

NOTICE

This Order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

2026 IL App (4th) 251188-U

NO. 4-25-1188

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

September 8, 2026
Carla Bender
4th District Appellate
Court, IL

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
Plaintiff-Appellee,	)	Circuit Court of
v.	)	Adams County
ARTHUR J. KHOLLMAN,	)	No. 24CF538
Defendant-Appellant.	)	
	)	Honorable
	)	Zachary P. Boren,
	)	Judge Presiding.

PRESIDING JUSTICE STEIGMANN delivered the judgment of the court.
Justices Vancil and Cavanagh concurred in the judgment.

ORDER

¶ 1 *Held:* The appellate court rejected defendant’s argument that the State failed to prove him guilty of criminal sexual assault.

¶ 2 In August 2024, the State charged defendant, Arthur J. Kholman, with two counts of criminal sexual assault (720 ILCS 5/11-1.20(a)(1) (West 2024)) and two counts of aggravated criminal sexual abuse (720 ILCS 5/11-1.60(d) (West 2024)). Relevant to this appeal are the two criminal sexual assault charges, which stated as follows:

“COUNT 1: That from on or about August 10, 2024, through August 11, 2024, at and within Adams County, Illinois, [defendant] committed the offense of CRIMINAL SEXUAL ASSAULT, in that he knowingly committed an act of sexual penetration with M.R., in that by the threat of or use of force said

defendant made contact between his mouth and the sex organ of M.R., in violation of [720 ILCS 5/11-1.20(a)(1) (West 2024).]

COUNT 3: That from on or about August 10, 2024, through August 11, 2024, at and within Adams County, Illinois, [defendant] committed the offense of CRIMINAL SEXUAL ASSAULT, in that he knowingly committed an act of sexual penetration with M.R., in that by the threat of or use of force said defendant placed his finger in the vagina of M.R., in violation of [720 ILCS 5/11-1.20(a)(1) (West 2024).]”

¶ 3 Following a September 2025 trial, a jury convicted defendant on all four counts. During defendant’s sentencing hearing in October 2025, the trial court (1) determined that defendant’s convictions for aggravated criminal sexual abuse merged into his convictions for criminal sexual assault, (2) sentenced defendant to 10 years on each criminal sexual assault conviction, and (3) ordered those sentences to run consecutively.

¶ 4 Defendant appeals, arguing only that the State did not prove him guilty beyond a reasonable doubt of criminal sexual assault based on the allegation that defendant put his finger in M.R.’s vagina (count 3).

¶ 5 We disagree and affirm.

¶ 6 I. BACKGROUND

¶ 7 During defendant’s jury trial, M.R. testified that on August 10, 2024, she was 16 years old. After she got off from work on that date, she went to see her friend, Akaya Lord, who was at the residence of Anna Lord, Akaya’s stepmother. M.R., Akaya, and some of the other people who were present started drinking alcohol and smoking marijuana. Defendant, who was

Anna Lord's brother and lived in that residence with her, was also drinking and smoking marijuana. Also living in that residence were Anthony Lord, Akaya's twin brother, and Ariana, Akaya's 12-year-old sister. M.R. had not met defendant before that night.

¶ 8 At some point during the evening, M.R. became intoxicated from the drinking and smoking, resulting in her slurring her words and having trouble walking. M.R. decided she wanted to lie down, and Ariana and Anthony helped M.R. get in Ariana's bed, which was in the back bedroom of the residence.

¶ 9 At some point thereafter, M.R. realized that defendant was also in Ariana's bedroom with her. M.R. testified about defendant's behavior, as follows:

"He was feeling me and taking my pants off.

Q. You said he was feeling you. Where was he feeling you at?

A. Just around my body.

Q. You said around your body. Was it your whole body? A part of your body?

A. I think it was just like my whole body.

Q. And you're demonstrating. You're kind of starting at the top by your chest and going down?

A. Yes.

Q. Is that what he was doing?

A. Yes.

Q. And when you demonstrated, you used your hands. What was he using?

A. With his hands.

Q. His hands also.

And you said he started to take off your clothes. What were you wearing at that time, do you remember?

