

**SUMMARY OF SIGNIFICANT CRIMINAL ISSUES  
PENDING IN THE ILLINOIS SUPREME COURT\***

October 17, 2017

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**\*SUMMARIES OF NEW CASES APPEAR IN BOLD AND WITH AN ASTERISK**

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## APPEAL

No. 121823

**People v. Vara**, State leave to appeal granted 3/29/17 from 2016 IL App (2d) 140848

Whether **People v. Castleberry**, 2015 IL 116916 prohibits the Appellate Court from remanding a cause for resentencing where statutorily mandatory fines were imposed by the circuit court clerk rather than by the trial court, and requires the State to file a *mandamus* action in the Illinois Supreme Court so that mandatory fines can be imposed. (§2-6(e))

Defense counsel: Jaime Montgomery, Elgin OSAD

**\*No. 122325**

**People v. Harvey**, Defense leave to appeal granted 9/27/17 from 2017 IL App (4th) 140576-U

Whether the reviewing court has authority under the plain error doctrine and/or Illinois Supreme Court Rule 615(b)(1) to review improperly assessed fees that were not objected to in the trial court. (§2-6(a))

Defense counsel: Mariah Shaver, Springfield OSAD

## ARMED VIOLENCE

No. 121926

**People v. Coats**, Defense leave to appeal granted 5/24/17 from 2017 IL App (1st) 142028-U

Whether under the one-act, one-crime doctrine a defendant may be convicted of multiple offenses for possessing a single weapon? (§3-1)

Defense counsel: Sam Hayman, Chicago OSAD

## BAIL

No. 120797

**People v. Casas**, Defense leave to appeal granted 9/28/16 from 2016 IL App (2d) 150456

Whether violation of bail bond is a continuing offense so that the statute of limitations is tolled until the offender is returned to custody. (§§6-1, 6-3)

Defense counsel: Mark Kusatzky, Northfield, IL

## BATTERY, ASSAULT & STALKING OFFENSES

No. 121094

**People v. Releford**, State appeal as a matter of right granted 11/23/16 from 2016 IL App (1st) 132531(Cook)

Whether the stalking statute (720 ILCS 5/12-7.3) and cyberstalking statute (720 ILCS 5/12-7.5) are unconstitutional on their face because the statutes lack any *mens rea* requirement and rely on a “reasonable person” standard in assessing criminal liability. (§7-2(a))

Defense counsel: Jonathan Yeasting, Chicago OSAD

## COLLATERAL REMEDIES

No. 121681

**People v. Brown**, Defense leave to appeal granted 3/29/17 from 2016 IL App (4th) 140760

Whether the test used in **Rissley**, 206 Ill.2d 402 (2003) (which held that to establish prejudice resulting from counsel’s incorrect advice at a guilty plea, a defendant must claim in his post-conviction petition that he is innocent or has a plausible defense), applies to a case where defendant alleges that he entered into a fully negotiated guilty plea based on his counsel’s incorrect

advice that he would only need to serve 50% of his sentence when in fact he would have to serve 85% of his sentence. (§9-1(f))

Defense counsel: Ann Fick, Elgin OSAD

**\*No. 122100**

**People v. Lesley, State leave to appeal granted 9/27/17 from 2017 IL App (3d) 140793**

**1. Whether the post-conviction petitioner waived his statutory right to appointed counsel where he and appointed counsel both stated that the petitioner did not want to be represented by the attorney who had been appointed. (§9-1(j))**

**2. Whether the trial court was required to warn the post-conviction petitioner that his continued misbehavior could result in waiver by misconduct of the statutory right to counsel, where the petitioner yelled obscenities at defense counsel and pulled papers out of his hand but did not engage in severe misconduct such as assaulting or threatening to assault counsel. (§9-1(j))**

Defense counsel: Tiffany Green, Chicago OSAD

**\*No. 122227**

**People v. Johnson, Defense leave to appeal granted 9/27/17 from 2017 IL App (4th) 160449**

**1. Whether counsel who is retained to file an initial post-conviction petition is required to provide reasonable assistance at the first stage of the process, where the issue is whether the petition is frivolous and patently without merit. (§§9-1(e)(1), 9-1(j)(2))**

**2. Whether counsel who is retained to file an initial post-conviction petition and who disagrees with the merits of the petitioner's proposed issues is obligated to either include those issues in the petition or inform the petitioner that he should file a *pro se* petition to preserve those issues. (§§9-1(e)(1), 9-1(j)(2))**

