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) 260175-U

NO. 4-26-0175

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED
November 16, 2026
Carla Bender
4th District Appellate
Court, IL

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
Plaintiff-Appellee,	)	Circuit Court of
v.	)	McLean County
JUSTIN KLETZ,	)	No. 23CF1194
Defendant-Appellant.	)	
	)	Honorable
	)	William A. Yoder,
	)	Judge Presiding.

JUSTICE CAVANAGH delivered the judgment of the court.
Justices Knecht and DeArmond concurred in the judgment.

ORDER

¶ 1 *Held*: The appellate court affirmed, finding the trial court did not abuse its discretion when sentencing defendant to 70 aggregate years' imprisonment.

¶ 2 In September 2025, defendant, Justin Kletz, pleaded guilty to the first degree murder of Jamere Bew (720 ILCS 5/9-1(a)(1) (West 2022)). He was subsequently sentenced to 55 years in prison for murder, plus an additional 15 years for a mandatory firearm enhancement, for an aggregate 70 years' imprisonment. On appeal, he argues his sentence was excessive. We disagree and affirm.

¶ 3 I. BACKGROUND

¶ 4 In December 2023, defendant was charged by indictment with, *inter alia*, multiple counts of first degree murder for shooting and killing Jamere Bew (*id.* § 9-1(a)(1), (a)(2), (a)(3)). In September 2025, he pleaded guilty to one count of first degree murder (*id.* § 9-1(a)(1)).

Pursuant to the plea agreement, the State amended the charge to remove that the murder was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty and dismissed the remaining charges.

¶ 5 The factual basis revealed codefendant, Gabrielle Stine, stated she had been asleep on the morning of November 25, 2023, when she awoke to Bew "engaging in sexual intercourse with her." Stine said another codefendant, Derek Siebring, and defendant "became enraged" and beat Bew with a baseball bat. Siebring and defendant "tied [Bew] up with tape and a blanket, put him in the trunk of Stine's vehicle, and drove him out to the country." Bew, at this point, was still alive. Once at their destination, Siebring shot Bew "multiple times." Stine said the parties returned to defendant's apartment, where they discussed "get[ting] the[ir] story straight." Defendant told police Stine had told him she had been raped by Bew. He admitted to preventing Bew from leaving his apartment "until the situation was figured out." He told police he had "blacked out from that point forward and had no knowledge of what occurred." Siebring told police he had punched Bew while defendant beat him with a baseball bat. Siebring recounted wrapping Bew in a blanket and tape and driving him out to the country, where Bew was "placed in a ditch." Siebring said defendant, Stine, and himself "all shot [Bew]." A passing motorist reported Bew's body. Police went to defendant's residence, where a strong odor of bleach was noted. Officers heard "someone inside [defendant's] apartment saying, quote, we gotta burn all of it." Once officers entered the apartment, only defendant and Siebring were present. An autopsy of Bew's body revealed his cause of death "to be multiple gunshot wounds that occurred in the setting of strangulation, multiple blunt-force injuries, and wrapped in taped restraint."

¶ 6 The trial court found defendant had knowingly and voluntarily pleaded guilty and

ordered a presentence investigation report (PSI). The matter proceeded to a sentencing hearing in November 2025.

¶ 7 The PSI was admitted into evidence. The PSI showed defendant had been working full time as a union painter prior to his arrest. His criminal history included traffic violations, the most serious being driving under the influence of drugs. He had also been sentenced to four years' imprisonment for possessing contraband in a penal institution in McLean County case No. 24-CF-574, which occurred during the pendency of the instant case. As for his education, the PSI stated he received an individualized education plan for a learning disability while enrolled in high school. However, he dropped out of high school "due to frequent absences." His family history noted involvement of the Illinois Department of Children and Family Services, and both his parents struggled with substance abuse and addiction. He also "reported suffering mental abuse from his mother as she struggle[d] with schizophrenia and would have frequent episodes." His health history showed he had a history of "attention deficit hyperactivity disorder, asthma, pancreatitis, stomach ulcers, and a tic disorder." While incarcerated, he had been prescribed numerous medications addressing depression, anxiety, and psychosis. Defendant described overdosing on Xanax and Percocet on November 25, 2023, following the incident and recounted the overdose as " 'a little bit intentional and accidental.' " The PSI also noted suicidal ideations and diagnoses of bipolar, generalized anxiety, and obsessive-compulsive disorders.

