NOTICE
Decision filed 11/20/26. 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) 250542-U

NO. 5-25-0542

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,	)	Champaign County.
	)	
v.	)	No. 24-CF-509
	)	
EUGENE JOINER JR.,	)	Honorable
	)	Randall B. Rosenbaum,
Defendant-Appellant.	)	Judge, presiding.

JUSTICE VAUGHAN delivered the judgment of the court.
Justices Barberis and Clarke concurred in the judgment.

ORDER

¶ 1 *Held*: The trial court's judgment is affirmed where sufficient evidence was presented to find defendant guilty of aggravated criminal sexual assault.

¶ 2 Defendant, Eugene Joiner Jr., appeals his conviction on two counts of aggravated criminal sexual assault. On appeal, he contends that insufficient evidence was presented to sustain his convictions. For the following reasons, we affirm.

¶ 3 I. BACKGROUND

¶ 4 On April 22, 2024, defendant was charged, by information, with four counts of aggravated criminal sexual assault, in violation of section 11-1.20(a)(1) of the Criminal Code of 2012 (720 ILCS 5/11-1.20(a)(1) (West 2016)). Count I alleged that defendant placed his fingers, through force, in Brianna Clairess-Beard's anus while armed with a firearm. Count II alleged that defendant

placed his penis in Brianna's vagina, through force, while armed with a firearm. Count III alleged that defendant placed his fingers in Brianna's anus, through force, and struck her on the head with a gun. Count IV alleged that defendant stuck his penis in Brianna's vagina, through force, and struck her on the head with a gun. All the counts were based on incidents occurring on March 17, 2024. Defendant was arraigned and counsel was appointed on April 22, 2024. Indictments on all four counts were issued on May 2, 2024. On May 15, 2024, defendant pled not guilty, invoked his speedy trial rights, and requested a jury trial.

¶ 5 Following numerous continuances requested by defendant, the jury trial began on January 7, 2025. The court, on motion of the State, struck the words "with a gun" from counts III and IV. The jury was seated and on January 8, 2025, opening arguments were presented, and the following evidence was adduced at the trial.

¶ 6 Brianna's 911 call was played for the jury. In the call, Brianna was sobbing. She stated that a man she knew wanted her to go with him to get a pregnancy test. She went with him and he raped her in the backyard. She stated that he had a gun. She identified defendant as the person who raped her and provided his age and a description of the clothes he was wearing. She further stated that defendant hit her in the face with a gun and that she had not taken a shower. The operator asked for the name of Brianna's friend, who was with her when she called, but the friend would only allow Brianna to provide his first name. The operator continued to ask for the friend's last name and Brianna eventually became angry that the operator was focused on the friend, not what happened to Brianna.

¶ 7 Tyler Bialeschki, of the Champaign Police Department, responded to Brianna's 911 call at 1116 Joanne Lane in Champaign, Illinois. He met Brianna who identified the suspect as defendant. Defendant was not present at the location when Officer Bialeschki responded. The officer observed

that Brianna had a large, bleeding gash on her forehead and another on the top of her head. She was sobbing and crying. She was taken to the hospital, accompanied by Officer Bialeschki, at which time she provided a statement. Brianna arrived at the hospital around 3:30 to 3:45 a.m. and was later seen by medical personnel. Officer Bialeschki left the hospital and returned with a photo lineup. Brianna looked at the lineup, pointed at a picture of defendant and said, "That's him. I'm pretty sure that's him." Brianna circled the photo and said, "Yes, this is definitely him." The photo lineup was identified, admitted into evidence, and published to the jury. The officer stated that his conversation with Brianna was recorded on his body camera.

¶ 8 On cross-examination, Officer Bialeschki stated that he spoke with Brianna outside her residence. She indicated that she had friends inside the residence and insisted that the other officer not go into the home and speak with them. Officer Bialeschki photographed Brianna's injuries while they were in the ambulance on the way to the hospital. He interviewed Brianna when they arrived at the hospital and later returned with the photo lineup. Officer Bialeschki stated that Officer Taveous Bell, who no longer worked at the police department, conducted the lineup because he did not know anything about the case, who was named as a suspect, or what the suspect looked like. Officer Bialeschki agreed that prior to the lineup, Brianna showed him a photograph of her and defendant taken on a prior occasion when they were on a date.

¶ 9 Officer Bialeschki agreed that he later returned to a different address on Joanne Lane to try to locate the scene where the incident occurred. He explained that he pulled up Google maps on his phone in the ambulance so Brianna could identify where the incident occurred. He went to that address, found the home was occupied, and spoke with the homeowner who had not heard anything. He obtained the video from cameras at the home where the incident allegedly occurred and did not find anything that depicted Brianna or defendant as having been there. He later found

out the address was incorrect. He agreed that Brianna became very upset in the ambulance when she was told that the police were knocking on the door to talk to the occupants of the home where police initially arrived. She wanted to get out of the ambulance and no longer talk to the police. Officer Bialeschki confirmed that he never talked to anyone or took pictures of the inside of the residence where Brianna's friends were located.

¶ 10 Officer Bialeschki stated that they were looking for an Uzi-style weapon based on Brianna's statement. He was unaware of any calls to 911 reporting a female screaming in the early morning hours of March 17, 2024, on Joanne Lane. Officer Bialeschki testified that he never went to Days Inn to inquire about video evidence from that morning. The officer only went to Joanne Lane. He agreed that there were pistols or handguns that shot pellets and BBs that looked very similar to a regular handgun. He agreed that lasers or red dots could be affixed to a pellet or BB gun. He stated that Brianna's wounds were bleeding when he arrived and that she stated she was bleeding everywhere and there would be blood where the incident occurred. He could not recall if Brianna indicated that she lost her glasses at the scene.

