

No. 132234

IN THE

SUPREME COURT OF ILLINOIS

PEOPLE OF THE STATE OF	)	Appeal from the Appellate Court of
ILLINOIS,	)	Illinois, No. 2-24-0609.
	)	
Plaintiff-Appellee,	)	There on appeal from the Circuit
	)	Court of the Sixteenth Judicial
-vs-	)	Circuit, Kane County, Illinois, No.
	)	20 CF 1481.
	)	
NALIANA VARGAS,	)	Honorable
	)	David P. Kliment,
Defendant-Appellant.	)	Judge Presiding.

REPLY BRIEF FOR DEFENDANT-APPELLANT

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CYNTHIA A. GRANT
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ARGUMENT

I. Naliana Vargas’s appeal of the unsatisfactory termination of her probation is not moot, because the judgment carries collateral consequences, some generalizable to all probation revocations and others specific to her case, and reversal of that judgment would afford Vargas effectual relief.

Following probation revocation proceedings, the trial court unsatisfactorily terminated Naliana Vargas’s probation. Vargas appealed. The appellate court dismissed the appeal as moot. The State now claims that the “unsatisfactory” language in the order had no legal significance and that the order terminating probation was not appealable. The State further argues, had the trial court revoked probation, any challenge to that order would be moot.

A. If the use of “unsatisfied” in the trial court’s order has no legal significance, this Court should strike “unsatisfied” from the order.

The trial court disposed of the State’s petition to revoke probation by terminating Vargas’s probation unsatisfactorily. (C. 95). The State asserts that Naliana Vargas prevailed in the trial court. (St. Br. 13, 19). The State posits that the only operable word in the court’s order is “terminated,” and that the qualifier “unsatisfactorily” was “nothing more than dicta.” (St. Br. 13). The State avers, “the trial court’s note that defendant’s probation was terminated ‘unsatisfactorily’ had no legal significance.” (St. Br. 14–15). In the event this Court agrees with the State that those descriptors have no legal significance, Vargas submits that the extraneous verbiage should be stricken from the record to prevent unintended prejudice. Indeed, if this Court agrees that Vargas is appealing “the trial court’s favorable ruling on the revocation petition,” then the order itself should reflect a favorable ruling. (St. Br. 13). Accordingly, Vargas requests this Court exercise its supervisory authority and strike the words “unsatisfied” and “unsatisfactorily”

from the trial court's order.

B. An order terminating probation unsatisfactorily is a final appealable order.

The State claims that the trial court's order was not appealable. (St. Br. 9–12). This argument diverges significantly from the appellate court's decision below, which presumed the order was appealable but held the appeal was moot. *People v. Vargas*, 2025 IL App (2d) 240609 ¶¶ 18, 47. In contrast, the State posits that the trial court's order did not fall within the scope of Rule 604 (b). (St. Br. 12). Illinois Supreme Court Rule 604 (b) permits a defendant to appeal a judgment of probation, supervision, conditional discharge, or periodic imprisonment, and “from an order modifying the conditions of or revoking such an order or sentence.” The State claims that the trial court's order following the revocation hearing, which terminated probation unsatisfactorily, does not qualify as an order “revoking” probation under Rule 604 (b). (St. Br. 12).

Significantly, the State concedes that Vargas could have appealed the trial court's order if the court had revoked Vargas's probation and then sentenced her to time-served. (St. Br. 10, 22). But the State maintains that the trial court's order does not have the same effect as a revocation. According to the State, the trial court terminated probation, and the “unsatisfactorily” language is meaningless, because regular probation is never terminated unsatisfactorily. (St. Br. 13–14). This position, for which the State cites no authority, would mean that Vargas should be granted relief in the form of a clean order noting that Vargas's probation was merely “terminated.” (St. Br. 14). Vargas would accept this outcome. But, in reality, the “unsatisfactorily terminated” order has the same effect as an order “revoking” probation and sentencing the defendant to time-served: the court found

the defendant violated probation, the defendant will serve no term of imprisonment, probation terminates immediately, and the order is the final disposition of the criminal case. If a sentence of time-served following revocation would be appealable, a functionally identical unsatisfactory termination must also be appealable. *See People v. Tipton*, 88 Ill. 2d 256, 262(1981) (holding that order denying remission was appealable, even though the order did not “modify” probation in the traditional sense, because the order removed a contingency from the original sentence and effectively served as a final order).