¶ 8 The PSI also showed defendant discussed a "shank" found in his cell that he said was to harm himself. He reported having " 'a lot of remorse and guilt over the killing of who he considered to be his friend.' " He said he was " 'upset that [t]his happened to his friend when his friend had not committed the rape.' " He described everybody involved as " 'messed up' " and

said the involved parties "were all using various drugs at the time." He noted first trying methamphetamine in 2020 and then using it daily starting in either 2021 or 2022. He attended nine substance abuse classes in 2024 while incarcerated.

¶ 9 At the hearing, Dr. Scott Denton, who performed Bew's autopsy, identified numerous photographs of Bew's body that were admitted into evidence. He stated Bew died from "multiple gunshot wounds." He reiterated his statement from the autopsy report that "[t]he gunshot wounds occurred in the setting of strangulation, multiple blunt injuries and wrapped in taped restraint." He described the incident as "severe" and said, "There are cases that kind of break through your professional shields, and I would say this is one of them."

¶ 10 Detective Bryan Hanner recalled Stine saying she had observed Siebring "grabbing a screwdriver and shoving it in [Bew's anus]." He also recovered a security camera video from inside defendant's apartment. The video showed Siebring and defendant "armed with handguns" as they interacted with Bew. Hanner reviewed Siebring's interview and recalled Siebring stated he, Stine, and defendant all shot Bew.

¶ 11 The trial court admitted four character letters written on defendant's behalf from his mother, father, and two sisters. The court also heard a victim impact statement from Bew's sister.

¶ 12 During argument, the State recommended the maximum 75 years in prison for the offense. Defendant, through counsel, argued he ultimately took accountability for his role in Bew's death, and the evidence showed the plan was to leave Bew alive in rural McLean County before Siebring shot him. He also noted his various mental health diagnoses and a volatile household growing up as mitigating factors. He requested a 20-year sentence for murder, with the mandatory 15-year firearm enhancement, for an aggregate sentence of 35 years'

imprisonment.

¶ 13 Defendant gave a statement in allocution, wherein he said he was "sorry for [his] actions." He said he was "sorry for the way things happened" and requested "forgiveness" for what he had done.

¶ 14 The trial court said it had reviewed the PSI, the evidence presented, the testimony of witnesses, defendant's statement in allocution, the victim impact statements, and the arguments from the parties. The court said it had considered all of the statutory factors, both in aggravation and mitigation. The court noted defendant was 28 years' old and said he was "not necessarily a youthful offender." The court described defendant has having a "somewhat diminished" mental capacity. The court also said it gave appropriate weight to defendant's childhood in a "household of extreme drug use and addiction." The court made clear it gave no weight to Dr. Denton's opinion as to the severity of the offense during his testimony.

¶ 15 The trial court stated the facts of the case made the "brutality" of the offense "obvious." The court recounted Bew had been "beaten, tortured for a long period of time before being driven out into the country and killed." Therefore, the court said it would "consider the extreme brutality of the surrounding conduct aside from the actual killing in formulating an appropriate sentence." The court noted defendant had "multiple rule violations, including both major and minor violations," while incarcerated. The sentence available was a minimum of 20 years to a maximum of 60 years in prison, along with a mandatory 15-year firearm enhancement. The court said Bew's murder was "carried out by *** defendant in this case on somebody that he considered a friend." Noting the PSI, the court recounted defendant rating his depression a 6 out of 7, his anxiety a 7 out of 7, his anger a 5 out of 6, and his irritability a 4 out of 7, "[b]ut guilt he rated as two out of seven, indicating to the Court at least that he feels very little guilt in this

matter." The court sentenced defendant to 55 years in prison for the offense of first degree murder, with an additional 15-year sentence for the firearm enhancement, for an aggregate sentence of 70 years' imprisonment.