Defense counsel: John McCarthy, Springfield OSAD

**\*No. 122307**

**People v. DuPree, Defense leave to appeal granted 9/27/17 from 2017 IL App (2d) 141013-U**

**Whether 725 ILCS 5/122-2, which provides that a post-conviction petition shall have attached “affidavits, records, or other evidence supporting its allegations or state why the same are not attached,” requires that a post-conviction petition which alleges that trial counsel failed to investigate and call a witness must be supported by an affidavit from the proposed witness. (§9-1(d))**

**Defense counsel: Christopher Gehrke, Chicago OSAD**

## **COUNSEL**

No. 120997

**People v. Campanelli, Direct appeal (Cook)**

1. Whether a public defender’s office constitutes a “law firm” under the rules of professional conduct and may therefore refuse an appointment on conflict of interest grounds where co-defendants would be represented by different assistant public defenders. (§§13-5(a), 13-5(d)(2)(c))

2. Whether in this case there was a conflict of interest between various co-defendants such that some clients should be represented by counsel other than the Public Defender. (§13-5(a))

Defense counsel: Lester Finkle, Cook County PD

No. 121453

**People v. Hardman, Defense leave to appeal granted 1/25/17 from unpublished order 2016 IL App (1st) 140913**

Whether 725 ILCS 5/113-3.1(a), which authorizes a reasonable reimbursement fee for the cost of the public defender where the trial court conducts a hearing no more than 90 days after the entry of a final order disposing of the case at the trial level, authorizes a remand for a more complete hearing where the proceeding at the trial court level merely announced the amount of the

fee and did not consider the cost of the representation, the defendant's financial circumstances, or the defendant's ability to pay. (§13-3(c))

Defense counsel: Joy Reedy, Chicago OSAD

No. 121681

**People v. Brown**, Defense leave to appeal granted 3/29/17 from 2016 IL App (4th) 140760

Whether the test used in **Rissley**, 206 Ill.2d 402 (2003) (which held that to establish prejudice resulting from counsel's incorrect advice at a guilty plea, a defendant must claim in his post-conviction petition that he is innocent or has a plausible defense), applies to a case where defendant alleges that he entered into a fully negotiated guilty plea based on his counsel's incorrect advice that he would only need to serve 50% of his sentence when in fact he would have to serve 85% of his sentence. (§13-4(b)(2))

Defense counsel: Ann Fick, Elgin OSAD

**\*No. 122100**

**People v. Lesley**, State leave to appeal granted 9/27/17 from 2017 IL App (3d) 140793

**1. Whether the post-conviction petitioner waived his statutory right to appointed counsel where he and appointed counsel both stated that the petitioner did not want to be represented by the attorney who had been appointed. (§13-2)**

**2. Whether the trial court was required to warn the post-conviction petitioner that his continued misbehavior could result in waiver by misconduct of the statutory right to counsel, where the petitioner yelled obscenities at defense counsel and pulled papers out of his hand but did not engage in severe misconduct such as assaulting or threatening to assault counsel. (§13-2)**

Defense counsel: Tiffany Green, Chicago OSAD



## EVIDENCE

### No. 121755

**People v. Staake**, Defense leave to appeal granted 3/29/17 from 2016 IL App (4th) 140638

Whether defendant was improperly precluded from arguing in a first degree murder prosecution that the victim's refusal to accept medical treatment was the cause of his death. (§19-1)

Defense counsel: Allen Andrews, Springfield OSAD

## GUILTY PLEAS

### No. 121681

**People v. Brown**, Defense leave to appeal granted 3/29/17 from 2016 IL App (4th) 140760

Whether the test used in **Rissley**, 206 Ill.2d 402 (2003) (which held that to establish prejudice resulting from counsel's incorrect advice at a guilty plea, a defendant must claim in his post-conviction petition that he is innocent or has a plausible defense), applies to a case where defendant alleges that he entered into a fully negotiated guilty plea based on his counsel's incorrect advice that he would only need to serve 50% of his sentence when in fact he would have to serve 85% of his sentence. (§24-4)

