2026 IL App (4th) 251212-U

NOS. 4-25-1212, 4-25-1213, 4-25-1214, 4-25-1215 cons.

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).

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED
October 7, 2026
Carla Bender
4th District Appellate
Court, IL

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
Plaintiff-Appellee,	)	Circuit Court of
v.	)	Warren County
ISAIAH D. PATTERSON,	)	Nos. 20CF131
Defendant-Appellant.	)	22CF37
	)	22CF128
	)	23CF16
	)	
	)	Honorable
	)	James Standard,
	)	Judge Presiding.

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

ORDER

¶ 1 *Held*: The appellate court vacated the trial court's revocation of defendant's probation and subsequent sentencing orders, finding the court failed to substantially comply with Illinois Supreme Cour Rule 402A (eff. Nov. 1, 2003).

¶ 2 In March 2024, the State filed petitions to revoke defendant Isaiah D. Patterson's probation in four different cases. Defendant admitted to the allegations in the State's petitions. On appeal, defendant argues, *inter alia*, the trial court failed to substantially comply with Illinois Supreme Court Rule 402A (eff. Nov. 1, 2003) when accepting his admission to the State's petitions to revoke his probation. We agree, vacate the court's revocation and sentencing orders, and remand the matter for further proceedings.

¶ 3 I. BACKGROUND

¶ 4 In Warren County case No. 20-CF-131, defendant pleaded guilty to forgery (720 ILCS 5/17-3(a)(3) (West 2020)) and was sentenced to two years' probation in February 2022. In June 2023, he admitted to violating his probation and was resentenced to another two years' probation involving drug court participation.

¶ 5 In Warren County case No. 22-CF-37, defendant pleaded guilty to escape (720 ILCS 5/31-6(a) (West 2022)) and was sentenced to two years' probation in April 2022. In June 2023, he admitted to violating his probation in this case and was resentenced to another two years' probation and drug court.

¶ 6 In June 2023, in Warren County case No. 22-CF-128, defendant pleaded guilty to unlawful possession of methamphetamine (720 ILCS 646/60(a) (West 2022)) and driving with a suspended license (625 ILCS 5/6-303(a) (West 2022)). That same month, in Warren County case No. 23-CF-16, he pleaded guilty to burglary (720 ILCS 5/19-1(a) (West 2022)). In both cases, he was sentenced to two years' probation and drug court.

¶ 7 In March 2024, the State filed petitions for order of revocation of probation in each of defendant's four cases. All of the petitions alleged defendant had violated his probation by testing positive for cannabis in March 2024.

¶ 8 Defendant appeared before the trial court regarding the petitions on August 9, 2024. The court noted he had signed an admission to the State's petitions, admitting he violated the terms of his probation and understood the consequences of violation. The court subsequently admonished defendant he had the right to a hearing on each petition, wherein the State had the burden of proving he had committed the alleged violation. The court then determined whether defendant had freely and voluntarily entered the admission and was satisfied with his counsel's advice. The court ordered a presentence investigation report (PSI), and the matter was continued.

¶ 9 On July 7, 2025, defendant appeared for sentencing. Detective Joshua Smith of the Warren County Sheriff's Office testified about his familiarity with defendant and said, "[H]e gets arrested a lot." Defendant testified he lived with his girlfriend and two-year-old son. He stated he had been using methamphetamine for "almost ten years."

¶ 10 Defendant gave a statement in allocution, wherein he said he was "not a criminal" but a "drug addict" in recovery. He requested a minimum prison sentence and noted the skills he had learned from drug court and his desire to be in his son's life.

¶ 11 The trial court discussed defendant's addiction to methamphetamine, stating it

> "is largely based upon the Defendant's representations and not any what I would call empirical evidence, but it appears based on the totality of the evidence and the reasonable inferences to be drawn from it that the Defendant does have an addiction and has not mastered the means of conquering that addiction."