The “unsatisfactory termination” disposition appears to be an invention of the trial courts, not the legislature. This type of disposition is referenced only once in the revocation hearing statute (in the recently adopted subsection (k), disposing of certain arrest warrants in Cook County), and nowhere in the Juvenile Court Act. 730 ILCS 5/5-6-4 (2026); 705 ILCS 405/5-720 (2026). Nevertheless, Illinois court statistics show that the “unsatisfactory termination” has become the most common adverse disposition of probation revocation proceedings. 2022 Probation Services Report, Administrative Office of the Illinois Courts.¹ In practice, courts have often used “unsatisfactorily terminated” in tandem with, or sometimes in place of, “revoked.” *See, e.g., People v. McCray*, 2025 IL App (2d) 2250253-U², ¶ 8 (“Probation revoked and terminated unsatisfactorily.”); *People v. Saleh*, 2013 IL App (1st) 121195, ¶ 6 (defendant admitted to violation and trial court imposed a sentence of time-served and terminated probation unsatisfactorily); *People v.*

1

<https://sites.google.com/probation.illinoiscourts.gov/aggregatedata/data-home/2022-data> (Last visited July 9, 2026).

² Unpublished decisions are cited as persuasive authority consistent with this Court’s Rule 23.

Moore, 335 Ill. App. 3d 616, 619–20 (3rd Dist. 2002) (“The trial court then found that the defendant’s probation was terminated unsatisfactorily and sentenced him to three years in prison.”); *In Int. of L.L.*, 243 Ill. App. 3d 1010, 1011 (1st Dist. 1993) (“The juvenile court terminated and revoked L.L.’s pre-existing probation as ‘unsatisfactory’ and ordered another year probation.”). In some cases, the State has moved for unsatisfactory termination of probation, *People v. Denhalter*, 2024 IL App (5th) 231135-U, ¶ 4 (State moved for unsatisfactory termination after defendant pled guilty to subsequent offense that also constituted a violation), and, in others, the defendant has bargained for the same, *People v. Pennacchio*, 214 Ill. App. 3d 195, 197 (2nd Dist. 1991) (parties agreed that defendant would admit to violating supervision in exchange for an unsatisfactory termination). These actions suggest that an unsatisfactory termination is a type of sentence or disposition available following revocation. There is no indication that an “unsatisfactory termination” could occur without a finding that the defendant violated probation, or that such termination is somehow legally distinct from a sentence of time-served.

Contrary to the State’s claim, the plain meaning of “revocation” and the revocation hearing statute both indicate that the unsatisfactory termination of Vargas’s probation qualified as a revocation. To “revoke” means “to annul or make void by taking back or recalling; to cancel, rescind, repeal, or reverse.” REVOKE, Black’s Law Dictionary (12th ed. 2024). In ordinary usage, revocation includes termination. *People v. Webber*, 2014 IL App (2d) 130101, ¶ 18. The revocation hearing statute does not provide a different definition of “revoke.” The statute explains, if the court finds the offender violated probation or supervision, “it may continue him on the existing sentence, with or without modifying or enlarging

the conditions, or may impose any other sentence that was available... at the time of initial sentencing.” 730 ILCS 5/5-6-4 (e) (2024). In other words, the statute provides two options after finding a violation: continuing probation or revoking it. A later subsection clarifies that re-sentencing occurs “after revocation.” 730 ILCS 5/5-6-4(h). Thus, probation is revoked when the trial court decides to discontinue the existing term of probation, after finding a violation has occurred and before re-sentencing.

The trial court’s actions in Vargas’s case also demonstrate that the unsatisfactory termination was a revocation. At the close of the revocation hearing, the trial court found the State had met its burden that Vargas violated the terms of her probation. (R. 104); (C. 95). At that point, by statute, the court had the option to continue Vargas’s probation or re-sentence her. 730 ILCS 5/5-6-4 (e). The trial court chose to re-sentence Vargas. After finding Vargas violated probation, the trial court announced, “We need to order a pre-sentence investigation.” (R. 104). The parties informed the court that the underlying case was a misdemeanor, meaning no investigation was necessary. (R. 104); *see* 730 ILCS 5/5-3-1 (2024). The court responded, “Okay. Then I will sentence her right now. I will terminate the court supervision unsatisfactorily and the probation unsatisfactorily and send the fines, costs, and fees, to collections.” (R. 104). Although the trial court did not explicitly state it was revoking Vargas’s probation, it is the substance of the order and not its label that controls its appealability. *Marsh v. Ill. Racing Bd.*, 179 Ill. 2d 488, 491 (1997). The fact that the court found that Vargas violated probation and then proceeded to re-sentence her signifies that her probation was revoked.