Defense counsel: Ann Fick, Elgin OSAD

## HOMICIDE

No. 121371

**People v. Carey**, State petition for leave to appeal granted 11/23/16 from 2016 IL App (1st) 131944

Whether an indictment for felony murder based on armed robbery is legally insufficient if it does not describe the underlying felony with enough detail, including a statutory citation, to determine whether the underlying felony is armed robbery with a firearm or armed robbery with a dangerous weapon. (§26-2)

Defense counsel: Manny Serritos, Chicago OSAD

## INDICTMENTS, INFORMATION, COMPLAINTS

No. 121371

**People v. Carey**, State petition for leave to appeal granted 11/23/16 from 2016 IL App (1st) 131944

Whether an indictment for felony murder based on armed robbery is legally insufficient if it does not describe the underlying felony with enough detail, including a statutory citation, to determine whether the underlying felony is armed robbery with a firearm or armed robbery with a dangerous weapon. (§29-4(b))

Defense counsel: Manny Serritos, Chicago OSAD

## JURY

No. 122059

**People v. Encalado**, State petition for leave to appeal granted 5/24/17 from 2017 IL App (1st) 142548

Whether the trial court abused its discretion by denying a defense request to ask prospective jury members about any bias against persons who are customers of prostitutes, where the evidence would show that defendant engaged in sexual acts with prostitutes and then robbed them. (§32-4(a))

Defense counsel: Jennifer Bontrager, Chicago OSAD

## JUVENILE

No. 120796

**In re Destiny P.**, Direct appeal (Cook)

Whether the Juvenile Court Act (705 ILCS 405/5101(3) and 405/5-605(1)) violates equal protection because it fails to authorize a jury trial for a minor facing a charge of first degree murder. (§33-5(c)(1))

Defense counsel: Jessica Fortier, Chicago OSAD

No. 121306

**People v. Hunter**, Defense leave to appeal granted 11/23/16 from 2016 IL App (1st) 141904 (consolidated with **People v. Wilson**, No. 121345)

Whether Public Act 99-69 and 99-258, which became effective January 1, 2016 modified the law concerning transfer and sentencing of juvenile offenders and among other provisions

affords the trial court discretion not to impose a mandatory firearm enhancement, should be applied retroactively to cases which were on appeal on the effective date of the legislation. (§§33-3, 33-6(a))

Defense counsel: Katie Anderson, Chicago OSAD

No. 121345

**People v. Wilson**, Defense leave to appeal granted 11/23/16 from 2016 IL App (1st) 141500 (consolidated with **People v. Hunter**, No. 121306)

Whether Public Act 99-69 and 99-258, which became effective January 1, 2016 modified the law concerning transfer and sentencing of juvenile offenders and among other provisions affords the trial court discretion not to impose a mandatory firearm enhancement, should be applied retroactively to cases which were on appeal on the effective date of the legislation. (§§33-3, 33-6(a))

Defense counsel: Meredith Baron, Chicago OSAD

No. 121483

**In re Jarquan B.**, Defense petition for leave to appeal granted 1/5/17 from 2016 IL App (1st) 161180

Whether a court is prohibited from sentencing a minor to the Department of Juvenile Justice for a misdemeanor under the amended version of 705 ILCS 405/5-710(1)(b) (which now prohibits such sentences), where the minor was sentenced after the effective date of the amendment but was originally sentenced to probation before the effective date of the amendment, and another statute (705 ILCS 405/5-720(4)) generally permits a court to impose any sentence upon revocation of probation that was available when the minor was initially sentenced. (§33-6(b))

Defense counsel: Darren Miller, Chicago OSAD

## NARCOTICS

No. 121453

**People v. Hardman**, Defense leave to appeal granted 1/25/17 from unpublished order 2016 IL App (1st) 140913-U

Whether in order to prove that a narcotics offense occurred within an enhancing location such as within 1000 feet of a school, the prosecution must present substantive, particularized testimony from a witness with personal knowledge of the location's actual use at the time of the offense or only evidence such as the location's name or a police officer's testimony that the building constituted protected premises. (§35-3(a))

Defense counsel: Joy Reedy, Chicago OSAD

No. 121636

**People ex rel. Hartrich v. Henderson (2010 Harley-Davidson)**, State leave to appeal granted 1/25/17 from 2016 IL App (5th) 150035

Whether the excessive fines clause of the Eighth Amendment was violated where a motorcycle that was worth \$35,000 was ordered forfeited on the ground that it was used with the owner's consent to commit the offense of driving on a suspended or revoked license where the revocation was due to a prior DUI conviction. (§34-5)

