation of a Child - - Reversed and Remanded.

ISSUE: Evidence: Did the trial court err in allowing into evidence an AOL transcript without a proper foundation? (Yes)

3. Melchor, Efren (1<sup>st</sup> Dist, No. 1-03-3036, September 28, 2007) 1<sup>st</sup> Degree Murder - - Reversed and Remanded.

ISSUE: Evidence: Was the testimony of a dead witness properly used against this defendant? (No, it was untrustworthy)

4. Thompkins, Willie (1<sup>st</sup> Dist, No. 1-05-03563, September 28, 2007) 1<sup>st</sup> Degree Murder - - Affirmed.

ISSUE: Sentences: Was the defendant properly sentenced to natural life in prison after the Governor commuted his sentence of death? (Yes)

5. In re Hannah E. (1<sup>st</sup> Dist., No. 1-06-1956, September 28, 2007) Involuntary Admission - - Affirmed.

ISSUES: 1) Was the defendant's hearing untimely? (No)  
2) Was the commitment petition invalid because it was signed by an unauthorized individual? (Waived and No)  
3) Did the People fail to prove that she was a threat to others? (No)  
4) Did the trial court err in not using the least restrictive alternative to hospitalization? (No)

6. In re Keyonne D. (1<sup>st</sup> Dist., No. 1-06-0465, September 28, 2007) Adjudication of Delinquency - - Reversed and Remanded.  
ISSUE: Juvenile Law: Was the failure of the People to give notice to the juvenile's father reversible error? (Yes)
7. In re Mario T. (1<sup>st</sup> Dist., No. 1-05-3499, September 28, 2007) Adjudication of Delinquency - - Reversed and Remanded.  
ISSUES: 1) Search and Seizure: Does a "field interview" necessarily constitute a seizure? (No)  
2) Search and Seizure: Was the defendant's frisk reasonable? (No)
8. In re Angel S. (2<sup>nd</sup> Dist., No. 2-06-0806, September 28, 2007) Involuntary Admission - - Reversed and Remanded.  
ISSUES: 1) Did the People prove that the defendant was unable to provide for her physical needs? (No)  
2) Did the trial court fail to consider a less restrictive alternative to hospitalization? (Yes)
9. Gilbert, Terrance (1<sup>st</sup> Dist., No. 1-05-0414, September 25, 2007) Burglary - - Reversed and Remanded.  
ISSUE: Jurors: Did the trial court err in failing the defendant's jurors about the defendant's constitutional rights? (Yes)
10. Burton, James (5<sup>th</sup> Dist., No. 5-06-0619, September 28, 2007) Denial of a Motion to Dismiss - - Affirmed.  
ISSUE: Trial Procedure: Did the trial court err in declaring a mistrial after the defense counsel offered before the jury to have the defendant submit to a polygraph test? (No)
11. Richardson, Andre (1<sup>st</sup> Dist., No. 1-05-2042, September 25, 2007) 1<sup>st</sup> Degree Murder - - Reversed and Remanded.  
ISSUE: Confessions: Did the police prove that the defendant's injuries were not used to coerce his confession? (No)
12. O'Learey, Mary (2<sup>nd</sup> Dist., No. 2-06-0764, September 24, 2007) Unlawful Visitation Interference - - Affirmed.  
ISSUE: Counsel: Did the trial court err by informing the defendant that she had no right to the assistance of an attorney? (Yes)
13. Powers, Thomas (2<sup>nd</sup> Dist., No. 2-06-1246, September 24, 2007) Denial of Motion to Withdraw Notice of Appeal - - Reversed and Remanded.  
ISSUE: Appellate Practice: Can a defendant file a pro se petition to withdraw a notice of appeal? (Yes)
14. Brown, Cletus (4<sup>th</sup> Dist., No. 4-06-0694, September 24, 2007) Unlawful Possession of a Methamphetamine Precursor - - Affirmed.

ISSUE: Constitutionality of Statute: Did the penalty provision of this offense violate the Proportionate Penalties Clause of the Illinois Constitution? (No)

15. In re Richard H. (4<sup>th</sup> Dist, No. 4-07-0461, September 24, 2007) Termination of Parental Rights - - Affirmed.

ISSUE: Juvenile Law: Did the failure of the trial court to make detailed findings of fact require the reversal of this decision? (No)

16. Cunningham, Eli (1<sup>st</sup> Dist., No. 1-05-1512, September 21, 2007) Attempt First-Degree Murder - - Affirmed as Modified.

