2026 IL App (1st) 251073-U

No. 1-25-1073

Order filed September 10, 2026

FOURTH DIVISION

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
FIRST JUDICIAL DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS, Plaintiff-Appellee, v. LAQUAN PERKINS, Defendant-Appellant.	)))))))))	Appeal from the Circuit Court of Cook County, Criminal Division. No. 13 CR 0561901 Honorable Michael J. Kane, Judge, presiding.

JUSTICE MITCHELL delivered the judgment of the court.
Justice Navarro and Justice Ocasio concurred in the judgment.

ORDER

¶ 1 *Held*: The circuit court did not abuse its discretion where its conclusion that defendant should be sentenced as an adult was not unreasonable considering the statutory factors.

¶ 2 Defendant Laquan Perkins appeals the circuit court's decision to sentence him as an adult for offenses he committed when he was 16 years old (705 ILCS 405/5-130(1)(c)(ii) (West 2024)). The issue presented is whether the circuit court abused its discretion in concluding defendant should be sentenced as an adult because defendant contends that the statutory factors weigh in favor of sentencing defendant as a juvenile and the circuit court did not know the details of the offense. For the following reasons, we affirm.

¶ 3 I. BACKGROUND

¶ 4 In 2013, defendant Laquan Perkins was charged with several counts of attempted murder, armed robbery, aggravated battery, and unlawful restraint. 720 ILCS 5/8-4(a), 9-1(a)(1), 10-3.1(a), 18-2(a)(2)-(4) (West 2012); Pub. Act 97-1109, § 15-55 (eff. Jan. 1, 2013) (amending 720 ILCS 5/12-3.05(e)(1)). Defendant, who was 16 years old at the time of his offenses, was tried as an adult in a bench trial. See Pub. Act 97-1150, § 600 (eff. Jan. 25, 2013) (amending 705 ILCS 405/5-130(1)(a)) (explaining a minor who is at least 15 years of age and charged with aggravated battery with a firearm or armed robbery with a firearm shall be prosecuted as an adult).

¶ 5 At trial, Frank Campbell testified that on February 13, 2013, around 2:30 p.m., he was walking with his friend Jimmy Greenhill on Clyde Avenue in Chicago. Campbell had just cashed some checks so was carrying $550. As they were walking, two men, one of them defendant, approached and asked if they were members of the LAFA street gang. Campbell said no and continued walking, but defendant and the other man followed. Defendant pulled a gun out of his pocket and said he was going to rob them. Campbell started walking to his godmother's house and defendant followed him while the other man followed Greenhill.

¶ 6 Campbell walked up the stairs to his godmother's house, but no one was there. When Campbell went back down, defendant stood at the bottom of the stairs holding a gun by his side. Defendant said, "give me everything," and Campbell handed defendant his $550. Defendant grabbed the money and tried to hit Campbell over the head with his gun. Campbell reached for the gun, but defendant backed up, said, "fuck it," and shot Campbell in the thigh.

¶ 7 Greenhill similarly testified that two men began following him and Campbell while they were walking. Greenhill explained that the man who followed Campbell had a gun and threatened

to shoot them if they ran. When Campbell started walking a different direction and the man with the gun followed, the other man led Greenhill to the sidewalk. When he looked away, Greenhill ran towards a store to call the police. On his way, Greenhill saw his friend Shantell Burnett in a car. Greenhill told Burnett that Campbell was being robbed, and Burnett drove in Campbell's direction. Greenhill continued into the store but left when he was told the phones were not working. When Greenhill left the store, he heard a gunshot and ran to Campbell who was lying in blood.

¶ 8 Burnett testified that on the day in question, she was in her car near Clyde and 95th Street when she saw Greenhill. Greenhill told her Campbell was being robbed, so she drove toward Campbell and saw defendant "tussling" with him. Burnett drove her car onto the grass to scare defendant and then got out of her car. She grabbed defendant from behind and told him to release Campbell. When defendant did not release him, Burnett punched defendant's eye, and he ran. Burnett noticed Campbell was bleeding and used his phone to call an ambulance. She also noticed a gun on the ground, which she threw behind them.