It is worth noting that neither the appellate court below nor the trial court

contemplated that the unsatisfactory termination did not qualify as an appealable order. The trial court read Vargas her appeal rights at the conclusion of the hearing. (R. 105). This suggests that the court construed its own order as one “modifying” or “revoking” probation under Rule 604 (b). This would also comport with the expungement statute, which presumes that unsatisfactory terminations of supervision or qualified probation are appealable orders. *See* 20 ILCS 2630/5.2 (2026) (“An order of supervision or an order of qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed, vacated, or modified and the judgment of conviction, if any, is reversed or vacated.”). No authority suggests that an unsatisfactory termination was intended to lie outside the scope of appeals in Rule 604 (b).

In sum, the trial court’s order terminating probation unsatisfactorily could be interpreted in two ways. According to the State, the termination was favorable, and the “unsatisfactorily” language has no legal meaning and cannot be appealed. (St. Br. 13). If that is the case, this Court should make clear that there can be no adverse impacts of the termination in this case and direct that the order be modified accordingly. On the other hand, if the “unsatisfactorily” language has any significance, it would qualify as an appealable order “modifying the conditions of or revoking” probation under Rule 604 (b). The unsatisfactory termination had the same effect as an order revoking probation and imposing a sentence of time-served, which the State concedes would be appealable. The trial court found that Vargas violated probation and then proceeded to re-sentence her, choosing to terminate probation unsatisfactorily and sending the fees to collections. (R. 104–105); (C. 95). That amounts to a revocation. The trial court’s order was appealable, and

this Court can grant relief by reversing the trial court's judgment.

C. The probation revocation is not mooted by the unsatisfactory termination.

The State argues that this Court can afford Vargas no effectual relief, because her probation has already been terminated. (St. Br. 16). The State claims this termination was a favorable disposition for her. (St. Br. 18–19). If true, then this Court should strike the “unsatisfied” and “unsatisfactorily” from the judgment, as requested above.

But if this Court disagrees with the State and finds that “terminated unsatisfactorily” has a distinct meaning from “terminated,” then it is evident that Vargas could be afforded effectual relief through reversal. The appellate court acknowledged that reversal would remove the probation revocation from Vargas's record. *People v. Vargas*, 2025 IL App (2d) 240609 ¶¶ 18. Because probation revocations can cause real harm to a defendant, as discussed below, this Court should recognize the reversal of the same as a form of effectual relief, as other states have. *See State v. Sokolosky*, 721 S.W.3d 215, 222 (Tenn. 2025) (challenge to probation violation was not moot because court could grant relief of removing the violation from defendant's record). Reversal would also remove Vargas's fees from collections, which presents a continuing financial harm as long as the trial court's order remains. *See* 730 ILCS 5/5-9-3 (2024) (e) (“A default in the payment of a fine, fee, cost... or any installment thereof may be collected by any and all means authorized for the collection of money judgments.”)

D. An order revoking or terminating probation unsatisfactorily should be presumed to carry collateral consequences.

The State acknowledges that criminal convictions are presumed to carry

collateral consequences. (St. Br. 30–31). The State agrees that certain non-conviction criminal judgments are also presumed to carry collateral consequences, including dispositions of diversionary sentencing and orders of court supervision. (St. Br. 31). Nevertheless, the State maintains that an order revoking probation is not entitled to the presumption of collateral consequences, citing *Spencer v. Kemna*, 523 U.S. 1 (1998), and its predecessor, *Lane v. Williams*, 455 U.S. 624 (1982). (St. Br. 32).

The State fails to recognize what all these dispositions have in common: a conviction, a diversionary sentencing program or an order of supervision, and a probation revocation will all subject the defendant to harsher penalties in future criminal proceedings. The State claims that this harm is too speculative to maintain the defendant’s appeal, as did the appellate court below. (St. Br. 21–22). But, as explained in the opening brief, both this Court and the United States Supreme Court have held that a defendant has a stake in challenging a criminal judgment, whether it qualifies as a conviction or not, *because* that judgment may result in harsher penalties in a future criminal case. (Opening Br. 16–18); *Sibron v. New York*, 392 U.S. 40, 56 (1968), *Minnesota v. Dickerson*, 508 U.S. 366, 371 n.2 (1993); *People v. Wagner*, 89 Ill. 2d 308, 312 (1982); *People v. Jordan*, 218 Ill. 2d 255, 264 (2006). *Spencer*, and *Lane* before it, reached the opposite conclusion: that a defendant had no interest in challenging a finding that could affect future hypothetical criminal proceedings. *Spencer*, 523 U.S. at 13-14; *Lane*, 455 U.S. at 632. *Spencer*, and the appellate court decisions adopting its holding, cannot be reconciled with *Sibron*, *Dickerson*, or this Court’s own rulings in *Wagner* and *Jordan*.

