NOTICE
Decision filed 09/08/26. 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) 260516-U

NO. 5-26-0516

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).

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellee,	)	Jefferson County.
	)	
v.	)	No. 26-CM-144
	)	
JONATHON D. CASILLAS,	)	Honorable
	)	Jerry E. Crisel,
Defendant-Appellant.	)	Judge, presiding.

JUSTICE BOLLINGER delivered the judgment of the court.
Justices Barberis and Hackett concurred in the judgment.

ORDER

¶ 1 *Held*: The circuit court's orders granting the State's verified petition to deny pretrial release and denying defendant's motion for relief due to a real and present threat are affirmed.

¶ 2 Defendant, Jonathon D. Casillas,[1] appeals the June 5, 2026, order from the Jefferson County circuit court that granted the State's petition to deny pretrial release and the June 9, 2026, denial of his motion for relief and immediate release. For the following reasons, we affirm.

¶ 3 I. BACKGROUND

¶ 4 On June 4, 2026, defendant was charged with one count of unlawful violation of a stalking no-contact order, a Class A misdemeanor. 740 ILCS 21/125 (West 2024). The State filed a verified

[1]Defendant's first name is spelled "Jonathon" and "Jonathan" throughout the record.

petition to deny defendant pretrial release the same day, alleging that defendant was charged with unlawful violation of a stalking no-contact order, and that his pretrial release posed a real and present threat to the safety of any person or persons or the community. 725 ILCS 5/110-6.1(a)(3) (West 2024).

¶ 5 The matter proceeded to a hearing on June 5, 2026. The State proffered that Officer Weidman responded to a call from Mallory V., reporting a stalking no-contact order violation at her address. Mallory informed law enforcement that defendant was outside yelling at her when she tried to enter her residence. Weidman made contact with Mallory and her 14-year-old daughter at their residence, and Mallory informed Weidman that both she and her daughter were protected parties on a valid stalking no-contact order against defendant. Weidman confirmed that defendant was served with the order.

¶ 6 Mallory told Weidman that when she pulled into her residence that evening, defendant came outside and began yelling at her and her daughter. Defendant was holding a plate, which the victim believed displayed the Ten Commandments. Defendant called the victims the "devil" and made other statements. Mallory stated that defendant lived directly behind her residence where she parks her car. She showed Weidman where the incident occurred behind her residence. Mallory recorded a video of the incident and showed it to Weidman. The video depicted defendant in the rear area of the property, holding a plate with text on it, and making repeated statements to the victims. Mallory was heard on the video telling defendant to back up and that he was not allowed to be near them due to the protective order. Defendant did not break contact with the victims. Mallory expressed concerns about defendant's escalating behaviors, as he made threats against her and her daughter in the past. Mallory believed the behavior was becoming more erratic and she feared he might act on his statements. Officer Arrasmith located defendant at a gas station, and

defendant informed Arrasmith that the victim "tried to tell me to leave her alone." Defendant said that he yelled at the victims from his property. The State asked the circuit court to take judicial notice of Jefferson County case No. 26-OP-124, which contained the stalking no-contact order which was served to defendant on June 2, 2026.

¶ 7 Defense counsel proffered that defendant was 33 years old and had lived in Jefferson County for approximately three years. He had a GED and reported an associate's degree. He was previously employed, but was not at the time of his arrest. There was no weapon used in the offense, and no violence or physical contact. Defendant informed his counsel that he stayed in his yard and asserted that he was not served with the no-contact order, but defense counsel saw a record of service for the order.

¶ 8 The State argued that this was a detainable offense and defendant posed a threat to Mallory and her daughter. Mallory obtained the no-contact order on June 1, which was served on June 2, and defendant violated the order on June 3, less than 24 hours after service. Defendant had a history of violent offenses. He was on probation for aggravated domestic battery. He also had convictions for aggravated battery to a peace officer and domestic battery. He had seven felony convictions. He was on court supervision as well. Defendant was already under probation and supervision and ordered not to violate the law. The State argued that no conditions could protect the victims. In particular, a GPS monitor would not work because he was a neighbor with the victims. The State asked for defendant's pretrial release to be denied.

¶ 9 Defense counsel argued that defendant would submit to any conditions, such as electronic monitoring and home confinement to his residence in Mt. Vernon. There was no weapon used, no violence or physical contact occurred, and defendant reported he stayed in his yard the entire time. Defense counsel asked for defendant's release.