¶ 16 In December 2025, defendant filed a motion to reconsider sentence, arguing his aggregate 70-year sentence was excessive. A hearing on defendant's motion occurred in February 2026.

¶ 17 At the hearing, defendant argued significant evidence in mitigation was presented related to his upbringing and addiction. The trial court stated it had considered the appropriate and relevant evidence and "imposed an appropriate sentence." The court denied the motion.

¶ 18 This appeal followed.

¶ 19 II. ANALYSIS

¶ 20 On appeal, defendant argues the trial court abused its discretion when imposing his 70-year aggregate sentence because he had a difficult childhood and suffered from addiction and undiagnosed mental health issues while being gainfully employed at the time of the offense. He argues these things indicated his conduct was out of character. He contends nothing in the record required the court to impose a sentence higher than the minimum 35-year aggregate sentence available. He notes he had accepted responsibility by pleading guilty, the PSI showed he felt remorse for Bew's death, and he sincerely apologized during his statement in allocution. He reiterates the record shows he suffered from several serious mental health illnesses, nearly overdosed on drugs after the incident, and remained suicidal during the pendency of the case. He also points to his traumatic childhood and persistent drug use at the time of the offense. He cites *People v. Treadway*, 138 Ill. App. 3d 899 (1985), in support. He requests this court exercise our authority under Illinois Supreme Court rule 615(b)(4) (eff. Jan. 1, 1967) and reduce his sentence

to the statutory minimum.

¶ 21 In *Treadway*, the defendant was convicted of attempted murder, armed violence predicated on aggravated battery, two counts of aggravated battery, and aggravated assault. *Treadway*, 138 Ill. App. 3d at 900. On appeal, the defendant argued his 60-year extended term sentence was excessive. *Id.* at 904. The appellate court noted rehabilitation is not only a consideration but an objective of sentencing. *Id.* It also stated a reviewing court may reduce a sentence based on rehabilitative potential "where a defendant came from a poor social environment [citation], where [a] defendant has expressed a desire to continue his education [citation], and in certain cases where defendants were young." *Id.* at 904-05. The court said it looked beyond the sentencing court's findings for the defendant's rehabilitative potential and noted the record showed he "was a 24-year-old high school dropout who had been physically abused as a child and had suffered from a drug and alcohol problem since the age of 14." *Id.* at 905. The court also noted the defendant's "minor" criminal history and the offenses committed, "though serious, were perpetrated in a fleeting moment of intoxicated rage upon a stranger." *Id.* The court said the defendant had expressed a desire to "improve himself," and while awaiting trial, sought alcoholism treatment, and earned his GED. *Id.* The court concluded the defendant had "rehabilitative potential that would be poorly served by such a long sentence." *Id.* The court lowered the sentence to 30 years to permit the defendant to be "restored to a meaningful, productive life, and at the same time will be adequate retribution for his offense, provide protection for society and serve as a deterrent." *Id.*

¶ 22 Defendant argues, analogously to *Treadway*, he is a young man with a serious drug addiction that contributed to his actions on the night in question, had no violent criminal record, and has rehabilitative potential. He notes his anticipated parole date is November 2095,

when he would be 95 years old. He contends his sentence is a *de facto* life sentence that he will not survive.

¶ 23 "The legislature sets forth by statute the range of permissible sentences for each class of criminal offense." *People v. Fern*, 189 Ill. 2d 48, 53 (1999). "A sentence within statutory limits will not be deemed excessive and an abuse of the court's discretion unless it is 'greatly at variance with the spirit and purpose of the law or manifestly disproportionate to the nature of the offense.' " *People v. Pina*, 2019 IL App (4th) 170614, ¶ 20 (quoting *Fern*, 189 Ill. 2d at 54). A reviewing court affords great deference to a trial court's sentencing judgment because, "having observed the defendant and the proceedings, [it] is in a far better position to consider such factors as the defendant's credibility, demeanor, general moral character, mentality, social environment, and habits than a reviewing court, which must rely on a 'cold' record." *People v. Little*, 2011 IL App (4th) 090787, ¶ 24. A sentence that falls within the applicable statutory limits is reviewed for an abuse of discretion. *People v. Price*, 2011 IL App (4th) 100311, ¶ 36.