The State attempts to resolve the conflict between *Sibron/Dickerson* and *Spencer* by claiming that, compared to the underlying conviction, a probation

revocation is likely to have little, if any, effect on a future sentence. (St. Br. 35). The same reasoning was offered in *Spencer*. 523 U.S. 1, 13 (1998). But this claim is empirically false. Trial courts routinely consider a defendant's prior probation revocations in pre-trial detention hearings and at sentencing, and appellate court decisions are replete with references to these dispositions. *See, e.g., People v. Smith*, 2025 IL App (1st) 242490-U, ¶ 22 (affirming pre-trial detention because "it was appropriate for the court to consider that defendant's history of terminating probation unsatisfactorily evinces an inability to comply with release conditions"); *People v. Raisbeck*, 2025 IL App (4th) 250518-U, ¶ 14 (prior unsatisfactory terminations of probation introduced at pre-trial detention hearing); *People v. Raymond*, 404 Ill. App. 3d 1028, 1070 (1st Dist. 2010) (prior unsatisfactory terminations considered at sentencing). Trial courts typically view a defendant's prior performance on probation as a reliable measure of rehabilitative potential, separate from the underlying conviction. A defendant with a prior revocation in their record is more likely to be detained pre-trial or sentenced to imprisonment, and each subsequent revocation further increases that risk. *See Sibron*, 392 U.S. at 56 (a defendant has an interest in challenging any given conviction, regardless of his prior offenses, because each conviction incrementally weighs against his character). Defendants have an interest in challenging a revocation judgment, to avoid the possibility that they could be wrongly detained or imprisoned in the future due to a violation they did not commit.

It is the possibility of future imprisonment that sets criminal cases apart from civil cases. Even in civil commitment proceedings under the Mental Health Code, a respondent's prior commitment will not influence any future commitment hearing, because the decision to confine the respondent is based on their condition

at the time of the hearing. *In re Alfred H.H.*, 233 Ill. 2d 345, 360 (2009). The State argues that applying a presumption of collateral consequences to probation revocations would require this Court to “upend its collateral consequences jurisprudence,” and that the recent appellate court decisions finding probation revocations moot were all consistent with *Alfred H.H.* (St. Br. 33, 35). But *Alfred H.H.* explicitly recognized that the case law has always distinguished between criminal and civil cases, and that collateral consequences are presumed in criminal appeals but not in civil appeals. 233 Ill. 2d at 361 n.3. Thus, applying the presumption of collateral consequences here, in a criminal case, would not offend *Alfred H.H.*

In reality, it would wreak havoc on existing law *not* to presume that probation revocations carry collateral consequences past the expiration of the revocation sentence. Every appellate court decision from 1977 through 2019 accepted that a probation revocation was justiciable after the defendant’s sentence expired, because the risk of future harsher penalties was a cognizable collateral consequence. *See, e.g., People v. Halterman*, 45 Ill. App. 3d 605, 608 (4th Dist. 1977). Because *Spencer* conflicts with *Dickerson* and with this Court’s holding in *Jordan*, adopting the appellate court’s reasoning below would require this Court to reconsider the justiciability of all non-conviction criminal judgments. *See People v. Brown*, 2023 IL App (1st) 220801-U, ¶ 21 (holding that defendant’s challenge to conditional discharge was not moot, citing *Dickerson*). Even further, it appears that most misdemeanor convictions do not carry collateral consequences as defined by *Spencer*. *See Spencer*, 26 U.S. at 12–13. Once the defendant’s sentence is served, they are free to vote, serve on a jury, and hold public office, and most misdemeanor convictions result in no further statutory disabilities. Ill. Const. art. III, § 2; Ill.