¶ 11 Brianna testified that she met defendant on Snapchat in February 2024. They eventually met, went on a date a couple of weeks before March 17, 2024, and had consensual sex. She stated that defendant was very rude to her after the act. She stated that he also "stiffed the bill at the restaurant and I ended up having to pay for it." She also sent defendant money via Cash App. She stated that the date left a bad taste in her mouth. She blocked him after the date and did not want to see or have anything to do with him again. However, defendant harassed her via app messages, sent her threats, and asked her for money for an abortion. She stated that defendant was also stalking her Snapchat and making different profiles. She would block one and another would

appear. She denied hanging out with defendant between their first date and the incident on March 17, 2024.

¶ 12 Brianna testified that on the day of the incident, she had just gotten off work and arrived home. She stated that she was the assistant manager of Domino's. It closed around 1 a.m. and she would usually leave around 2 a.m. However, she did not have any staff helping her that evening, so she worked until 2:30 a.m. Defendant arrived at her residence shortly after she got home. She was sitting on her bed with her friend, Bryson. She explained that she lived in a house and each room was leased to different people like an apartment; it was called a shared home. She and Bryson heard noises outside the bedroom window. When she looked out, defendant was standing outside her window. She told Bryson that defendant was the guy she had been worried about and told defendant to meet her at the front door so it would be recorded by her Ring doorbell. She opened the front door. She testified that it seemed like defendant had been drinking and was loud. She explained that the front door was near one of her housemate's rooms and that housemate had children so she was trying to think of how she could get him away from the house since the children were sleeping and had school the next day. She further explained that she had just moved into the residence and did not want any complaints to the landlord as she had previously been homeless.

¶ 13 Defendant told Brianna that he wanted her to walk with him to a store to get a pregnancy test so she could prove to him that she was not pregnant with his child from when they had consensual sex. She asked him to wait outside. She then went to get her coat and phone and told her friend what was happening. She asked Bryson to go with her because she did not want to be alone with defendant, but Bryson refused because he did not want anything to do with it. She then heard a knock on her bedroom door. When she opened the door, defendant was standing there

despite her leaving him outside the residence moments before. She then left with defendant to get him out of the house. She forgot to take her phone with her.

¶ 14 Defendant was wearing a letterman's jacket and a stocking cap when he came to Brianna's residence. He also had a water bottle. She stated that she believed defendant heard her prior conversation with her friend about walking to the gas station to get something to drink. She already knew that she was going to the store and wanted to get him away from the residence because he was being loud and disruptive. She was not scared of him at the time. She did not like his demeanor and did not want to date him again but was not fearful that something would happen to her. She stated that they walked in circles around the neighborhood toward the gas stations. They went to Mach 1 and Circle K, but both were closed. They walked by two different hotels next to the gas stations and defendant tried to get her to rent a room at the hotels. She did not rent a room because she was not allowed to stay at either one because her dog had previously damaged something at each place. She also did not want to rent a room in a hotel with defendant, but he would not listen so she went into the Days Inn so he would take her seriously.

¶ 15 Defendant then asked Brianna how well she knew the neighborhood. Brianna told defendant that she knew she could take McKinley to get to Joanne but did not know the neighborhood well because she had recently moved there. Defendant offered to show her that her street made a full loop and said she should know both ends of her neighborhood. He then took her the long way and said they had things to discuss if they were going to be parents. Defendant told her that there had been multiple women that had been pregnant with his child and it went badly for him. He did not want to experience that again and was trying to ensure that Brianna was not going to have a child that he did not want.

¶ 16 Brianna stated that defendant's water bottle was empty and she remained thirsty since the gas stations were closed. Defendant stated that they needed to go up a driveway because that was where he had previously filled the water bottle. He went up to a few random houses on Joanne Lane and turned the spigots, but no water came out of them. Defendant then told her that one of the houses belonged to his friend and they would give him water. Defendant acted like he was going to knock on the back door. He asked if she wanted a drink and she went to join defendant. Once she got out of the streetlight, defendant grabbed her and dragged her into the backyard. She stated there was never a person at the door, defendant never got water for the bottle, and it was all a ruse. Defendant physically turned her around and pushed her against the house. Her hands were on a window, and she remembered hoping that she left fingerprints on the window. Defendant then proceeded to assault her vaginally. Then he tried to shove his fingers into her anal area. She got tired of waiting for him to finish, so she stood up from being bent over and that forced defendant to stop what he was doing. He then pushed her to the ground by her shoulders, grabbed her hair and told her to finish what she had started. She explained that defendant wanted oral sex and she refused. Defendant then took off his jacket. He had something in his hand that he was covering, which ended up being a gun. Defendant eventually pulled the gun out and hit her on the side and top of her head. Brianna stated that she got really dizzy, thought she was blacking out and was "really warm." She did not realize she was bleeding and continued to refuse oral sex. He still had his genitals in her face, and she tried to bite him. He then hit her forehead with the gun.

¶ 17 Brianna testified that she heard defendant open a condom wrapper but never saw the condom. She stated that she was crying when it started and asked him if he was finished but he just kept going. After he hit her with the gun, she started pleading and begged him to stop. She even offered to have him go back with her to the house to try to get him to stop. She stated that

defendant knew she did not want to have sex because she had previously told him such when he was asking her to get a hotel room. She stated that she did not realize the object was a gun until he hit her with it. It was black, had a red laser and an extended clip, and looked like a gun she had seen on Call of Duty.