¶ 9 Officer Thomas Kocanda testified that he and his partner responded to a call of shots fired and eventually apprehended defendant on a bus. They recovered $550 from his pants pocket. The parties stipulated that Campbell was unconscious when paramedics arrived and had lost a lot of blood. Campbell required emergency surgery due to profuse arterial injury and bleeding in his right groin/thigh area. The parties also stipulated that police administered a gunshot residue test that showed defendant either discharged a firearm, came in contact with an item with residue, or had his left hand in the environment of a discharged firearm. The defense called Officer Jim Sherlock and Detective Neals who testified further about apprehending defendant and explained that a firearm was never recovered.

¶ 10 The circuit court found defendant guilty on all charges and sentenced defendant as an adult to concurrent terms of 18 years' imprisonment for attempted murder, armed robbery, and aggravated battery. Defendant filed a direct appeal arguing that his aggravated battery conviction violated the one-act, one-crime rule. This court agreed with defendant and vacated his aggravated battery conviction. *People v. Perkins*, 2019 IL App (1st) 163399-U, ¶ 1.

¶ 11 In 2020, defendant filed a postconviction petition arguing that without an aggravated battery conviction, it was improper for him to have been automatically sentenced as an adult. See 705 ILCS 405/5-130(1)(a), (1)(c)(i) (West 2016) (listing aggravated battery, but not armed robbery, as an enumerated offense requiring automatic sentencing as an adult). Defendant argued that the automatic adult sentencing provision no longer applied to him and instead, if the State wished to have him sentenced as an adult, it was required to follow the discretionary procedure outlined in the statute. See *id.* § 5-130(1)(c)(ii) ("If after trial or plea the court finds that the minor committed an offense not covered by paragraph (a) of this subsection (1), *** unless the State requests a hearing for the purpose of sentencing the minor under Chapter V of the Unified Code of Corrections, the Court must proceed under [the Juvenile Court Act of 1987]. ***. If the motion is made by the State, the court shall conduct a hearing to determine if the minor should be sentenced under Chapter V of the Unified Code of Corrections.").

¶ 12 The State filed a motion to dismiss defendant's petition, arguing that the circuit court continued to have jurisdiction to sentence defendant as an adult because armed robbery was still an enumerated offense requiring automatic sentencing as an adult when defendant was charged in 2013. Defendant argued armed robbery could not be a basis because it was removed as an enumerated offense by 2016 when defendant was sentenced. Defendant contended that the State

was required to request a hearing to sentence him as an adult. The circuit court sided with defendant and denied the State's motion to dismiss. It gave the State 10 days to file a request to sentence defendant in adult court. The State filed its motion for defendant to be sentenced as an adult, and as such, the circuit court ordered defendant's postconviction petition satisfied by agreement.

¶ 13 On December 15, 2023, the circuit court held a hearing on the State's motion and concluded, as a matter of discretion, that defendant should be sentenced as an adult. On January 26, 2024, the circuit court resentenced defendant to concurrent terms of 16 years' imprisonment for attempted murder and armed robbery.

¶ 14 On November 28, 2024, defendant filed a *pro se* postconviction petition asserting that his attorney was ineffective for failing to file a notice of appeal. By agreement, the circuit court granted defendant leave to file a late notice of appeal. See *People v. Ross*, 229 Ill. 2d 255, 271 (2008) ("We hold that when a postconviction petitioner demonstrates that defense counsel was ineffective for failing to file a notice of appeal, the trial court may allow the petitioner leave to file a late notice of appeal."); see also *People v. Bond*, 405 Ill. App. 3d 499, 504 (2010) ("Following the supreme court's reasoning in *Ross*, we find we have jurisdiction to hear defendant's appeal."). Defendant filed his notice of appeal the same day and pursuant to a supervisory order, this court allowed defendant to amend the notice. Ill. S. Ct. R. 606 (eff. Apr. 15, 2024). This appeal followed.

¶ 15 II. ANALYSIS

¶ 16 Defendant argues that the circuit court abused its discretion in concluding he should be sentenced as an adult where the statutory factors weigh in favor of sentencing defendant as a juvenile and the circuit court stated it did not know the details of the offense. The State argues the circuit court did not abuse its discretion where it considered the statutory factors and found they

weighed in favor of sentencing defendant as an adult. Further, the State argues that this court can affirm on the alternate basis that as a matter of law, defendant should have been automatically sentenced as an adult due to his attempted murder conviction. We review the circuit court's decision to sentence a minor as an adult for an abuse of discretion. *People v. Luckett*, 295 Ill. App. 3d 342, 348 (1998).