¶ 10 The circuit court stated that it considered, in defendant's favor, his age, education, and that the offense did not involve any weapons. However, defendant had an extensive criminal history including three terms in the Illinois Department of Corrections (IDOC). He was currently on probation and court supervision in Jefferson County for two different offenses. He had another order of protection from a different party as well. Defendant was already under court orders not to violate the law, but admitted to contact with the victims. The circuit court found that the State proved by clear and convincing evidence the elements of its petition to detain and granted the petition. At the end of the hearing, defense counsel raised a *bona fide* doubt as to defendant's fitness, and the circuit court ordered an evaluation. The circuit court also entered a written order for detention, finding that defendant "has already shown he's unwilling to abide by orders as he was served [with] no contact order, was under probation, and court supervision at the time he violated the no contact order." Further, "less restrictive conditions have already failed to protect victim[s], Defendant not voluntarily complying."

¶ 11 On June 8, 2026, defendant filed a motion for relief and immediate release. The motion for relief stated that the circuit court erred in granting the State's petition to deny pretrial release in that the trial court failed to fully consider the defendant's willingness to abide by any terms of pretrial release, that no weapon was used in the commission of the offense, and that no one was injured in the offense.

¶ 12 The matter proceeded to a hearing on June 9, 2026. Defense counsel proffered that defendant was 33 years old, obtained his GED and reported that he had an associate's degree, and resided in Jefferson County for three years. He was previously employed and was not on bond, pretrial release, parole, or work release. Further, no weapon was used, and there was no violence

or physical contact. Defendant never left his yard. Defense counsel asked for electronic monitoring and home confinement.

¶ 13 The State asked the circuit court to take judicial notice of case No. 26-OP-124, the order underlying the charge in this case, which it did without objection. The State proffered that the order was a stalking no-contact order to protect Mallory and her 14-year-old daughter. Defendant was served the order on June 2, and the offense occurred June 3. Mallory reported that defendant violated the order by yelling at the victims from his residence. Defendant told law enforcement that Mallory told him to leave her alone, and admitted that he yelled at her from his property.

¶ 14 The circuit court stated that it considered the fact that there were no injuries in this case and defendant had ties to the community. However, defendant's criminal history included three sentences in IDOC. He was also on probation for aggravated domestic battery and court supervision for reckless driving; thus, he was already ordered not to violate the law but ignored the orders. The circuit court denied the motion for relief.

¶ 15 II. ANALYSIS

¶ 16 On appeal, the Office of the State Appellate Defender (OSAD) was appointed as appellate counsel. The defendant was permitted, but not required, to file a memorandum on appeal. OSAD filed a notice in lieu of a memorandum pursuant to Illinois Supreme Court Rule 604(h)(7) (eff. Apr. 15, 2024). "Issues raised in the motion for relief are before the appellate court regardless of whether the optional memorandum is filed." Ill. S. Ct. R. 604(h)(7) (eff. Apr. 15, 2024). Therefore, our review is limited to the issues raised in the motion for relief.

¶ 17 The defendant's motion for relief argues the following:

"7. The Court erred in granting the State's Petition to Deny Pre-Trial Release at [the initial detention hearing], in that the State failed to meet its burden of proving by clear and convincing evidence any of the above in that:

a. The Court failed to fully consider Defendant's willingness to abide by any terms of pre-trial release.

b. The Court failed to fully consider the fact that no weapon was used in the commission of the alleged offense.

c. The Court failed to fully consider the fact that no injuries resulted from the alleged offense."

¶ 18 While not addressed by the State, we find that defendant has waived all argument on appeal for failure to provide sufficient arguments with citations to any relevant authorities. See Ill. S. Ct. R. 604(h)(7) (eff. Apr. 15, 2024). "Whether made in the motion for relief alone or as supplemented by the memorandum, the form of the appellant's arguments must contain sufficient detail to enable meaningful appellate review, including the contentions of the appellant and the reasons therefore and citations of the record and any relevant authorities." *Id.* A party may not simply "dump the burden of argument and research" on the reviewing court; rather, a reviewing court is "entitled to have the issues clearly defined and to be cited pertinent authority." (Emphasis omitted.) *People ex rel. Illinois Department of Labor v. E.R.H. Enterprises, Inc.*, 2013 IL 115106, ¶ 56. A reviewing court "cannot be expected to formulate an argument for defendant out of whole cloth." *People v. Inman*, 2023 IL App (4th) 230864, ¶ 13.