¶ 18 Brianna stated that she eventually got her pants pulled back up and she backed up against a fence. She was trying to figure out how to get away from him and saw a police car patrolling the neighborhood, but she could not call out because defendant was pointing the gun at her. He said he was going to kill her and asked if she wanted to say anything before it happened. A branch fell behind defendant and startled them both. Defendant put the gun away and ran from the backyard. Brianna stayed there for a while because she did not want to encounter defendant again. After she finally decided that enough time had passed so she could leave the area in the same direction taken by defendant, she left. However, when she got around the corner, defendant was waiting for her. He then walked her down the driveway with the gun pointed at her. They made a right out of the driveway towards Brianna's house. As they walked toward her house, defendant asked her why she kept letting this happen to her. She realized at that point that they were in front of her house and the Ring doorbell, so she felt safer. In response, she shoved him, knocked the gun out of his hand, and ran to the door while defendant picked up what he dropped. She then got into the house and called 911. She confirmed the assault occurred down the street from her house. She stated that police arrived, she was transported to the hospital, and pictures of her injuries were taken in the ambulance and at the hospital.

¶ 19 Brianna stated that she remembered speaking with the officers but had already told them what happened multiple times. She was a little vague with them. She also spoke with the nurses at the hospital. Photographs of Brianna were admitted and published to the jury that revealed a gash

on her forehead with blood on her face. Another photograph revealed blood that dripped into the toilet. She stated she did not take a shower before the police arrived. She stated that she was completely traumatized by the event. When she listened to the 911 call, she barely recognized her own voice and could not listen to more than 10 seconds of the call without crying.

¶ 20 Brianna agreed that she had a friend at her house when she called the police. She stated that her friend did not want any contact with the police. He had his own issues and did not want his name mentioned to the police and thus did not go with her and defendant. He did not want to be involved from the beginning. She stated that when she first arrived at the hospital, the staff were "not really" taking care of her injuries and were just questioning her. She made statements at the time about the lack of care. She later apologized to the officer before the hearing for how she acted that day.

¶ 21 Brianna agreed that some of her statements to police were inconsistent. She remembered a lot more detail once she was not as shaken up with everyone around her. After being able to sit and think through the incident, she was able to provide more information than she did in her original statement to the police. She agreed that nurses performed a sexual assault exam and took swabs from her body. She stated she was alright physically, but not emotionally. She confirmed that she never wanted to have sex with defendant on March 17, 2024. She stated that she was raped and told him to stop when he was raping her.

¶ 22 On cross-examination, Brianna stated that she was recently divorced and no longer had "Beard" as part of her last name. She agreed that she and defendant previously had a date, ate dinner at Denny's where she had to pay the bill, and had consensual sex. She further agreed that she spoke with Officer Bialeschki three or four different times the night of the incident. She later spoke with Detectives Rivest and Hill on March 26, 2024. She did not recall speaking with

Detective Rivest on the phone on March 19, 2024. She disputed the conversation with the officers regarding the payment at the restaurant. She figured out during the meal that defendant did not have enough money, and she would have to pay for breakfast.

¶ 23 Brianna stated there was a code on the door at 1116 Joanne Lake. If the door was closed, the code had to be entered to open the door. She stated that she never gave the code to defendant. However, she did not close the door all the way when she walked back into the house after initially speaking to defendant at the door and defendant was able to get into the house. When she got defendant back to the front door, Brianna agreed that she asked him why he was there, told him she did not want anything to do with him, that she did not want to talk to him, and they had nothing to talk about. She agreed that he initially responded in a very calm, collected, and respectful manner. When she would not allow him into the house, defendant's demeanor changed, and he became loud and obnoxious. She did not recall telling the police that she had defendant step into her house so that he would be on the landlord's video feed. She explained that defendant could be seen coming into the house by himself after she left him outside and that when he first arrived, she did not let him in because he could be seen by the doorbell camera. After she walked away and told him she was going to get her jacket, defendant then let himself into the house.

¶ 24 Brianna testified that she was screaming the entire time the assault occurred and defendant told her to shut up. She agreed that she was screaming in an attempt to alert the neighbors. She stated that, based on how it looked, the home where the assault occurred was either occupied or had squatters. She stated the house was very desolate. She had been pushed up against a bedroom window and was tapping on it. She stated that defendant tried to break into the house and nobody came. She further stated that nobody came to the window to check on her when she was screaming. She did not know there was a woman inside the house.

¶ 25 Brianna agreed that she told police defendant had an Uzi-style gun. She stated she had seen something similar on Call of Duty. It had an extended clip and a red dot laser. She had never seen one in real life. She only came into contact with the gun when defendant hit her in the face with it. She stated that the gun was bigger than both of her palms together. She did not recall telling Officer Bialeschki that it sounded like it held pellets and wondered if it was a real gun. She remembered Officer Bialeschki pulling up Google maps in the ambulance and told him she was unsure but would show him the house in person. She agreed that she pointed to a house where she believed the incident occurred. She agreed telling the officers that she believed there would be blood at the location because she was bleeding profusely. She stated that the reason she went up the driveway with defendant was because defendant said he had water for her. She could not recall if she provided the officers with that information. She did recall telling Detective Rivest that the bottle defendant was carrying was empty and that she walked up to a house and tried to turn the water on, but it would not work. She stated that she never knocked on a door nor asked for water. She was uncomfortable but not fearful, because at the time she did not know defendant had a gun. She stated that she did not just go home because defendant was holding her wrist most of the time after they left Mach 1. She stated that after she tried to turn onto McKinley, which was her familiar route, defendant got handsy with her. She stated that defendant followed her into the Days Inn and was told there were no vacancies. She also asked to use the restroom but was told they were closed. She asked to use the vending machine but was told everything was closed and they would not let her into the hotel.