ISSUES: 1) Counsel (Effectiveness): Was the defendant's counsel ineffective for failing to assert a self-defense defense? (No)  
2) Judicial Conduct: Should the trial court have conducted an enquiry into the conduct of the defendant's attorney based on the defendant's ARDC complaint against that attorney? (No)  
3) Fines: Was the defendant entitled to a \$5 per day credit off of his \$4 criminal traffic surcharge? (Yes)

17. Hunter, Soloman (1<sup>st</sup> Dist., No. 1-06-0367, September 21, 2007) Dismissal of a Post-Conviction Petition - - Affirmed.

ISSUES: 1) Post-Conviction Petition: Did the defendant raise the gist of a constitutional claim that his counsel was ineffective? (No)  
2) Fees: Was the defendant properly assessed fees and costs after his petition was dismissed? (Yes, it was a frivolous petition)

18. Richardson, Calvin (1<sup>st</sup> Dist., No. 1-04-3686, September 21, 2007) Burglary - - Affirmed.

ISSUES: 1) Search and Seizure: Was the defendant's counsel ineffective for failing to move to suppress? (No)  
2) Fitness: Were the defendant's rights violated when his counsel stipulated to evidence about his fitness? (No)  
3) Constitutionality of Statute: Was the DNA Extraction Statute unconstitutional? (No)

19. In re Tyrese (1<sup>st</sup> Dist., No. 1-07-1078, September 21, 2007) Denial of Petition for Warship based upon Neglect - - Reversed and Remanded.

ISSUES: 1) Jurisdiction: Did the appellate court have jurisdiction to hear this cause? (Yes)  
2) Trial Practice: Did the trial court err in refusing to allow the People to amend their petition? (Yes)  
3) Juvenile Law: Did the trial court abuse its discretion in finding no abuse? (Yes)

20. LaPointe, Phillip (Ill. Sup. Ct., No. 103095, September 20, 2007) Dismissal of a Post-Conviction Petition - - Affirmed.

ISSUE: Post-Conviction Petitions: Did the trial court err when it summarily dismissed the defendant's successive post-conviction petition? (No, the defendant never asked permission to file it.)

21. McKown, Joanne (Ill. Sup. Ct., No. 102372, September 20, 2007) DUI - - Reversed and Remanded.  
 ISSUE: Evidence: Did the trial court err when it allowed into evidence the results of a Horizontal Gaze Nystagmus test without an evidentiary hearing? (Yes)
22. Montgomery, Chad (5<sup>th</sup> Dist., No. 5-06-0344, September 13, 2007) Suppression of Evidence - - Affirmed.  
 ISSUE: Confessions and Admissions: Did the trial court err when it granted the defendant's motion to suppress the statements of this defendant? (No)
23. Reed, Catrelle (3<sup>rd</sup> Dist., No. 3-06-082, September 12, 2007) Unlawful Delivery of a Controlled Substance Within 1,000 feet of a School - - Affirmed in Part and Remanded With Directions in Part.  
 ISSUES: 1) Trial Procedure: Was the failure to have a court reporter present per se reversible error? (No)  
 2) Trial Procedure: Did the trial court fail to properly admonish this defendant? (No)  
 3) Judicial Conduct: Did the trial court consider improper aggravating factors? (No)  
 4) Sentencing: Were the defendant's fines properly applied? (No)
24. In re C. S. (3<sup>rd</sup> Dist., No. 3-06-0425, September 12, 2007) Declaration of Parental Unfitness - - Reversed and Remanded.  
 ISSUE: Parental Fitness: Did the trial court err by refusing to allow the mother of the child to undergo a mental exam? (Yes)
25. Turner, Janet (3<sup>rd</sup> Dist., No. 3-05-0747, September 12, 2007) Theft - - Affirmed.  
 ISSUES: 1) Reasonable Doubt: Was the defendant proven guilty beyond a reasonable doubt? (Yes)  
 2) Counsel (Conflict of Interest): Did the counsel for this defendant have a conflict of interest when he represented both the defendant and a co-defendant? (No)  
 3) Jury Trials: Did this defendant knowingly waive his right to a jury trial? (Yes)  
 4) Sentencing: Is the defendant entitled to additional sentencing credit? (Yes)
26. Gutierrez, Armando (1<sup>st</sup> Dist., No. 1-05-3633, September 10, 2007) 1<sup>st</sup> Degree Murder & Attempted 1<sup>st</sup> Degree Murder - - Appeal Dismissed.  
 ISSUE: Appellate Jurisdiction: Did the appellate court have jurisdiction to hear this appeal? (No)
27. Williams, Paul (1<sup>st</sup> Dist., No. 1-05-1141, September 10, 2007) Unlawful Use of Sound Recordings and Unidentified Sound Recordings - - Affirmed in Part and Reversed in Part.  
 ISSUES: 1) Reasonable Doubt: Was the defendant proven guilty beyond a reasonable doubt? (Yes and No)  
 2) Statutory Construction: Was these prosecutions preempted by the Federal Copyright laws? (Some were and some weren't)  
 3) Constitutionality of Statute: Were the provisions of these offenses overly broad