¶ 19 "[D]efendants must endeavor to present a more complete analysis of the issues in their motions for relief or, as the rule allows, file a supplemental memorandum in support of the appeal rather than relying on the appellate court to do the work for them." *People v. Post*, 2025 IL App

(4th) 250598, ¶ 23. Failure to comply with Rule 604(h)(7)'s requirement of presenting arguments with sufficient detail to enable meaningful appellate review constitutes waiver of the issue on appeal. Ill. S. Ct. R. 604(h)(7), (2) (eff. Apr. 15, 2024). Unlike forfeiture, which is a limitation on the parties, waiver is a limitation on this court and precludes review. *People v. Nettles*, 2024 IL App (4th) 240962, ¶ 29 (citing *United States v. Flores*, 929 F.3d 443, 447 (7th Cir. 2019) ("We reviewed forfeited arguments for plain error, whereas waiver extinguishes error and precludes appellate review.")).

¶ 20 In the present case, defendant's motion for relief asserts that the trial court erred in granting the State's petition to deny his pretrial release due to the State's failure to meet its burden of proof for "any of the above," which includes the elements of the statute: that the proof is evident or presumption great that defendant committed a qualifying offense, that he poses a real and present threat to the safety of any person or the community, and that no condition or combination of conditions can mitigate that threat. The motion for relief serves more than one purpose. *People v. Patterson*, 2025 IL App (1st) 250510, ¶ 18. Its initial purpose is to give the aggrieved party an opportunity to draw the circuit court's attention to any errors it may have made in the initial release determination and give the court an opportunity to correct them. *Id.* But it also "crystalizes and frames the issues for appeal." *Id.* ¶ 19.

¶ 21 Rather than clearly arguing how the State failed to prove each element of the statute, defendant's counsel instead provided a list of factors the trial court "failed to fully consider." The arguments in the motion for relief are undeveloped. They are not applied to each element of pretrial detention and do not explain why the factors presented outweigh the other elements the trial court could consider in determining detention. The motion asserts that the trial court failed to consider defendant's willingness to abide by pretrial release conditions, but does not argue how this

consideration would outweigh defendant's history and current status on probation and court supervision. Outside of the case law introducing the pretrial detention standard of review applicable on appeal, the motion for relief does not provide any citations to relevant authorities that would be pertinent to defendant's case.

¶ 22 These "[b]are contentions in the absence of argument or citation of authority do not merit consideration on appeal ***." *Obert v. Saville*, 253 Ill. App. 3d 677, 682 (1993). Reviewing courts are entitled to have the issues clearly defined, pertinent authority cited, and cohesive arguments presented. *Id.* The purpose of requiring the appellant's memorandum or motion for relief to contain detailed arguments is, as explained by the task force that recommended its adoption, to prohibit just such a conclusory argument in pretrial-release appeals:

> "We believe that this rule is essential to discourage the boilerplate 'arguments' we have seen in the existing check-the-box notice of appeal. We remain ever mindful that, as appellate judges, *we may not serve as advocates for a party*. Presentation of the appellant's argument in a cursory manner pressures the court to abandon the role it is ethically obligated to play: that of a neutral arbiter. (Emphasis added.) Ill. S. Ct. Pretrial Release Appeals Task Force, Report and Recommendations 8 (2024), https://ilcourtsaudio.blob.core.windows.net/antilles-resources/resources/628434e3-d07f-4eadb1f6 4470d7e83bf3/Pretrial%20Release%20Appeals%20Task%20Force%20Report_March%202024.pdf [https://perma.cc/LL5Y-R4FN]." (Internal quotation marks omitted.) *People v. Hood*, 2026 IL App (1st) 260117-U, ¶ 13.

¶ 23 Defendant does not provide any specific argument as to the elements within his motion for relief, and it is not this court's position to argue and advocate on his behalf as to how these elements impact his pretrial detention. As defendant has not provided any argument within his motion for

relief that would contain sufficient detail to enable meaningful appellate review, he has waived all arguments on appeal. Due to the defendant's waiver, any potential error has been extinguished. As such, the circuit court's detention order and denial of the motion for relief are affirmed.

¶ 24 III. CONCLUSION

¶ 25 Based on the foregoing reasons, we affirm the circuit court's orders of June 5, 2026, and June 9, 2026.

¶ 26 Affirmed.