¶ 26 A couple of days later, Brianna went to the house where the assault occurred and retrieved her glasses. She also wanted to see the scene of the crime in the daylight. She stated that she recognized the home when she got there. She did not know the physical address because she had

never been there before the night she was raped. She rode in a vehicle with her family until she found the house. She then got out of the vehicle, walked around the back and found her glasses. She clarified that she knocked on the door of the home before she went into the backyard. A man answered and she asked him for permission to go into the backyard. She stated that the owner was concerned as to why she was in the driveway in the first place. She could not recall if she told the officers that she lost her glasses and stated she was not even sure that she knew she lost her glasses until she found them. She stated that she did not see blood when she was back there and it caused her to ask the detectives if they had already been there to collect evidence and why they left her glasses.

¶ 27 She agreed that she told Officer Bialeschki that there was a car running in a driveway about two houses up when they were walking away from the incident, but there was no one in the vehicle. She also remembered telling Detective Rivest that she told defendant there were people outside when they were walking back from the incident. She stated it was not the same driveway or the same people. She said the people outside were a block up the road. She stated that she was not screaming because defendant still had the gun pointed at her. However, she did scream when she was in the backyard. She was screaming at him to stop. She stated there was no screaming in the front of the house because defendant had a gun and was walking with her, telling her that when she got home, she had to take a shower and was not to talk to anyone. He further stated that he was not going to leave once they got to her house. She stated that she did tell police officers that she shoved defendant, which caused him to drop the gun, at which time she ran away. She said she would be surprised if she told the police that she took the opportunity to run when they got close to her house and was surprised when he was not behind her when she got to the door. She denied telling the officers that she was never on her knees because she refused to get on the ground. The

only thing she recalled seeing on her sweatpants was blood. She agreed that she refused to provide the officers with her sweatpants and explained that they were a gift. She disputed telling the nurses that the assault occurred in a park or abandoned field.

¶ 28 Payton Lareau, a patrol officer for the City of Champaign, testified that he responded to a 911 call on April 18, 2024. He stated that the victim, Brianna, called 911 to report that her stalker was following her and threatened to kill her. Brianna told the dispatcher that she pulled a knife on defendant and described defendant as wearing a black sweatsuit having a black bag. She further provided the direction he headed.

¶ 29 Officer Lareau located defendant and questioned him about what Brianna alleged. Defendant stated that he did know her. Defendant was asked if he had any contact with Brianna that day and eventually defendant stated that he had contact with her just outside a store. Defendant initially claimed that he did not know Brianna, then later said he met her on the Internet. About that time, Brianna walked up to the scene and stood across the street from them. When Brianna was across the street, the officer asked defendant if he knew her and defendant responded that he did not know her "from a can of paint." The officer agreed that his interactions with defendant and Brianna were recorded by his body camera.

¶ 30 When Officer Lareau first spoke with defendant, defendant said that a female approached him after he left the store and told him the police were looking for him and that she was going to get a restraining order against him. Defendant said that the woman threatened him with a knife, so he began to record her and said to her, "Oh, you're gonna *** stab me while you're on camera." The officer was eventually able to review defendant's recording of Brianna. He agreed that Brianna told him that she pulled a knife on defendant. The officer did not see a knife in the video and the two accounts of the incident did not exactly match up.

¶ 31 Officer Lareau later verified defendant's identification and learned that he was wanted for questioning in the incident that occurred on March 17, 2024. Thereafter, Officer Lareau spoke with defendant, read him his *Miranda* rights, and spoke with defendant again.

¶ 32 Officer Lareau's body camera footage was played for the jury. It was dated April 18, 2024, and began at 3:02 a.m. The footage revealed the same information to which Officer Lareau testified. At the conclusion of the body camera footage, the officer confirmed that after he spoke with defendant, defendant was taken to the police station to meet with detectives. No cross-examination was requested.

¶ 33 Kami Davis testified that she was an emergency department nurse and sexual assault nurse examiner (SANE) at Carle Foundation Hospital. She was working at the hospital on March 17, 2024. Brianna arrived while Kami was near the end of her shift. Brianna stated that "she had been raped and pistol whipped." Kami explained that patients needed to be medically cleared before the SANE exam could be performed. In Brianna's case, there were wounds that needed attention and CT scans that needed to be taken. The next shift SANE nurse came in at 7 a.m. Kami provided an oral report to the next shift nurse that included Brianna's disclosure about what happened to her and the status of the CT scan results. Brianna was very sleepy, tearful, and withdrawn.

¶ 34 On cross-examination, Kami stated that Brianna provided the information to her, and she did not ask Brianna questions. She wrote the information on a scratch piece of paper that was transferred to the paperwork in the SANE kit. Brianna told her that the assault happened in an abandoned field or park. Brianna was brought in around 4 a.m.

¶ 35 Jamie Elzy, an emergency department nurse and SANE examiner at Carle Foundation Hospital, testified that she met Brianna on March 17, 2024. Brianna told her that she had been sexually assaulted and stated that the man tried to put two of his fingers in her butt. She further

stated that the man wore a condom, initially tried to put his penis in her anus, but when it did not fit, he put his penis in her vagina. Brianna also stated that she had been pistol whipped. Jamie performed a medical forensic examination and collected evidence from Brianna. She believed Brianna was brought in around 5 a.m. but stated the examination did not occur until around 8 a.m. Jamie took vaginal and anal swabs. She noted that Brianna had anal and vaginal tenderness along with cervical redness. The swabs were placed in a sealed sexual assault kit and eventually released to the police.