and unconstitutionally vague? (No)

28. Ellis, Akil (2<sup>nd</sup> Dist., No. 2-05-1119, September 7, 2007) Probation Revocation - - Reversed and Remanded.

ISSUE: Judicial Conduct: Did the trial court improperly admonish this defendant? (Yes)

29. Delgado, Robert (1<sup>st</sup> Dist., No. 1-05-1592, September 7, 2007) Aggravated Criminal Sexual Assault - - Reversed and Remanded.

ISSUES: 1) Reasonable Doubt: Was the defendant proven guilty beyond a reasonable doubt? (Yes)  
2) Jury Instructions: Did the trial court err when it refused to instruct the defendant's jury concerning a definition of "sexual conduct"? (Yes)  
3) Sentences: Was the defendant entitled to additional sentencing credit? (Yes)

30. Gale, Eudeltro (1<sup>st</sup> Dist., No. 1-06-0038, September 7, 2007) Dismissal of a Post-Conviction Petition - - Affirmed.

ISSUES: 1) Post-Conviction Petition: Did the trial court err in summarily dismissing the defendant's post-conviction petition? (No)  
2) Fees: Was the defendant properly assessed fees? (Yes)

31. Hudson v. City of Chicago (1<sup>st</sup> Dist., No. 1-05-2822, September 7, 2007) Denial of Motion for JNOV - - Affirmed. **(OPINION WITHDRAWN AND REFILED ON DECEMBER 14<sup>TH</sup>)**

ISSUES: 1) Liability: Were the defendant's entitled to immunity from liability? (No)  
2) Evidence: Was the plaintiff's expert witness properly allowed to introduce a computer display into evidence? (Yes)

32. In re T. T. (1<sup>st</sup> Dist., No. 1-03-0551, September 7, 2007) Adjudication of Delinquency - - Reversed and Remanded.

ISSUES: 1) Evidence: Was the witness unavailable to testify? (Yes)  
2) Evidence: Was the defendant denied his right to confront witnesses? (Yes)

33. Bailey, George (2<sup>nd</sup> Dist., No. 2-05-1260, September 6, 2007) Possession of a Controlled Substance with the Intent to Deliver - - Affirmed.

ISSUES: 1) Counsel (Effectiveness): Did the defendant's counsel err by failing to file a motion to suppress evidence found in the vehicle in which the defendant had been riding? (No)  
2) Search and Seizure: Is a warrant check a search? (No)

34. Feazel, Shakina (1<sup>st</sup> Dist., No. 1-05-1065, September 5, 2007) 1<sup>st</sup> Degree Murder, Armed Robbery & Aggravated Vehicular Hijacking - - Reversed and Remanded.

ISSUES: 1) Prosecutor Conduct: Did the conduct of the prosecutor deny this defendant due process? (Argument Waived)  
2) Evidence (Confrontation): Was the defendant denied his right to confront witnesses against him? (Yes)

35. Green, Corey (2<sup>nd</sup> Dist., No. 2-05-1225, September 5, 2007) Denial of Motion to Reconsider

Sentence - - Reversed and Remanded.

ISSUE: Sentencing: Could the defendant contest his sentence after a guilty plea without first moving to withdraw that plea? (Yes)

36. Shipp, Jamie (4<sup>th</sup> Dist., No. 4-06-0288, September 5, 2007) Dismissal of Post-Conviction Petition -  
- Affirmed.

ISSUE: Post-Conviction Petition: Did the trial court properly dismiss the defendant successive post-conviction petition? (Yes)

37. In re Lillie M. (4<sup>th</sup> Dist., No. 4-06-0947, September 5, 2007) Involuntary Admission - - Affirmed.

ISSUE: Mental Health: Was the respondent properly involuntarily admitted for mental health treatment? (Yes)

SAMPLE