Defense counsel: Jon C. Anderson, Robinson, IL

## PROBATION

No. 121483

**In re Jarquan B.**, Defense petition for leave to appeal granted 1/5/17 from 2016 IL App (1st) 161180

Whether a court is prohibited from sentencing a minor to the Department of Juvenile Justice for a misdemeanor under the amended version of 705 ILCS 405/5-710(1)(b) (which now prohibits such sentences), where the minor was sentenced after the effective date of the amendment but was originally sentenced to probation before the effective date of the amendment, and another statute (705 ILCS 405/5-720(4)) generally permits a court to impose any sentence upon revocation of probation that was available when the minor was initially sentenced. (§40-6)

Defense counsel: Darren Miller, Chicago OSAD

## ROBBERY

No. 120011

**People v. Reese**, State petition for leave to appeal granted 3/30/16 from 2015 IL App (1st) 120654

Whether a defendant commits aggravated vehicular hijacking where he enters a vehicle while armed and orders the driver to drive, but does not actually dispossess the driver of the vehicle. (§43-4)

Defense counsel: David Harris, Chicago OSAD

## SEARCH & SEIZURE

No. 121413

**People v. Brooks**, State leave to appeal granted from 11/23/16 from 2016 IL App (5th) 150095-U

Whether a hospital blood test was the result of State action where, despite defendant's refusal of emergency medical treatment, an officer physically removed him from a vehicle, forced him onto a gurney, assisted in putting him into an ambulance for transport to the hospital, and when defendant tried to resist applied handcuffs, rode in the ambulance to the hospital, and assisted paramedics in delivering defendant to the emergency room. (§§44-1(a), 44-1(b))

Defense counsel: H. Kent Heller, Mattoon

**\*No. 122484**

**People v. Bonilla**, State leave to appeal granted 9/27/17 from 2017 II App (3d) 160457

**1. Whether the use of a drug-detection dog in the unlocked common hallway of an apartment building constitutes a search under the Fourth Amendment. (§44-9)**

**2. Whether the good-faith exception of the exclusionary rule applies to the search of an unlocked common hallway of an apartment building when the only authority at the time of the search addressed searches in locked apartment hallways. (§44-1(c)(2))**

Defense counsel: Katherine Strohl, private counsel

## SENTENCING

No. 118164

**People v. Reed**, Direct appeal from St. Clair County

Whether aggravated unlawful use of a weapon for possession of a firearm without a FOID card, which is a Class 4 felony under 720 ILCS 5/24-1.6(a)(1), (a)(3)(C), violates the proportionate penalties clause because under 430 ILCS 65/2(a)(1), the identical offense of possession of a firearm without a FOID card is a Class A misdemeanor. (§45-1(b)(2))

Defense counsel: James Gomric, Belleville

No. 121823

**People v. Vara**, State leave to appeal granted 3/29/17 from 2016 IL App (2d) 140848

Whether **People v. Castleberry**, 2015 IL 116916 prohibits the Appellate Court from remanding a cause for resentencing where statutorily mandatory fines were imposed by the circuit court clerk rather than by the trial court, and requires the State to file a *mandamus* action in the Illinois Supreme Court so that mandatory fines can be imposed. (§45-7(b))

Defense counsel: Jaime Montgomery, Elgin OSAD

No. 121932

**People v. Harris**, State appeal as a matter of right or in the alternative leave to appeal granted from 2016 IL App (1st) 141744

Whether the 18-year-old defendant's statutorily mandated minimum aggregate sentence of 76 years imprisonment for first degree murder and attempt first degree murder during which he personally discharged a firearm that proximately caused death or great bodily harm was unconstitutional as applied under the rehabilitation clause of Article I, Section 11 of the Illinois Constitution. (§45-1(b)(2))

Defense counsel: Lauren Bauser, Chicago OSAD



**\*No. 122325**

**People v. Harvey, Defense leave to appeal granted 9/27/17 from 2017 IL App (4th) 140576-U**

**Whether the reviewing court has authority under the plain error doctrine and/or Illinois Supreme Court Rule 615(b)(1) to review improperly assessed fees that were not objected to in the trial court. (§45-18(c))**

