



(Docket No. 130716)

THE PEOPLE OF THE STATE OF ILLINOIS, Appellant, v. DAVID A.
HIETSCHOLD, Appellee.

Opinion filed November 20, 2025.

Justice Rochford delivered the judgment of the court, with opinion.

This case concerns whether a defendant was adequately admonished on failure to appear for his trial, where he was told he could be tried in his absence but not told he'd waive the right to confront the witnesses against him. Defendant's trial, for two counts of felony aggravated battery in a public place, was set for September 29, 2022. The Kane County circuit court told defendant, "If you fail to come to court, that would constitute a waiver of your right to be present, and the trial could continue without you. You could be found guilty, you could be sentenced if you don't come back to court." Defendant indicated he understood.

Defendant did not appear for trial, was convicted in his absence, and was sentenced to 42 months' imprisonment and 12 months' supervised release. On appeal, defendant argued the trial court failed to properly admonish him when it indicated he could be tried in his absence but did not indicate he'd waive his right to confront witnesses. The appellate court agreed. The supreme court reversed, noting its prior approval of cases that reasoned that the most important part of the admonishment was that failure to appear could result in a trial in the defendant's absence. While trials in the defendant's absence are disfavored, the supreme court held the trial court substantially complied with the statute for such trials.