¶ 36 On cross-examination, Jamie agreed she was the second SANE nurse to talk with Brianna. She did not recall receiving any written report from the first nurse but agreed there was an oral report when she came on shift. She stated that police arrived around 7:45 a.m. She was in the room for about a minute but then stepped out to give them privacy. When Jamie returned, she obtained a history from Brianna. Brianna stated that she had been strangled but would not provide any more information about that besides showing how it occurred on the mannequin. There were injuries on Brianna's body that were consistent with choking, near her chin. Brianna declined to address any alcohol or drugs she may have taken the prior evening. Jamie collected Brianna's underwear and a pair of pants. She also examined Brianna's pants but found no dirt or bodily fluid on them.

¶ 37 Jennifer Acosta-Talbot, an expert in the field of DNA who worked for the Illinois State Police Forensic Crime Laboratory, testified that she received and analyzed the swab samples obtained from Brianna. She also received a buccal sample from defendant. She generated profiles of the samples collected from Brianna and then compared the profiles to any standards she received. Brianna's swabs included vaginal, oral, anal, right ear, and left hip swabs. She also received one that said "right" but had no idea where that was taken. There was insufficient male DNA to analyze on the vaginal swabs. She clarified that there was male DNA, just not enough to

test. She agreed that a condom would act as a barrier, if one were used. The anal swab analysis between defendant and an unknown individual resulted in a ratio where the DNA profile was approximately nine quadrillion times more likely to have originated from defendant than an unknown, unrelated individual. She stated that was "very strong support" that defendant was a contributor to the DNA profile, which was the highest level of support that could come from her lab.

¶ 38 On cross-examination, Jennifer stated that the amount of DNA found was "fairly high." She did not know if the DNA sample was skin, saliva, or sperm, and explained that because everyone needed DNA testing quickly, they presumed semen was there. The testing did not show how long the DNA had been on Brianna, but the laboratory policy would not test DNA swabs after seven days, although they would test clothing. The oral swabs also revealed insufficient male DNA for testing.

¶ 39 A stipulation regarding the Ring doorbell video evidence was read to the jury. It stated, *inter alia*, that the video was located at 1116 Joanne Lane on March 17, 2024, "and accurately displays the events there occurring. The video and date times displayed on said video, including from approximately 1:40 a.m. to 1:50 a.m., are accurate to the events displayed."

¶ 40 Lauren Hill, a detective for the Champaign Police Department, testified that she interviewed defendant. Detective Hill briefly described that the Ring doorbell video footage showed defendant at the entryway to the home as well as a facial shot of defendant. It also showed defendant walking into the residence and down the hallway wearing a letterman-style jacket and carrying a bottle. The Ring doorbell video evidence was then played for the jury and revealed the same information to which Detective Hill testified.

¶ 41 Detective Hill continued her testimony. Defendant was taken into custody relative to the matter herein on April 18, 2024. The detective interviewed him while wearing a body camera. After Detective Hill confirmed that the body camera was working properly at the time of the interview, it had been downloaded and placed into retention, and that the footage was an accurate depiction of the interview, the footage was played.

¶ 42 In the footage, defendant stated that earlier on April 18, 2024, he had left the store and was walking down the street when a lady followed and yelled at him. The lady had a knife. She looked familiar, but he had "dealings" with a lot of ladies. He later clarified that "dealings" meant one-night stands. The name "Brianna" did not sound familiar to him. He did not remember going to breakfast with Brianna. Defendant later stated that the two actually did have a "one-night stand," but he had not been back to Brianna's house since that time. He denied having had sex outside recently and he denied assaulting Brianna. He also denied having a gun. He was sleeping the morning of the alleged assault and was going to church later since it was a Sunday. When Detective Hill pointed out to defendant that he was on video at Brianna's house the early morning of the assault, he stated he had not said they were not together that night, but that he "probably" paid her $100 to have sex because she looked like a prostitute.

¶ 43 On cross-examination, Detective Hill confirmed that in addition to the Ring doorbell video, Brianna provided her with another video that showed Brianna going to the door when the police arrived. There was a facial shot of defendant approaching the door. The police received no additional video evidence.

¶ 44 On the third day of trial, the State moved to present a portion of a jail call recording of defendant and an unidentified woman as newly discovered evidence. It stated that the jail call occurred 13 days prior to the current date but had only been found the day before by the State.

Defense counsel objected. The court overruled the objection, finding the disclosure of the phone call to be "relatively timely," the phone call was "very relevant because it does go to corroborate the victim, it does go to impeach his prior statements to law enforcement," there was no "unfair surprise," and there was "no lack of due diligence" on the State's part.

¶ 45 Timothy Rivest, a detective with the Champaign Police Department, testified that his primary role was to investigate sex crimes. He viewed the Ring doorbell video surveillance footage and was familiar with it. The State then presented two shots from the footage to Detective Rivest. The detective identified the first shot as being from the doorway of the interior of Brianna's residence. The date and time stamp depicted that the image was captured on March 17, 2024, at 1:16 a.m. The two individuals in the photograph were Brianna, who had her back to the camera, and defendant, who was facing the camera. The second shot depicted defendant walking into the house. The date and time stamp indicated the image was captured on March 17, 2024, at 1:30 a.m.

¶ 46 In 2024, Detective Rivest was assigned as the lead detective in this case. On October 9, 2024, he and Detective Hill met with defendant at defendant's request and interviewed him at the Champaign County Correctional Center. The interview was recorded by Detective Rivest's body camera. Detective Rivest described the conversation. When the detectives first met with defendant, defendant stated that he wanted to discuss this case. The detectives reminded him that he had legal counsel and then gave him the *Miranda* warning. Defendant indicated that he still desired to speak to them. They then discussed the details of the case.