**Defense counsel; Mariah Shaver, Springfield OSAD**

**\*No. 122495**

**People v. Clark, Defense leave to appeal granted 9/27/17 from 2017 IL App (1st) 150740-U**

**Whether the following assessments, which are labeled fees, are actually fines and therefore subject to being offset by defendant's pretrial custody credit: (1) \$190 "Felony Complaint Filed (Clerk)"; (2) \$15 "Automation (Clerk)"; (3) \$15 "Document Storage (Clerk)"; (4) \$25 "Court Services (Sheriff)"; (5) \$2 "Public Defender Records Automation"; and (6) \$2 "State's Attorney Records Automation." (§§45-7(b), 45-7(c))**

**Defense counsel: Sharifa Rahmany, Chicago OSAD**

## **SEX OFFENSES**

No. 122008

**People v. Bingham, Defense leave to appeal granted from 2017 IL App (1st) 143150**

1. Whether the 2011 amendment to the Sex Offender Registration Act (SORA), which requires lifetime registration for a defendant who is convicted of any felony after having been previously convicted of a sex offense, violates due process as applied to defendant since there is no rational relationship between SORA's purpose of protecting the public from sex offenders and defendant's current conviction for theft coupled with a conviction for a sex offense that occurred 30 years earlier. (§46-7)

2. Whether the current version of the Sex Offender Registration Act has become punitive in nature and thus its imposition in this case for a sex offense that occurred 30 years earlier violates

the prohibition against ex post facto legislation by increasing the punishment for an offense that had already been committed. (§46-7)

Defense counsel: Deborah Nall, Chicago OSAD

No. 122034

**People v. Pepitone**, State leave to appeal as a matter of right or in the alternative for leave to appeal granted 5/24/17 from 2017 IL App (3d) 140627 (2/10/17)

Whether 720 ILCS 5/11-9.4-1, which provides that it is unlawful for a child sex offender or sexual predator to be knowingly present in any public park building or on real property comprising any public park, violates due process because a total ban of persons convicted of a sex offense from all public park buildings and all public parks at all times is an unreasonable method of protecting the public and encompasses substantial amounts of innocent conduct. (§46-4)

Defense counsel: Katherine Strohl, Ottawa

### **SPEEDY TRIAL**

No. 121755

**People v. Staake**, Defense leave to appeal granted 3/29/17 from 2016 IL App (4th) 140638

Whether first degree murder is a new and additional charge to second degree murder for the purpose of calculating the speedy trial term under the compulsory joinder statute. (§47-1(b))

Defense counsel: Allen Andrews, Springfield OSAD

## STATUTES

No. 121306

**People v. Hunter**, Defense leave to appeal granted 11/23/16 from 2016 IL App (1st) 141904 (consolidated with **People v. Wilson**, No. 121345)

Whether Public Act 99-69 and 99-258, which became effective January 1, 2016 modified the law concerning transfer and sentencing of juvenile offenders and among other provisions affords the trial court discretion not to impose a mandatory firearm enhancement, should be applied retroactively to cases which were on appeal on the effective date of the legislation. (§48-2)

Defense counsel: Katie Anderson, Chicago OSAD

No. 121345

**People v. Wilson**, Defense leave to appeal granted 11/23/16 from 2016 IL App (1st) 141500 (consolidated with **People v. Hunter**, No. 121306)

Whether Public Act 99-69 and 99-258, which became effective January 1, 2016 modified the law concerning transfer and sentencing of juvenile offenders and among other provisions affords the trial court discretion not to impose a mandatory firearm enhancement, should be applied retroactively to cases which were on appeal on the effective date of the legislation. (§48-2)

Defense counsel: Meredith Baron, Chicago OSAD

No. 122008

**People v. Bingham**, Defense leave to appeal granted from 2017 IL App (1st) 143150

Whether the current version of the Sex Offender Registration Act has become punitive in nature and thus its imposition in this case for a sex offense that occurred 30 years earlier violates the prohibition against ex post facto legislation by increasing the punishment for an offense that had already been committed. (§48-2)

Defense counsel: Deborah Nall, Chicago OSAD

No. 122034

**People v. Pepitone**, State leave to appeal as a matter of right or in the alternative for leave to appeal granted 5/24/17 from 2017 IL App (3d) 140627 (2/10/17)