Const. art. XIII, § 1; 730 ILCS 305/2 (2026); *cf.* 430 ILCS 65/8 (specific misdemeanor convictions, like domestic battery, disqualify the defendant from obtaining a FOID card). Thus, adopting *Spencer*'s definition of collateral consequences, as the appellate court did below, would call into question whether a defendant convicted of a misdemeanor has an interest in challenging the conviction after the sentence expires. Contrary to the State's claims, a presumption of collateral consequences should be applied to probation revocations to preserve the integrity of Illinois's mootness doctrine.

In sum, this Court should apply a presumption of collateral consequences to probation revocations. That presumption gives defendants the opportunity to challenge potential wrongful judgments, and it ensures regular appellate review of revocation proceedings, safeguarding the due process rights of those defendants. The presumption of collateral consequences is consistent with over 40 years of appellate court precedent and with *Alfred H.H.*, which maintained the distinction between civil and criminal appeals. Probation revocations produce real, meaningful consequences for a defendant, in future criminal proceedings and otherwise, and the presumption of collateral consequences should apply here, just as it does to any other final criminal judgment.

E. The trial court's order terminating Vargas's probation unsatisfactorily presents unique collateral consequences that are sufficiently concrete to maintain a live controversy.

If collateral consequences are not presumed, they must be proven on a case-by-case basis. *Alfred H.H.* 233 Ill. 2d at 361. The State contends that Vargas's status as a non-citizen does not present sufficiently concrete consequences to fall within the collateral consequences exception. The State argues that the probation revocation would be irrelevant to Vargas's eligibility for citizenship, because Vargas's existing

conviction for possession of drug paraphernalia might automatically disqualify her. (St. Br. 24). But even the State acknowledges this is uncertain, noting that the conviction “could” disqualify her. (St. Br. 24). There are no federal decisions addressing whether a conviction for possession of drug paraphernalia under Illinois law is a disqualifying conviction.

Moreover, aside from Vargas’s prospects for citizenship, the unsatisfactory termination would weigh against her chances to obtain lawful permanent resident status, which is granted solely at the discretion of the immigration officer. *See* 8 U.S.C. § 1159 (b) (2026). The officer weighs the applicant’s positive and negative factors, including their rehabilitative potential demonstrated through probation, and makes an unreviewable judgment whether to exercise favorable discretion and adjust status. No criminal convictions would automatically disqualify Vargas from permanent residence. The instant probation revocation may be the factor that tips the scales against Vargas obtaining a green card. *Cf. Alfred H.H.* 233 Ill. 2d at 362–363 (reasoning that the challenged commitment order had no lasting effect on the respondent, because the respondent’s prior commitments would result in the same consequences even if the present judgment were reversed).

No Illinois court can determine with any certainty that Vargas’s probation revocation will or will not affect her immigration status. That decision will lie solely with immigration authorities. There is a not-insignificant chance that the probation revocation may affect Vargas’s ability to remain in the United States permanently. Even if defendants usually have no stake in probation revocations, Vargas’s case presents the possibility of severe harm. This Court can and should grant her the opportunity to prevent that harm.

F. The State failed to prove by a preponderance of the evidence that Vargas willfully refused to pay her probation fees.

The State argues that there was sufficient evidence that Vargas willfully refused to pay her probation fees, because she had been employed before September 2023 and failed to make any payments during the period she was employed. (St. Br. 40–42). However, it appears that the relevant period for determining Vargas’s ability to pay was at the end of her term of probation, when the fees were actually due. Vargas’s terms of probation stated that “all court ordered fines, costs, and fees” were due on January 3, 2024. (C. 68). The trial court indicated the same when Vargas pled guilty, and the prosecutor affirmed at the revocation hearing that the payments in the probation case were due on January 3, 2024, and the payments in the supervision case were due March 3, 2024. (Supp. R. 24); (R. 102). In other words, Vargas was not required to pay the fees until the end of the probation term, and that is when the alleged refusal to pay occurred. At the time the fees were due, she had been unemployed for several months and had no income. (R. 99–100). Therefore, the State failed to prove she willfully refused to pay.

The State claims that the trial court’s finding that Vargas willfully refused to pay court fees was not against the manifest weight of the evidence. (St. Br. 38). However, the trial court’s finding was based on a serious mistake of fact. The trial court stated that there was evidence that Vargas had been making \$2,000 per month for some period of time, and that, “there’s no indication that she’s unable to work now, just that she’s not working.” (R. 104). The trial court was under the impression that Vargas’s unemployment, and her lack of income, was a choice. If true, this fact would support a finding that Vargas willfully refused to pay. *See People v. Davis*, 216 Ill. App. 3d 884, 888 (2nd Dist. 1991). But Vargas had testified

just moments earlier that her work permit expired. (R. 99–100). She legally could not obtain further employment. Thus, the trial court’s assumption that Vargas was able to work was manifestly erroneous.