¶ 24 Here, defendant pleaded guilty to first degree murder (720 ILCS 5/9-1(a)(1) (West 2022)), a Class M felony (730 ILCS 5/5-4.5-20(a) (West 2024)) subject to not less than 20 years and not more than 60 years in prison. Because the offense was committed while armed with a firearm, a 15-year firearm enhancement was added to the potential term of imprisonment. 730 ILCS 5/5-8-1(d)(i) (West 2024). Thus, defendant faced an aggregate sentence of 35 to 75 years in prison. He was sentenced to 70 aggregate years in prison. Because his sentence was within the permissible range, we begin with the presumption the sentence was proper. *People v. Knox*, 2014 IL App (1st) 120349, ¶ 46.

¶ 25 The State contends the trial court appropriately considered all of the statutory factors both in aggravation and mitigation when fashioning its sentence. The State argues

defendant does not contend the court considered an improper factor or failed to consider an appropriate factor. Rather, the State notes defendant argues the court simply failed to give enough weight to his mitigating evidence.

¶ 26 The abuse of discretion standard is deferential to trial courts, and "[o]ur mere disagreement with the [sentencing] court's decision would not make the decision an abuse of discretion." *People v. Fisher*, 407 Ill. App. 3d 585, 589 (2011). Where mitigating evidence is before the court, it is presumed the court considered it. *People v. McDonald*, 322 Ill. App. 3d 244, 251 (2001). Additionally, "that presumption will not be overcome without explicit evidence from the record that the *** court did not consider mitigating factors." *People v. Flores*, 404 Ill. App. 3d 155, 158 (2010). As the State correctly notes, defendant does not argue the court failed to consider the mitigating factors. Defendant argues the court did not afford the mitigating factors due weight.

¶ 27 A trial court is not required to afford greater weight to mitigating factors than to the severity of the offense. *People v. Alexander*, 239 Ill. 2d 205, 214 (2010). Nor does the presence of mitigating factors require a minimum sentence. *People v. Jones*, 2014 IL App (1st) 120927, ¶ 55. In this case, the court explicitly referenced the very mitigating factors defendant recites on appeal. However, the court also noted the brutality of the circumstances surrounding the commission of the offense. We understand the gravity of defendant's sentence, as it is nearly the maximum afforded by law. However, we also recognize the seriousness of the offense—indeed, perhaps the most serious offense—first degree murder. See *People v. Quintana*, 332 Ill. App. 3d 96, 109 (2002) (noting the seriousness of the offense is the most important sentencing factor).

¶ 28 We also find *Treadway* distinguishable. First, the victim in *Treadway* was a

stranger to the defendant. Here, the victim was supposedly a friend of defendant's but was still brutally tortured prior to being shot and left in a ditch to be discovered by a random passing motorist. While the record indicates defendant was a drug addict, the PSI suggests he overdosed after killing Bew. Furthermore, the incident was not a fleeting moment of intoxicated rage like *Treadway*; rather, Bew was tortured, bound, taken to a remote location, and, eventually, shot. Afterwards, defendant was sober enough to work with Siebring to clean up his apartment and discuss an alibi. Ultimately, the trial court was in a better position to observe defendant's conduct and weigh the need for a harsher sentence. While the sentence was harsh, we simply cannot say it varied greatly with the spirit and purpose of the law or was manifestly disproportionate to the nature of the offense. See *Pina*, 2019 IL App (4th) 170614, ¶ 20. Therefore, we find the court did not abuse its discretion when sentencing defendant to an aggregate 70 years' imprisonment.

¶ 29 III. CONCLUSION

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

¶ 31 Affirmed.