Whether 720 ILCS 5/11-9.4-1, which provides that it is unlawful for a child sex offender or sexual predator to be knowingly present in any public park building or on real property comprising any public park, violates due process because a total ban of persons convicted of a sex offense from all public park buildings and all public parks at all times is an unreasonable method of protecting the public and encompasses substantial amounts of innocent conduct. (§48-3(a))

Defense counsel: Katherine Strohl, Ottawa

## TRAFFIC OFFENSES

No. 121413

**People v. Brooks**, State leave to appeal granted from 11/23/16 from 2016 IL App (5th) 150095-U

Whether a hospital blood test was the result of State action where, despite defendant's refusal of emergency medical treatment, an officer physically removed him from a vehicle, forced him onto a gurney, assisted in putting him into an ambulance for transport to the hospital, and when defendant tried to resist applied handcuffs, rode in the ambulance to the hospital, and assisted paramedics in delivering defendant to the emergency room. (§50-2(a))

Defense counsel: H. Kent Heller, Mattoon

## TRIAL JOINDER AND SEVERANCE

No. 121755

**People v. Staake**, Defense leave to appeal granted 3/29/17 from 2016 IL App (4th) 140638

Whether first degree murder is a new and additional charge to second degree murder for the purpose of calculating the speedy trial term under the compulsory joinder statute. (§51-2)

Defense counsel: Allen Andrews, Springfield OSAD

## TRIAL PROCEDURES

\*No. 122261

**People v. Zimmerman, et al**, Intervener leave to appeal granted 9/27/17 from 2017 IL App (4th) 170055

Whether the trial court erred by ordering that motions *in limine* concerning inflammatory materials be sealed until after the jury was selected. (§52-1)

Intervenors counsel: John P. Rogers, Clayton, MO

Intervenors: Bloomington Pantagraph, WGLT FM and Illinois Press Association

## UNLAWFUL USE OF WEAPONS

No. 118164

**People v. Reed**, Direct appeal from St. Clair County

Whether aggravated unlawful use of a weapon for possession of a firearm without a FOID card, which is a Class 4 felony under 720 ILCS 5/24-1.6(a)(1), (a)(3)(C), violates the proportionate

penalties clause because under 430 ILCS 65/2(a)(1), the identical offense of possession of a firearm without a FOID card is a Class A misdemeanor. (§53-1)

Defense counsel: James Gomric, Belleville

No. 118392

**People v. Harding**, Direct appeal (St. Clair)

Whether the Class 4 felony penalty for aggravated unlawful use of a weapon based on possessing a firearm without having been issued a valid FOID card (720 ILCS 5/24-1.6(a)(1), (a)(2), (a)(3)(C)) violates the proportionate penalties clause because it is composed of the same elements as acquiring or possessing a firearm while not in possession of a FOID card (430 ILCS 65/2(a)(1)), which is a Class A misdemeanor. (§53-1)

Defense counsel: Nathan Swanson, Clayton MO

No. 118782

**People v. McKinney**, Direct appeal (St. Clair)

Whether the Class 4 felony penalty for aggravated unlawful use of a weapon based on possessing a firearm without having been issued a valid FOID card (720 ILCS 5/24-1.6(a)(1), (a)(2), (a)(3)(C)) violates the proportionate penalties clause because it is composed of the same elements as acquiring or possessing a firearm while not in possession of a FOID card (430 ILCS 65/2(a)(1)), which is a Class A misdemeanor. (§53-1)

Defense counsel: OSAD

No. 121417

**People v. Chairez**, Direct appeal (Kane County)

Whether 720 ILCS 5/24-1(a)(4), (c)(1.5), which prohibits carrying a firearm on a public way within 1000 feet of a park, amounts to a blanket prohibition on the exercise of Second Amendment rights or is a permissible regulation of the right to carry a firearm. (§53-1)

Defense counsel: Elgin OSAD

No. 121926

**People v. Coats**, Defense leave to appeal granted 5/24/17 from 2017 IL App (1st) 142028-U

Whether under the one-act, one-crime doctrine a defendant may be convicted of multiple offenses for possessing a single weapon? (§53-1)

Defense counsel: Sam Hayman, Chicago OSAD

## VERDICTS

No. 121926

**People v. Coats**, Defense leave to appeal granted 5/24/17 from 2017 IL App (1st) 142028-U

Whether under the one-act, one-crime doctrine a defendant may be convicted of multiple offenses for possessing a single weapon? (§55-3(a))

Defense counsel: Sam Hayman, Chicago OSAD