¶ 47 While discussing the Ring video footage with detectives, defendant stated that although he was on the video, the date and time were not correct. He stated that the video actually captured when he went to Brianna's residence a couple weeks prior to the date on the video. That date is when they had intercourse. Detective Rivest, Detective Hill, and defendant talked about two

separate dates that were captured on Ring recordings at Brianna's residence. There was the Ring video date from when defendant and Brianna had a consensual sexual encounter and then there was a second date when the alleged assault occurred. Defendant stated that on the first date, he was intoxicated on alcohol and high on marijuana, but on the second date, he was completely sober.

¶ 48 Detective Rivest confirmed that the body camera footage was a true and accurate depiction of the interview. The video of the interview was then played for the jury and was consistent with Detective Rivest's testimony.

¶ 49 After the video played, Detective Rivest continued with his testimony. Defendant told him and Detective Hill that he met with his attorney the previous day and viewed all the videos and police reports in the case. Detective Rivest told defendant that defendant's current story to the detective had changed from the initial interviews and the current story aligned with the information in the police reports and the information he was now giving was not provided in the initial interviews.

¶ 50 Detective Rivest confirmed that he listened to a recent jail telephone call from defendant that was made on December 26, 2024. He summarized the call for the jury. In the call, defendant stated that he had a one-night stand with Brianna one time. He also discussed how the gas stations were closed and that he only wanted Brianna to get a pregnancy test. Defendant stated that he went to check on Brianna to see if she was "straight." The call was played for the jury and was consistent with Detective Rivest's testimony.

¶ 51 On cross-examination, Detective Rivest confirmed that he was assigned the case on March 19, 2024. He called Brianna on that date to arrange a meeting with her. During the telephone call, Brianna told him that the assault occurred at 1305 Joanne Lane. She said that she recognized the

residence while she and family members were out driving in the area, and she decided to investigate on her own. She went to the backyard of the property and found her glasses.

¶ 52 When Detective Rivest went to 1305 Joanne Lane, he did not notice any blood in the driveway, on the house's siding or windowsills, or in the grass. There were palm prints found on the glass of the window, but he did not know when they were made.

¶ 53 On re-direct, Detective Rivest confirmed that throughout the case, defendant's story went from not knowing Brianna to admitting who she was, that he had sex with her, and that he was at her house and on the video on the night of the assault. He further confirmed that a laboratory result found that the DNA from an anal swab taken from Brianna was nine quadrillion times more likely to have come from defendant than from any other individual. At the conclusion of Detective Rivest's testimony, the State rested. Defense counsel moved for a directed verdict which the court denied.

¶ 54 After the court admonished defendant about his right to testify or not to testify and defendant conferred with his counsel, defendant chose to testify. Before his testimony began, defense counsel played two video clips of the police interview of Brianna.

¶ 55 In the first video clip, Brianna had a visible injury to her forehead. She stated, *inter alia*, that when defendant first arrived at her residence on the day of the sexual assault, he was calm, collected, and respectful. In the second video clip, Brianna stated that when defendant shook the gun next to her head, it sounded like there were pellets or something like pellets moving inside the gun.

¶ 56 Defendant testified that he met Brianna on social media. At the beginning of March, they met in person. At that time, he and Brianna took an Uber from their meetup point to Brianna's house. Defendant ended up spending the night. The next morning, he asked Brianna if they had

intercourse, if they used a condom, and if she was on birth control. Brianna stated that they did have intercourse, she was not on birth control, and they did not use a condom. Defendant did not remember having had intercourse. Defendant and Brianna went to Denny's for breakfast and then returned to Brianna's house. Brianna "smoked and drank some more" and "passed out."

¶ 57 Defendant then left Brianna's house and did not see her again until March 17, 2024. Defendant admitted that he was at Brianna's house that night. They left her house and went to a Mach 1 gas station.

¶ 58 Defendant stated that when he told the police at the time of his arrest that he did not know Brianna, he meant that he did not "know well of her." He knew nothing about her. They did not have the same friends or socialize with each other.

¶ 59 Since they did not use protection on their early March sexual encounter, defendant was concerned about the possibility that Brianna was pregnant. Because he was concerned, he wanted her to take a pregnancy test.

¶ 60 The night of March 17, defendant and Brianna only went "around the corner" and were gone "not even an hour." They later engaged in consensual sex. Defendant did not force Brianna in any way. He did not have a gun in his possession. Thus, he did not hit her in the face or on top of the head with a gun. The State declined to cross-examine defendant.

¶ 61 The defense rested and defense counsel again moved for a directed verdict which the court denied. The jury subsequently found defendant not guilty of aggravated criminal sexual assault with a firearm, but guilty of the two counts of sexual assault resulting in bodily harm.

¶ 62 On June 25, 2025, defendant filed a motion for acquittal or, in the alternative, motion for a new trial. On June 30, 2025, the court heard and denied defendant's posttrial motion. On July 1,

2025, the court sentenced defendant to two consecutive nine-year terms of incarceration in the Illinois Department of Corrections. Defendant timely appealed.

¶ 63 II. ANALYSIS

¶ 64 On appeal, defendant argues that the State's evidence was insufficient to convict him. In support, defendant argues that the physical evidence disproved Brianna's description of the incident and Brianna intentionally impeded the police investigation. The State disagrees and requests affirmation of the convictions.