The State cites *People v. Clark*, 268 Ill. App. 3d 810, 817 (4th Dist. 1995), arguing that Vargas agreed to pay \$20 per month at the time of the plea agreement and cannot now complain she was not able to pay any money towards those fees. (St. Br. 42). However, it appears the defendant in *Clark* had agreed to a monthly payment schedule, and he offered no explanation for his nonpayment. 268 Ill. App. 3d at 811, 815. In contrast, Vargas’s probation did not require she make monthly payments towards her fees, (C. 68), and she offered an explanation for her nonpayment—she had lost her job and had no income. (R. 99–100).

Even if it was appropriate for the trial court to consider whether Vargas had the ability to pay the fees earlier in the probation period, the State failed to elicit sufficient detail regarding Vargas’s financial situation to establish she had the ability to pay. Though the State now claims that Vargas was employed for most of her probation until September 2023, (St. Br. 41), the trial court explicitly acknowledged that it was uncertain how long she had been employed. (R. 104). When asked about how often she had been paid when she was previously employed, Vargas replied, “Every week, but I had to pay for rent and for the children, transportation.” (R. 99). The State did not ask Vargas how much she paid in rent each month, nor did the State ask Vargas about what she spent on other basic necessities—food, utility bills, transportation. The State asked Vargas if she had other forms of income—if she was receiving government assistance, or if she had received a refund from filing her tax return. (R. 99–100). Vargas explained she had neither. The State did not ask Vargas if she had any savings from which she

could have paid the probation fees, nor did the State elicit any evidence from Vargas that she had \$20 to spare each month. The fact that Vargas had previously been earning a modest income for some unknown amount of time was not sufficient to demonstrate that she had the ability to pay and willfully refused to pay the probation fees. Therefore, the State failed to prove by a preponderance of the evidence that Vargas willfully refused to pay the probation fees, and this Court should reverse the trial court's order revoking probation.

G. Conclusion

The trial court terminated Vargas's probation unsatisfactorily for failure to pay fees. The State contends that order amounts to a termination, and that the "unsatisfactory" language was meaningless. If true, this Court should strike "unsatisfactory" from the trial court's order. Otherwise, the trial court's order was appealable as an order "revoking" probation under Rule 604 (b), as it was tantamount to a revocation, termination probation after finding she had violated its conditions. Vargas has an interest in challenging that judgment. Were Vargas ever subjected to other criminal proceedings, the unsatisfactory termination would be considered as evidence that she lacks rehabilitative potential and should be detained pre-trial or imprisoned after sentencing. As with orders of supervision, that risk of future imprisonment warrants the presumption of collateral consequences. Even if collateral consequences are not presumed, the unsatisfactory termination could bar her from attaining the right to permanently reside in the United States. Because the State did not provide sufficient evidence that Vargas willfully refused to pay her fees, this Court should reverse the unsatisfactory termination.

CONCLUSION

For the foregoing reasons, Naliana Vargas, defendant-appellant, respectfully requests that this Court strike the terms “unsatisfied” and “unsatisfactorily” from the trial court’s order, or reverse the unsatisfactory termination of probation.

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that this reply brief conforms to the requirements of Rules 341(a) and (b). The length of this reply brief, excluding pages contained in the Rule 341(d) cover, and the certificate of service, is 16 pages.

/s/Dominique Estes
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No. 132234

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SUPREME COURT OF ILLINOIS

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	)	
NALIANA VARGAS,	)	Honorable
	)	David P. Kliment,
Defendant-Appellant.	)	Judge Presiding.

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Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct. On July 13, 2026, the Reply Brief was filed with the Clerk of the Supreme Court of Illinois using the court's electronic filing system in the above-entitled cause. Upon acceptance of the filing from this Court, persons named above with identified email addresses will be served using the court's electronic filing system and one copy is being mailed to the defendant-appellant in an envelope deposited in a U.S. mail box in Elgin, Illinois, with proper postage prepaid. Additionally, upon its acceptance by the court's electronic filing system, the undersigned will send 13 copies of the Reply Brief to the Clerk of the above Court.

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