¶ 17 Under the discretionary statutory provision, when the State requests a hearing for the circuit court to sentence a minor as an adult, the circuit court shall weigh, "among other matters," various statutory factors:

> "(a) whether there is evidence that the offense was committed in an aggressive and premeditated manner; (b) the age of the minor; (c) the previous history of the minor; (d) whether there are facilities particularly available to the Juvenile Court or the Department of Juvenile Justice for the treatment and rehabilitation of the minor; (e) whether the security of the public requires sentencing under Chapter V of the Unified Code of Corrections; and (f) whether the minor possessed a deadly weapon when committing the offense." 705 ILCS 405/5-130(1)(c)(ii).

The circuit court considered the factors and decided defendant should be sentenced as an adult:

> "But I'm looking at the factors I'm supposed to consider. You want me to consider the sentencing factors in Miller, okay, which I think are appropriate at the sentencing. But now the question is how do we get to that. Alright? I know he's a different guy than he was then because everybody changes. People mature, they evolve, et cetera, et cetera, et cetera. And I'm willing to take all of those things into consideration, but I'm still going to sentence him as an adult based on these facts. I mean, you know, he shot somebody. He's been convicted of that. That person almost died."

¶ 18 The circuit court appropriately looked at the facts of the case to evaluate the statutory factors. Considering the first factor, defendant's offense could reasonably be considered premeditated where the evidence showed defendant approached Campbell and Greenhill with a loaded gun, threatened them, followed Campbell to his godmother's house, and waited at the bottom of the stairs for him before taking his money and shooting him. See *People v. Watson*, 2026

IL App (1st) 241495-U, ¶ 37 (quoting *People v. Brand*, 2021 IL 125945, ¶ 36) ("An abuse of discretion occurs when the trial court's decision is arbitrary, fanciful, or unreasonable or when no reasonable person would agree with the trial court's position."). Defendant concedes the offense was aggressive. Moreover, the security of the public could reasonably require defendant to be sentenced as an adult where he violently targeted a random victim on the street and acted unprovoked. Further, defendant shot Campbell, causing him life-threatening injuries, even though he had already complied and turned over his money. Additionally, defendant clearly possessed a deadly weapon when committing the offense, favoring him being sentenced as an adult.

¶ 19 Although defendant was 16 years old at the time of the offense and had no prior juvenile adjudications or criminal history, "[n]ot all of the statutory criteria must be resolved against the minor to justify treating him as an adult." *People v. Vasquez*, 327 Ill. App. 3d 580, 586 (2001); *People v. Stephens*, 323 Ill. App. 3d 345, 351 (2001). "[E]ach factor need not be given equal weight." *People v. Heard*, 2016 IL App (1st) 14-0047-U, ¶ 22. Given the factors that weigh in favor of sentencing defendant as an adult, we cannot say the circuit court abused its discretion.

¶ 20 Defendant argues the security of the public did not require him to be sentenced as an adult because he showed he was rehabilitated. Rehabilitation, however, is not relevant to this statutory inquiry that "applies to the time period when defendant was a minor" and "requires that the court take a backward look at the minor's conduct as opposed to his conduct as an adult." *Watson*, 2026 IL App (1st) 241495-U, ¶ 50; 705 ILCS 405/5-130(1)(c)(ii).

¶ 21 Defendant also argues that the circuit court could not have exercised sound discretion when it stated, at the start of the hearing, that it did not "know a lot about the details" and had not read the transcripts. However, after this comment, both parties had an opportunity to present arguments,

and the State went through each statutory factor along with a discussion of the facts. The State's motion to sentence defendant as an adult, which the circuit court indicated it reviewed, also provided a detailed discussion of the offense. See *Vasquez*, 327 Ill. App. 3d at 589-590 (finding the circuit court considered a factor given the arguments of the parties at the hearing and their filings). By the time the circuit court ruled, its recollection of the details had been refreshed. Defendant also critiques the circuit court for not analyzing the factors on the record, but the circuit court stated it considered the factors, and "the fact that the trial court did not make an explicit finding is not conclusive proof that it failed to consider [the] factor[s]." *Heard*, 2016 IL App (1st) 14-0047-U, ¶ 23. Nothing in the record indicates the circuit court abused its discretion.

¶ 22 Since we uphold the circuit court's ruling on this basis, we need not reach the State's alternate argument.

¶ 23 III. CONCLUSION

¶ 24 The judgment of the circuit court of Cook County is affirmed.

¶ 25 Affirmed.