¶ 65 "When considering a challenge to a criminal conviction based upon the sufficiency of the evidence, our function is not to retry the defendant." *People v. Johnson*, 2026 IL 131337, ¶ 59 (citing *People v. Sutherland*, 223 Ill. 2d 187, 242 (2006)); see also *People v. Eyler*, 133 Ill. 2d 173, 191 (1989). Instead, we review a claim of insufficient evidence to "determine whether, after viewing the evidence in a light most favorable to the prosecution, any rational trier of fact could have found that the essential elements of the crime beyond a reasonable doubt." *Id.* (citing *People v. Jackson*, 2020 IL 124112, ¶ 64). We will not set aside a criminal conviction unless it is so improbable or unsatisfactory that a reasonable doubt of defendant's guilt remains. *People v. Byron*, 164 Ill. 2d 279, 299 (1995). Determinations of witness credibility, weight afforded to witness testimony, and reasonable inferences drawn therefrom are provinces for the trier of fact. *Id.* " 'Therefore, a reviewing court will not substitute its judgment for that of the trier of fact on issues involving the weight of the evidence or the credibility of witnesses.' " *Johnson*, 2026 IL 124112, ¶ 59 (quoting *Jackson*, 2020 IL 124112, ¶ 64).

¶ 66 "Credibility is not itself a discrete fact but the lens through which all ultimate facts must pass, and thus it is the decisive thing." *People v. Davila*, 2022 IL App (1st) 190882, ¶ 61. While it is undisputed that Brianna's credibility was at issue, as both attorneys agreed during oral argument

that the issue of credibility was for the jury to determine. *Id.* ("The jury, as arbiter, is the reviewer of those ultimate facts in light of who it finds most credible."). While deference is afforded to a jury's ultimate conclusion on the issue of credibility (see *People v. Smith*, 185 Ill. 2d 532, 541 (1999)), deference does not extend to testimony that is "so lacking in credibility that a reasonable doubt of defendant's guilt remains." *People v. Schott*, 145 Ill. 2d 188, 207 (1991). It is only a conviction based on testimony that is "improbable, unconvincing, and contrary to human experience" that requires reversal. *People v. Vasquez*, 233 Ill. App. 3d 517, 527 (1992). "Where the finding of the defendant's guilt depends on eyewitness testimony, a reviewing court must decide whether a fact-finder could reasonably accept the testimony as true beyond a reasonable doubt." *People v. Gray*, 2017 IL 120958, ¶ 36. "Under this standard, the eyewitness testimony may be found insufficient 'only where the record evidence compels the conclusion that no reasonable person could accept it beyond a reasonable doubt.' " *Id.* (quoting *People v. Cunningham*, 212 Ill. 2d 274, 280 (2004)). "A conviction will not be reversed simply because the evidence is contradictory or because the defendant claims that a witness was not credible." *Id.* (citing *People v. Siguenza-Brito*, 235 Ill. 2d 213, 228 (2009)).

¶ 67 "[T]estimony of a complaining witness 'need not be uncontradicted, unimpeached, crystal clear, or perfect in order to be considered clear and convincing.' " *People v. Dye*, 2026 IL App (4th) 241001, ¶ 58 (quoting *People v. Priola*, 203 Ill. App. 3d 401, 413 (1990)). "Even 'contradictory testimony of a witness does not *per se* destroy [her credibility] ***, and it remains for the trier of fact to decide when, if at all, [she] testified truthfully.' " *Id.* (quoting *Sparling v. Peabody Coal Co.*, 59 Ill. 2d 491, 298-99 (1974)). Rather, "it is for the fact finder to judge how flaws in part of the testimony affect the credibility of a whole." *People v. Cunningham*, 212 Ill. 2d 274, 283 (2004).

¶ 68 Defendant contends that a still-frame image from 1:16 a.m. of the Ring footage showing Brianna in a sleeveless dress with her hair styled was inconsistent with her testimony that she was wearing a sweatshirt and sweatpants at the time defendant came to her residence in the wee hours on March 17. However, we agree with the State that this inconsistency does not undermine Brianna's credibility as later video evidence showed Brianna was indeed wearing a sweatshirt and sweatpants when she spoke with police. We further agree that it could be assumed that Brianna changed her clothing before leaving with defendant. Reasonable inferences drawn from the evidence are for the trier of fact to determine. *Byron*, 164 Ill. 2d at 299; *People v. Hall*, 194 Ill. 2d 305, 332 (2000) (the trier of fact is not required to "disregard inferences which flow normally from the evidence and to search out all possible explanations consistent with innocence and raise them to a level of reasonable doubt").

¶ 69 Defendant also takes issue with there being no video of Brianna first meeting defendant at her front door or leaving with him on March 17. However, the lack of this footage does not negate the other camera footage that showed defendant entering Brianna's residence alone, which was consistent with Brianna's testimony. Nor does it negate defendant's own testimony that he and Brianna left the residence together.

¶ 70 Defendant further contends that Brianna was not credible because she impeded the police investigation by not wanting police to interview her friend, Bryson, who should have been a material witness. However, Brianna explained in her testimony why she did not want him interviewed. Regardless, Bryson's input would not have had any evidentiary value because there was no evidence that he was present when the assault occurred or that he had any contact with defendant.

¶ 71 In short, Bryson's possible testimony, at best, would have only been cumulative to other evidence presented. Defendant and Brianna both testified that they left the residence together. Further, the nurses and Officer Lareau, as well as photographs of Brianna, confirmed that Brianna suffered a head wound on the morning in question. "Evidence is considered cumulative when it adds nothing to what was already before the [trier of fact]." *People v. Ortiz*, 235 Ill. 2d 319, 335 (2009).

