

NOTICE  
Decision filed 10/01/26. The text of this decision may be changed or corrected prior to the filing of a Petition for Rehearing or the disposition of the same.

2026 IL App (5th) 250457-U  
NO. 5-25-0457  
IN THE  
APPELLATE COURT OF ILLINOIS  
FIFTH DISTRICT

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).

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| THE PEOPLE OF THE STATE OF ILLINOIS, | ) | Appeal from the    |
|                                      | ) | Circuit Court of   |
| Plaintiff-Appellee,                  | ) | St. Clair County.  |
|                                      | ) |                    |
| v.                                   | ) | No. 23-CF-42       |
|                                      | ) |                    |
| MICHAEL R. BROCK,                    | ) | Honorable          |
|                                      | ) | Jeffrey K. Watson, |
| Defendant-Appellant.                 | ) | Judge, Presiding.  |

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JUSTICE McHANEY delivered the judgment of the court.  
Justices Sholar and Hackett concurred in the judgment.

**ORDER**

- ¶ 1 *Held*: The evidence was sufficient to prove the defendant guilty beyond a reasonable doubt of aggravated unlawful restraint, we affirm the defendant's convictions.
- ¶ 2 Following a jury trial, the defendant, Michael R. Brock, was convicted of two counts of domestic battery and one count of aggravated unlawful restraint. He was sentenced to concurrent terms of 13 years' imprisonment on each domestic battery conviction and 9 years' imprisonment for aggravated unlawful restraint. On appeal, the defendant challenges only his conviction for aggravated unlawful restraint, arguing that the State failed to prove beyond a reasonable doubt that he possessed a knife during the unlawful restraint. For the following reasons, we affirm.

¶ 3

## I. BACKGROUND

¶ 4 The charges arose from an incident on January 7, 2023, involving the defendant and Amber Hart (Amber) at the home the defendant shared with his parents, Doris and Jack Brock (Doris and Jack). Amber testified that she had been staying with the defendant and that, on the day of the incident, she told him she was leaving to see her children. The defendant followed her, and the two began arguing while walking away from the house.

¶ 5 According to Amber, the defendant became physical with her in an alley, punching and kicking her and dragging her back toward the house by the hood of her jacket. When they returned to the yard, Doris came outside. Amber testified that the defendant picked her up, threw her to the ground, punched and kicked her, and placed her in a choke hold.

¶ 6 Doris testified that she saw the defendant holding the back of Amber's jacket as they approached the house and heard Amber say that she did not want to go inside. Doris told the defendant that Amber did not want to go with him. Doris later saw the defendant lift Amber and throw her to the ground.

¶ 7 Amber testified that the defendant then pushed her into the house. She stated that, once inside, she saw that the defendant had a camouflage-colored knife with a black blade in his hand. Amber testified that the defendant did not point the knife at her or use it against her. The defendant made her go upstairs to his bedroom, where he threw her onto the bed and moved a dresser in front of the door. Amber testified that the defendant threatened to cut his own throat if she left the room.

¶ 8 Doris and Jack both saw the defendant and Amber return to the house and go upstairs. Neither testified that they saw a knife in the defendant's hand. Doris testified that she was able to see the defendant's hands when he came inside but did not see a knife. Jack likewise testified that he did not see the defendant carrying a knife.

¶ 9 Doris became concerned by the arguing she heard upstairs and told Jack that they should contact the police. Because they were concerned that sirens might further upset the defendant, Jack drove to the police station and reported what was occurring at the house.

¶ 10 Officer Gregg Cox responded to the residence with other officers. Cox spoke with the defendant through the bedroom door. Cox testified that the defendant denied having a gun but stated that he had a knife and threatened to cut his throat if officers attempted to enter the room.

¶ 11 Sergeant William Tutterow also testified that the defendant stated that he had a knife and was willing to use it if police attempted to enter. According to Tutterow, the defendant stated multiple times that he had a knife. Tutterow did not personally see a knife in the defendant's hand. Amber eventually left the bedroom. After several hours, the defendant also came out and was taken into custody. Officer Kurt Schmulbach thereafter searched the bedroom and recovered a knife from underneath a white dresser. The knife matched the description Amber had given before it was recovered.

¶ 12 Amber's credibility was extensively challenged at trial. She admitted that she had used methamphetamine for more than 20 years and had used methamphetamine on the day of the incident. She also admitted making several prior statements inconsistent with her trial testimony. At one point, she told the state's attorney's office that the defendant had not hurt her and that the incident was consensual. At another meeting, she stated that the knife belonged to her. Amber testified that those prior statements were false and explained that she did not want the defendant to get in trouble and did not want to testify.

¶ 13 The defendant testified in his own defense. He denied possessing the recovered knife and testified that he had previously seen Amber with a similar knife. He admitted telling police during the standoff that he had a knife but claimed that he was lying because he feared the police would

enter the bedroom and shoot him. He testified that he was saying things to prevent officers from entering the room.

¶ 14 The State also introduced a recorded jail call between the defendant and Amber made after the incident. During the call, the defendant stated that he should have cut his throat that day because he had “the perfect weapon.”