A. A tank top and some pants, like sweatpants, I think.

Q. Did you have underwear on?

A. Yes.

Q. When you said he was taking off your clothes, what was he taking off?

A. My pants.

Q. Did he take your sweatpants all the way off?

A. Yes.

Q. Did he take something else off?

A. My underwear.

Q. As he was touching you and taking off your sweatpants and underwear, what were you doing?

A. I was in shock. I was just laying—I was frozen up. I was just laying there.

Q. After he took off your sweatpants and your underwear, did he touch you somewhere else?

A. Yes.

Q. What did he touch you with?

A. His hands and like my vagina.

Q. You said his hands and your vagina. What part of his hands did he use?

A. His fingers.

* * *

Q. So you said that his hands—his fingers touched your vagina. Tell me what his fingers were doing.

A. They were inside me.

Q. Did he push them in there?

A. Yes.

Q. Was it one finger or more than one finger?

A. It was more than one finger.

Q. How did that make you feel?

A. Very disgusting, like I didn't really know what was going on, but like—yeah.

Q. Did it hurt?

A. A little bit, yeah.

Q. Where did it hurt at?

A. Like the walls. I don't really know how to explain that.

Q. Inside your vagina?

A. Yes.

Q. [M.R.], after he did that, was he saying anything at that time?

A. Yes.

Q. What do you remember him saying?

A. He said, 'Oh, my God. You're so tight.'

Q. And did you respond at all?

A. (Moved head side to side.)

Q. Do you know, were your eyes open or shut when this was going on?

A. They were kind of—they were like squinting.

Q. And when you say they were squinting, were you trying—did you want to not see what was going on?

A. Yes.

Q. [M.R.], did he touch you in a different way, as well?

A. Yes.

Q. Tell me what he did next.

A. He licked me down there.

* * *

Q. You say he licked you down there. When you say 'licked,' what was he using?

A. His tongue.

Q. And you said 'down there.' Can you describe where you're talking about?

A. Like my clit and all that, yeah.

Q. The outside of your genitalia?

A. (Moved head up and down.)

Q. When he did that, did he do something to get to that area with his tongue?

A. He like spread my legs.

Q. When you say he spread your legs, how did he do that?

A. With his—like this part of his arm.

Q. And you're demonstrating right below your elbow?

A. Yeah.

Q. So he pushed on your legs to do that?

A. Yes.

Q. How did that feel?

A. It hurt. I was—my muscles were getting pulled.

Q. It felt like muscles were getting pulled?

A. Yeah.

Q. As he was doing that, was he doing anything else with your body?

A. He was still licking me.

Q. Just still licking you?

A. Yeah.

Q. Did he stop at some point?

A. Yeah. Anthony came into the room and got him off of me.

Q. You said Anthony came into the room and got him off you.

Before that, did you hear somebody else say something?

A. Ariana asked what he was doing.

Q. Do you also remember hearing Anna say anything?

A. Yes. She said—

Q. What did you hear Anna say?

A. She said, 'Leave that little girl alone.'

* * *

Q. And you said then Anthony came in and got him off of you?

A. (Moved head up and down.)”

¶ 10 M.R. testified that she then went into the bathroom, vomited, and took a bath. She explained that defendant’s conduct made her “feel gross.”

¶ 11 The next day, M.R. met with and was examined by Nurse Jacklyn Oglesby, who was a sexual assault nurse examiner (SANE) at Blessing Hospital.

¶ 12 On cross-examination, M.R. was asked about what happened the next morning and where she went. M.R. answered as follows:

“Into Anna’s bedroom. Ariana and Anthony were already in there. They asked me if I remembered what happened and I was just kind of like, no, I don’t remember. And they had explained to me what had happened and I didn’t really, like, react to it. I was kind of confused.