¶ 72 Defendant also argues that the State failed to show he assaulted Brianna because blood was not found at the scene of the crime or at Brianna's residence. However, we agree with the State that it is not unusual that blood would not have been found as several days had passed between the report of the assault and the police assessing the crime scene. Moreover, the blood on Brianna could have remained on her body and therefore none would be found at the scene. Again, reasonable inferences drawn from the evidence are for the trier of fact to determine. *Byron*, 164 Ill. 2d at 299.

¶ 73 We also disagree with defendant's argument that it was incredulous that Brianna yelled out during the attack yet the occupants of the house where she was assaulted did not hear her. There were other reasonable inferences the jury could have determined. For example, it could be inferred that the residents were asleep or that Brianna did not yell loudly because she was afraid defendant would use a weapon on her. The same can be said as to why Brianna did not yell out to the police officer or the people she saw when she was held at gunpoint. Reasonable inferences were for the jury to determine. *Id.*

¶ 74 Defendant cites *People v. Herman*, 407 Ill. App. 3d 688 (2011), in support of his argument that Brianna's testimony was sufficiently flawed to sustain a guilty verdict against him. However, we find *Herman* to be distinguishable. In *Herman*, the complainant, an admitted drug addict,

testified that after she smoked cocaine on the night in question, the defendant, who was a police officer, approached her and convinced her to go to her residence with him in his patrol car. *Id.* at 704. There he sexually assaulted her. *Id.* The complainant further testified that when she reported the assault, police officers belittled her, she was offered bribes, and she was forced to reenact the assault while her attorney took photographs. *Id.* at 704-05. Before and during trial, she changed her timeline of the assault several times. *Id.* at 705. At times, she claimed the assault occurred when the defendant could not have been at her residence. *Id.* While the defendant admitted that he had sex with the complainant, he maintained that the encounter was consensual and occurred when he was off duty. *Id.* at 689. The trial court found the defendant guilty. *Id.* at 705. However, this court reversed, finding that "this is such a case where the flaws in the testimony made it impossible for any fact finder reasonably to accept any part of it." *Id.* at 709.

¶ 75 Unlike the complainant's testimony in *Herman*, Brianna's testimony was substantiated by forensic evidence that defendant's DNA was found in Brianna's anus, video footage corroborated Brianna's version of events, and defendant's own testimony that he had sex with Brianna during the time period she alleged. Moreover, Brianna's testimony was substantiated by the observation of Brianna's head injury and the injuries found during the sexual assault exam, which took place at the hospital. Therefore, we find *Herman* to be unavailing to defendant's arguments.

¶ 76 Defendant also relies on *People v. Yeargan*, 229 Ill. App. 3d 219 (1992), for his insufficiency of the evidence argument. In *Yeargan*, the trial court found the defendants guilty of criminal sexual assault and unlawful restraint. *Id.* at 220. The complainant alleged that the two defendants physically grabbed her by the arms, marched her down a dark alley and into a garage, forcibly removed her clothing, and took turns assaulting her, with each ejaculating several times. *Id.* at 221-22. However, the evidence presented showed that the complainant's clothing was not

ripped, she did not cry out for help, no semen was found on her clothing, and there were no signs of physical injury. *Id.* at 227, 230-33. In its reversal, this court found "[t]oo many facts and circumstances in the record undermine complainant's credibility." *Id.* at 235.

¶ 77 We find defendant's reliance on *Yeargan* misplaced. In this case, Brianna's version of events was corroborated by, *inter alia*, physical evidence of a serious head injury and vaginal injuries, forensic evidence of the presence of defendant's DNA in her anus, and video evidence of defendant at her home. Thus, we find *Yeargan* unavailing as well.

¶ 78 Both defendant and the State cite *People v. Parker*, 2016 IL App (1st) 141597, in their briefs. In that case, the complainant testified that on the night in question, she was with the defendant, whom she was dating, in his vehicle, when the defendant attempted to remove her clothes. *Id.* ¶¶ 7-8. Although the complainant resisted and objected, the defendant eventually succeeded in removing her clothing. *Id.* ¶ 8. Although the complainant objected, she was unable to stop the defendant from then committing multiple forms of sexual penetration against her. *Id.* ¶¶ 9-12. After the complainant was back home, she placed her clothes in a plastic bag and put them in her closet. *Id.* ¶ 13. She ended her relationship with the defendant shortly thereafter and reported the assault to the police a month later. *Id.* ¶¶ 13-14. Forensic analysis of the complainant's clothing and the defendant's vehicle yielded no hair, semen, or other physical evidence to corroborate the complainant's version of events. *Id.* ¶¶ 17-18. The defendant was found guilty of aggravated criminal sexual assault. *Id.* ¶ 19. On appeal, this court upheld the conviction, finding that even without any corroborating physical evidence, the complainant's testimony was sufficient to satisfy the State's burden of proof. *Id.* ¶ 30. It further found the complainant's "testimony alone is not so improbable, unconvincing, or contrary to human experience that no reasonable fact finder could have found her credible." *Id.* ¶ 42.

¶ 79 In this case, unlike in *Parker*, Brianna's version of events was corroborated by physical evidence, so we have not been left with having to rely solely on her testimony. As previously set forth, plentiful physical evidence was presented. Thus, we do not find *Parker* to be particularly helpful in our analysis.

¶ 80 After a thorough review of the record, we do not find the jury's verdict was so improbable or unsatisfactory that a reasonable doubt of defendant's guilt remains. *Byron*, 164 Ill. 2d at 299. Therefore, we reject defendant's contention that the evidence was insufficient to convict him of aggravated criminal sexual assault.

¶ 81 III. CONCLUSION

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

¶ 83 Affirmed.