The court sentenced defendant to the following terms: seven years' imprisonment in case No. 23-CF-16, five years' imprisonment in case Nos. 22-CF-128 and 20-CF-131, and three years' imprisonment in case No. 22-CF-37. The sentences were ordered to run concurrently.

¶ 12 Defendant subsequently filed a motion to reconsider his sentences, arguing the sentences imposed were excessive. At the motion hearing, defendant noted the trial court had previously found he suffered from addiction and requested the court find the offenses were caused by his "abuse or addiction to alcohol and other drugs and that he be recommended for placement in treatment programs" in prison. Additionally, he sought to have his seven-year sentence reduced to five years.

¶ 13 The trial court stated defendant "had [an] addiction and would benefit from treatment" but said the evidence presented was insufficient to show the offenses were caused by

his addiction. Defendant interrupted the proceedings to interject he had been an addict for nearly two decades and participated in drug court. The court reiterated it was bound by the evidence, which included the PSI and witness testimony. The court stated there was "no testimony, no medical evidence or other evidence that would support" finding defendant's criminal conduct was a result of his addiction. The court denied the motion.

¶ 14 On November 3, 2025, defendant filed a *pro se* postconviction petition pursuant to the Post-Conviction Hearing Act (725 ILCS 5/122-1 *et seq.* (West 2024)) in case No. 23-CF-16. The petition alleged, *inter alia*, his plea counsel was ineffective for failing to (1) notify him of his extended-term sentencing eligibility and (2) amend the mittimus to reflect sentencing credit to which he was entitled. On November 7, 2025, defendant filed a notice of appeal in the same matter.

¶ 15 This appeal followed.

¶ 16 II. ANALYSIS

¶ 17 On appeal, defendant argues (1) his probation revocations should be vacated because the trial court failed to substantially comply with Rule 402A, (2) the court abused its discretion when it failed to find his criminal conduct was a result of his addiction, and (3) the court erred by failing to conduct a preliminary inquiry pursuant to *People v. Krankel*, 102 Ill. 2d 181 (1984), regarding the *pro se* postconviction petition he filed alleging ineffective assistance of counsel.

¶ 18 The State, in response, concedes the trial court failed to substantially comply with Rule 402A and abused its discretion when it failed to find defendant's criminal conduct was the result of his addiction and recommend he be placed in a substance abuse program. The State, however, disagrees the court erred by failing to conduct a preliminary *Krankel* inquiry because

defendant had filed a postconviction petition alleging ineffective assistance of counsel.

¶ 19 A. Rule 402A Claim

¶ 20 The language of Rule 402A requires "substantial compliance" with its provisions. Ill. S. Ct. R. 402A(a) (eff. Nov. 1, 2003). The rule further provides, in pertinent part:

> "Admonitions to Defendant. The court shall not accept an admission to a violation, or a stipulation that the evidence is sufficient to revoke, without first addressing the defendant personally in open court, and informing the defendant of and determining that the defendant understands the following:
>
> (1) the specific allegations in the petition to revoke probation, conditional discharge or supervision;
>
> (2) that the defendant has the right to a hearing with defense counsel present, and the right to appointed counsel if the defendant is indigent and the underlying offense is punishable by imprisonment;
>
> (3) that at the hearing, the defendant has the right to confront and cross-examine adverse witnesses and to present witnesses and evidence in his or her behalf;
>
> (4) that at the hearing, the State must prove the alleged violation by a preponderance of the evidence;
>
> (5) that by admitting to a violation, or by stipulating that the evidence is sufficient to revoke, there will not be a hearing on the petition to revoke probation, conditional discharge or supervision, so that by admitting to a violation, or by stipulating that the evidence is sufficient to revoke, the defendant waives the right to a hearing and the right to

confront and cross-examine adverse witnesses, and the right to present witnesses and evidence in his or her behalf; and

(6) the sentencing range for the underlying offense for which the defendant is on probation, conditional discharge or supervision." *Id.*

Additionally, Rule 402A requires to determine "that there is a factual basis for the defendant's admission or stipulation." Ill. S. Ct. R. 402A(c) (eff. Nov. 1, 2003).