¶ 15 The jury found him guilty of two counts of domestic battery and guilty of aggravated unlawful restraint. The jury found the defendant not guilty of aggravated kidnapping and not guilty of two additional counts of domestic battery. The circuit court denied the defendant’s posttrial motion and sentenced him to concurrent terms of 13 years in the Illinois Department of Corrections (IDOC) on each domestic battery conviction and a term of 9 years in IDOC for aggravated unlawful restraint, to run concurrently with the domestic battery convictions. The defendant timely appealed.

¶ 16 II. ANALYSIS

¶ 17 On appeal, the defendant does not challenge his domestic battery convictions. Nor does he contend that the evidence was insufficient to establish that he unlawfully restrained Amber. His sole argument is that the State failed to prove beyond a reasonable doubt that he possessed the knife during the unlawful restraint.

¶ 18 When reviewing the sufficiency of the evidence to sustain a criminal conviction, the relevant inquiry 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). The reviewing court draws all reasonable inferences in favor of the prosecution and does not substitute its judgment for that of the fact finder on questions involving the weight of the evidence

or the credibility of witnesses. *People v. Hardman*, 2017 IL 121453, ¶ 37. A conviction will be reversed only where the evidence is so unreasonable, improbable, or unsatisfactory as to justify a reasonable doubt of the defendant's guilt. See *People v. Martinez*, 2019 IL App (2d) 170793, ¶ 86.

¶ 19 Moreover, "it is the function of the jury as the trier of fact to assess the credibility of the witness[ ], the weight to be given to [the] testimony, and the inferences to be drawn from the evidence." *People v. Tenney*, 205 Ill. 2d 411, 428 (2002). It is the jury's responsibility to resolve inconsistencies and conflicts in the evidence and to weigh the credibility of the witnesses. See *People v. Bannister*, 236 Ill. 2d 1, 18 (2009); *People v. Sutherland*, 223 Ill. 2d 187, 242 (2006).

¶ 20 A person commits unlawful restraint when he knowingly and without legal authority detains another person. 720 ILCS 5/10-3(a) (West 2022). A person commits aggravated unlawful restraint when he commits unlawful restraint while using a deadly weapon. *Id.* § 10-3.1(a). As noted, the defendant does not challenge the jury's finding that he unlawfully restrained Amber. He disputes only the evidence concerning the knife.

¶ 21 The defendant principally argues that Amber was not credible. He emphasizes her drug use, her prior inconsistent statements, her prior statement that the knife belonged to her, and the fact that neither Doris nor Jack saw the knife when the defendant and Amber entered the house. He further emphasizes that no officer saw a knife in the defendant's hand and that police recovered the knife underneath a dresser rather than from the defendant's person.

¶ 22 The jury heard all of this evidence. Amber was extensively questioned regarding her drug use and her prior inconsistent statements. The jury likewise heard Doris's and Jack's testimony that they did not see a knife. It heard the defendant's testimony that the knife was not his, that he had previously seen Amber with a similar knife, and that his statements to the police claiming that he possessed a knife were lies intended to keep the officers from entering the bedroom.

¶ 23 The jury also heard Amber testify that she personally saw the knife in the defendant's hand immediately after he pushed her into the house and before he forced her upstairs. Amber described the knife as camouflage-colored with a black blade. After the standoff ended, police recovered a knife matching that description from the bedroom where the defendant and Amber had been barricaded. Amber's testimony concerning the knife did not stand alone. While the defendant and Amber remained barricaded inside the bedroom, the defendant repeatedly told police that he had a knife. Cox testified that the defendant stated that he had a knife and would cut his throat if officers entered. Tutterow likewise testified that the defendant repeatedly said that he had a knife and was willing to use it if police entered.

¶ 24 The defendant asks us to accept his explanation that those statements were false and were made solely to prevent the police from entering the room. The jury heard that explanation and was free to accept or reject it. We will not substitute our judgment for the jury's determination regarding the defendant's credibility. Nor do Doris's and Jack's observations require a different result. Their testimony that they did not see a knife was relevant to the weight of Amber's testimony, but it did not establish that the defendant could not have possessed one. The jury was responsible for resolving that conflict in the evidence.

¶ 25 The defendant's argument ultimately isolates the weaknesses he perceives in each piece of the State's evidence and asks this court to reach different credibility determinations and draw different inferences than the jury. That is not our function. The question is not whether another inference was possible or whether the evidence was free from conflict. Rather, we determine whether a rational jury, viewing the evidence as a whole and in the light most favorable to the State, could find the disputed element beyond a reasonable doubt.

¶ 26 Here, Amber testified that she saw a knife in the defendant's hand as he forced her into the house and upstairs. During the ensuing restraint, the defendant repeatedly told officers that he had a knife. After the defendant surrendered, officers recovered from the bedroom a knife matching Amber's description. The jury heard the defendant's competing explanation and the evidence impeaching Amber and nevertheless found the State proved its case.

¶ 27 After viewing the evidence in the light most favorable to the State, we cannot say that the evidence was so unreasonable, improbable, or unsatisfactory as to create a reasonable doubt of the defendant's guilt. A rational trier of fact could find beyond a reasonable doubt that the defendant possessed, and by implication used, the knife during the unlawful restraint. Accordingly, the evidence was sufficient to sustain the defendant's conviction for aggravated unlawful restraint.

¶ 28 III. CONCLUSION

¶ 29 For the foregoing reasons, we affirm the defendant's convictions.

¶ 30 Affirmed.