Q. So they told you what happened?

A. Yes.”

¶ 13 On redirect examination, M.R. testified as follows:

“Q. *** [D]id Anna and Anthony and Ariana all tell you what they had saw [sic]?

A. Yes.

Q. And after they told you what you had saw [sic], did you remember [defendant] coming in that room that night?

A. Yes.

Q. Did you remember him taking your pants off?

A. Yeah.

Q. Did you remember him sticking his finger in your vagina?

A. Yes.

Q. And placing his mouth in between your legs and licking you?

A. Yes.”

¶ 14 Ariana testified that she and Anthony helped M.R. into Ariana’s bedroom and laid M.R. on the bed. Ariana then went to the bathroom, and when she returned to the bedroom, defendant was in there. Ariana saw him removing M.R.’s pants. Because Ariana was upset by what she saw, she woke her mother, Anna, who was defendant’s sister, and Anna went into that bedroom. At that point, Ariana saw that M.R.’s underwear was off and defendant had his mouth on M.R.

¶ 15 Anthony testified that he, too, saw that defendant was committing “sexual acts” involving defendant’s mouth and M.R.’s “private part” between her legs.

¶ 16 Anna testified that she saw defendant on his knees 6 to 12 inches away from the bed M.R. was lying on. At that time, M.R. was nude. Anna then told defendant to “leave that little girl alone.”

¶ 17 Oglesby testified regarding her work as a SANE nurse at Blessing Hospital. She examined M.R. and testified about what M.R. told her regarding this sexual assault. Oglesby testified that M.R. told her the following during that examination:

“I didn’t say anything ’cause I was scared. He then put pressure on my legs to spread them and started touching my vagina. He was saying, quote, you’re so tight.

* * *

He then started licking my vagina a lot and that's when Ariana came into the room and found him and asked what was going on. Then went and got her stepmom, who came in and yelled at him and made him leave.

* * *

Anthony actually pulled him off me.”

¶ 18 Oglesby was also asked if she had asked M.R. if “her female sex organ or her vulva was penetrated by *** [defendant's] penis. And did she—she told you no?” Oglesby answered, “Correct,” and the following exchange occurred:

“Q. And then you asked if she had been penetrated by his finger. And she said yes to that question?

A. Correct.

Q. She also said no to any object, but she did tell you she was penetrated by his mouth?

A. Correct.

Q. You also asked her about any anal penetration and she denied any of that?

A. Correct.”

¶ 19 Oglesby also asked M.R. if she had “any loss of memory from this incident,” and M.R. said that she did.

¶ 20 When Oglesby conducted a physical examination of M.R., she was not able to do the “full speculum exam.” M.R. told Oglesby that it was uncomfortable for her when Oglesby tried to place the speculum inside her vagina.

¶ 21 Defendant testified that he and the others were drinking in the house, but he denied ever being alone with M.R. in a bedroom. He also denied ever kissing or touching M.R.

¶ 22 Ultimately, the jury convicted defendant of all four counts. The trial court later merged the two aggravated criminal sexual abuse counts into the criminal sexual assault counts and sentenced defendant to 10 years in prison on each, with those sentences to be served consecutively.

¶ 23 This appeal followed.

¶ 24 II. ANALYSIS

¶ 25 Defendant appeals, arguing only that the State did not prove him guilty beyond a reasonable doubt of criminal sexual assault based on the allegation that defendant put his finger in the victim's vagina (count 3).

¶ 26 We disagree and affirm.

¶ 27 A. The Standard of Review Regarding the Sufficiency of Evidence

¶ 28 In *People v. Jackson*, 232 Ill. 2d 246, 280-81 (2009), the supreme court wrote the following regarding the standard of review applicable when a defendant, as in this case, contests the sufficiency of the State's evidence to convict him.

“When a court reviews the sufficiency of the evidence, the relevant question is ‘whether, after viewing the evidence in the light most favorable to the prosecution, *any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.’ (Emphasis in original.)