¶ 21 As we stated above, Rule 402A dictates substantial compliance with its provisions. "Substantial compliance involves an 'affirmative showing in the record that the defendant understood each of the required admonitions.' " *People v. Saleh*, 2013 IL App (1st) 121195, ¶ 14. "A trial court's compliance with Rule 402A is reviewed *de novo*." *Id.*

¶ 22 As the parties agree—and the record confirms—the trial court failed to admonish defendant as to nearly all of the specific requirements of Rule 402A(a) and failed to comply entirely with Rule 402A(c). Because the court failed to address defendant in open court regarding numerous provisions of Rule 402A, the record cannot affirmatively show defendant understood each of the required admonitions. Accordingly, we accept the State's concession, vacate the orders revoking defendant's probation, and "remand the matter for new admonishments and further probation revocation proceedings, as necessary." *People v. Curry*, 2019 IL App (3d) 160783, ¶ 23.

¶ 23 B. Sentencing Claim

¶ 24 Next, defendant contends the trial court applied the wrong evidentiary standard when it determined there was insufficient evidence to support finding his criminal conduct had been the result of his addiction. As we noted earlier, the State concedes this issue.

¶ 25 This issue centers on the written sentencing order, wherein the trial court may

check a box that states, "The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program." This finding cites section 5-4-1(a) of the Unified Code of Corrections (Corrections Code) (730 ILCS 5/5-4-1(a) (West 2024)). Section 5-4-1 of the Corrections Code provides the "court may in its sentencing order recommend a defendant for placement in a Department of Corrections substance abuse treatment program." *Id.*

¶ 26 We review a trial court's sentencing judgment for an abuse of discretion. *People v. Price*, 2011 IL App (4th) 100311, ¶ 36. Ordinarily, we afford a sentencing court significant deference, given 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. Here, the trial court believed defendant suffered from addiction. However, the court concluded there was no evidence presented at the sentencing hearing to show defendant's criminal conduct resulted from his addiction.

¶ 27 We agree with the trial court some evidence is required to support a sentencing order recommending a defendant be placed in a substance abuse treatment program as provided by section 5-4-1 of the Corrections Code. We disagree with the court, however, that no evidence was presented at the sentencing hearing to support such a finding. Section 5-4-1 goes on to list the various types of evidence the trial court is required to consider at a sentencing hearing. The types of evidence include, *inter alia*, a defendant's statement on his own behalf, along with any testamentary evidence. See 730 ILCS 5/5-4-1(a)(6) (West 2024). In this case, both defendant's testimony and his statement in allocution provided evidence that his criminal conduct may have been the result of his substance addiction. He testified he had been using methamphetamine for

nearly 10 years and pleaded for leniency by stating he was a drug addict rather than a criminal. This was evidence sufficient for the court, in its discretion, to recommend substance abuse treatment during his incarceration. Therefore, we accept the State's concession on this issue and conclude the court abused its discretion when it failed to consider evidence that supported defendant's assertion his addiction contributed to his criminal conduct.

¶ 28 Finally, defendant contends the trial court erred by failing to conduct a preliminary *Krankel* inquiry regarding an ineffective assistance of counsel claim he made in a *pro se* postconviction petition filed just prior to filing of his notice of appeal. Because we have already found the court committed reversible error regarding defendant's first two contentions, we need not address this issue. See *Wilson v. Illinois Benedictine College*, 112 Ill. App. 3d 932, 936 (1983) ("A reviewing court will not consider questions or contentions which are not essential to the determination of the case before it."). This matter is being remanded for further proceedings, where defendant will have the opportunity, if he so chooses, to raise these contentions before the trial court rather than, for the first time, on appeal.

¶ 29 III. CONCLUSION

¶ 30 For the reasons stated, we vacate the trial court's revocation of defendant's probation and subsequent sentencing orders and remand for further proceedings consistent with this order.

¶ 31 Vacated and remanded.