Jackson v. Virginia, 443 U.S. 307, 318-19 *** (1979); [Citations.] This standard of review does not allow the reviewing court to substitute its judgment for that of the fact finder on questions involving the weight of the evidence or the

credibility of the witnesses. *People v. Sutherland*, 155 Ill. 2d 1, 17 *** (1992), quoting *People v. Campbell*, 146 Ill. 2d 363, 375 *** (1992). *** Thus, the standard of review gives ‘full play to the responsibility of the trier of fact fairly to resolve conflicts in the testimony, to weigh the evidence, and to draw reasonable inferences from basic facts to ultimate facts.’ *Jackson v. Virginia*, 443 U.S. at 319 ***; *People v. Nitz*, 143 Ill. 2d 82, 95 (1991) ***; *People v. Young*, 128 Ill. 2d 1, 51 *** (1989).

*** A reviewing court will not reverse a conviction unless the evidence is ‘unreasonable, improbable, or so unsatisfactory as to justify a reasonable doubt of the defendant’s guilt.’ *Campbell*, 146 Ill. 2d at 375 ***.”

¶ 29

B. This Case

¶ 30

Defendant’s fundamental claim is that (1) no witness could corroborate M.R.’s testimony that he inserted his fingers into M.R.’s vagina and (2) M.R. did not even remember the incident and had to be told about it the next day by Ariana and Anthony. In support of these claims defendant writes the following:

“[N]one of the three eyewitnesses testified that they saw [defendant’s] hands on M.R.’s vagina, which was the act charged in *** Count 3. The witnesses similarly did not testify that they could not remember whether [defendant’s] hands were near her vagina. There was simply no mention of [defendant’s] doing anything to M.R. with his hands. The only evidence establishing Count 3 was M.R.’s testimony[,] but M.R. was severely intoxicated during the incident and testified that, the morning after, Ariana and Anthony had to tell her what

happened because she did not remember. As a result, with respect to Count 3, the State failed to prove [defendant] guilty beyond a reasonable doubt.”

¶ 31 We reject defendant’s argument and view M.R.’s testimony as sufficient to sustain defendant’s conviction regarding count 3. The jury saw and heard M.R. when she described this sexual assault in detail, and we decline to second guess the jury’s determination that M.R. was credible. We note that the trial judge, who also saw and heard M.R. when she testified, similarly accepted the jury’s determination of her credibility when the judge denied defendant’s motion to set aside the guilty verdict as to count 3.

¶ 32 Regarding defendant’s claim that M.R. was merely recounting what Ariana or Anthony told her, we emphasize M.R.’s testimony that she felt pain when defendant pushed his fingers inside of her vagina. She also testified that when defendant did so, he said, “ ‘Oh, my God. You’re so tight.’ ” This statement M.R. said defendant made to her could not have come from Ariana or Anthony supposedly telling her about that statement the next morning.

¶ 33 M.R. also independently recalled Anna telling defendant to “ ‘[l]eave that little girl alone,’ ” which Anna herself corroborated. This demonstrates that M.R. indeed regained some independent recollection of the events occurring during the assault.

¶ 34 Further, we agree with the State that the pain and discomfort M.R. mentioned to Oglesby when M.R. was examined the day after this incident when Oglesby attempted to insert the speculum into M.R.’s vagina was consistent with and corroborative of (1) the statement M.R. attributed to defendant that “ ‘[y]ou’re so tight’ ” and (2) M.R.’s testimony that defendant’s insertion of his fingers into her vagina was painful.

¶ 35 In sum, we (1) deem the arguments defendant makes and the cases he cites to be unpersuasive and distinguishable and (2) view the evidence of defendant's guilt of count 3 to be far from "unreasonable, improbable, or *** unsatisfactory." *Campbell*, 146 Ill. 2d at 375.

¶ 36 III. CONCLUSION

¶ 37 For the reasons stated, we affirm the trial court's judgment.

¶ 38 Affirmed.