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IN THE  
APPELLATE COURT OF ILLINOIS  
THIRD DISTRICT

2026

THE PEOPLE OF THE STATE OF	)	Appeal from the Circuit Court
ILLINOIS,	)	of the 13th Judicial Circuit,
	)	La Salle County, Illinois,
Plaintiff-Appellee,	)	
	)	Appeal No. 3-26-0117
v.	)	Circuit No. 24-CF-148
	)	
ROBERT D. MATTHEWS,	)	Honorable
	)	Howard C. Ryan Jr.,
Defendant-Appellant.	)	Judge, Presiding.

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JUSTICE DAVENPORT delivered the judgment of the court, with opinion.  
Justices Peterson and Bertani concurred in the judgment and opinion.

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**OPINION**

¶ 1 Defendant, Robert D. Matthews, was sanctioned by the circuit court to 90 days in jail for violations of the conditions of his pretrial release. Defendant filed a motion for relief, arguing the maximum sanction allowed was 30 days in jail for the violations. The court denied the motion. Defendant appeals, arguing the sanction was not authorized by law. We reverse.

¶ 2 I. BACKGROUND

¶ 3 In April 2024, the State charged defendant by information with two counts of unlawful delivery of methamphetamine (720 ILCS 646/55(a)(1) (West 2024)). The court released defendant with conditions, including that he appear at all scheduled court dates. Over the next several months,

defendant failed to appear at multiple court dates, and the court issued bench warrants. Eventually, the court modified the conditions of defendant's release to include GPS monitoring and home confinement.

¶ 4 On January 23, 2026, defendant again failed to appear, and the court issued another bench warrant. After the warrant was executed, the State filed a verified petition for sanctions (725 ILCS 5/110-6(f) (West 2024)). The State alleged defendant failed to appear in court as required by the conditions of pretrial release and comply with the terms of his home confinement. It attached a GPS alarm report, which showed defendant had violated his GPS home monitoring more than 200 times. Citing *People v. Luebke*, 2025 IL App (5th) 241208-U, the State asked the court to sanction defendant to 30 days in jail for each violation.

¶ 5 On January 30, 2026, the court heard the State's petition for sanctions. The State argued defendant could be sanctioned to 30 days in jail for each violation but requested a sanction as to only three violations, for a total of 90 days in jail. Defendant contended 30 days in jail was the maximum sanction, regardless of the number of violations. The court granted the State's petition, found the State had proved three violations, and imposed as a sanction a 30-day jail term for each violation, for a total sanction of 90 days in jail. The court used a preprinted form to prepare its written order. The court checked a box providing, "The defendant shall be imprisoned in the county jail for a period of \_\_ days (not to exceed 30 days)." It wrote "90" days in the blank space and "for 3 difr violations" underneath.

¶ 6 On February 3, 2026, defendant moved for relief. See Ill. S. Ct. R. 604(h)(2) (eff. Apr. 15, 2024). He argued the sanction was not authorized by law. The court denied the motion, and this appeal followed.

¶ 7

## II. ANALYSIS

¶ 8 Defendant contends the circuit court erred when it imposed the 90-day jail term. He argues section 110-6(f)(2) of the Code of Criminal Procedure of 1963 (Code) (725 ILCS 5/110-6(f)(2) (West 2024)) limits sanctions for violations of pretrial release to 30 days in jail, regardless of the number of violations.

¶ 9 A. Mootness

¶ 10 Defendant has served the 90-day sanction. The issue presented in this appeal is therefore moot. *People v. Seymore*, 2025 IL 131564, ¶ 31. Defendant nevertheless asks us to review the issue under the public interest exception to the mootness doctrine. He notes sanctions evade judicial review by their nature and the judges in La Salle County commonly impose sanctions that exceed 30 days.

¶ 11 The public interest exception is narrow. *In re Shelby R.*, 2013 IL 114994, ¶ 16. It applies only when there is a clear showing that “(1) the question presented is of a public nature; (2) an authoritative determination of the question is desirable for the future guidance of public officers; and (3) the question is likely to recur.” *Id.*

¶ 12 Our supreme court recently applied this exception to answer a different question that arose under section 110-6(f)(2) of the Code. See *Seymore*, 2025 IL 131564, ¶¶ 31-34. We find its discussion instructive:

“The question in this case—whether the defendant was entitled to good-conduct credit under the [County Jail Good Behavior Allowance Act (730 ILCS 130/3 (West 2022))] against his 30-day imprisonment sanction under section 110-6(f)(2)—is clearly substantial and important to the public. In considering whether an answer to the question will provide authoritative guidance to state and local officials, this court looks to whether the law is in disarray or conflicting precedent

exists. [Citations.] For that reason, issues of first impression generally do not satisfy the public interest exception. [Citation.] Here, however, we are faced with a situation in which a reviewing court would never be able to resolve the issue. Because section 110-6(f)(2) limits a term of imprisonment in the county jail to 30 days, the issue will always be moot by the time a reviewing court has a chance to rule. Thus, absent a decision from a reviewing court despite the issue’s mootness, there will never be an answer to this question, and the law will remain in disarray with different trial court judges potentially applying the law differently. Accordingly, this case presents the rare situation in which authoritative guidance from this court is needed, even though the issue is one of first impression. And the question clearly is likely to recur as defendants violate conditions of their pretrial release and trial courts consider appropriate sanctions.” *Id.* ¶ 34.

¶ 13 For similar reasons, we find the issue presented by defendant’s appeal meets the public interest exception. Whether a defendant may be sanctioned to 30 days in jail per violation is substantial and important to the public. While this is an issue of first impression, an answer to the question will provide authoritative guidance to state and local officials despite the evasive nature of these sanction orders. Without a decision from a reviewing court, there will never be an answer to this question, different trial judges could potentially apply the law differently, and the question will likely recur. We now turn to the merits.

¶ 14 B. The 90-Day Jail Term Was Not Authorized by the Code

¶ 15 This appeal requires us to interpret section 110-6(f)(2) of the Code, so our review is *de novo*. *People v. Shepherd*, 2026 IL 131240, ¶ 14. Our task is to determine and give effect to the legislature’s intent. *People v. Johnson*, 2025 IL 130447, ¶ 36. A statute’s text is the best evidence

of that intent. *Id.* Therefore, we must apply the statute as written, giving the words used their plain and ordinary meaning. *Id.* “We may not depart from the plain language and meaning of the statute by reading into it exceptions, limitations, or conditions that the legislature did not express.” (Internal quotation marks omitted.) *People v. Reed*, 2025 IL 130595, ¶ 26; see *People v. Keys*, 2025 IL 130110, ¶ 77 (noting courts must strictly construe criminal and penal statutes). And our interpretation must avoid absurd, unreasonable, unjust, or inconvenient results. *People v. Dobbins*, 2026 IL 131187, ¶ 38.

¶ 16 Section 110-6 of the Code states in relevant part as follows:

“(d) When a defendant appears in court pursuant to a summons or warrant issued in accordance with Section 110-3 or after being arrested for an offense that is alleged to have occurred during the defendant’s pretrial release, the State may file a verified petition requesting a hearing for sanctions.

(e) During the hearing for sanctions, the defendant shall be represented by counsel and have an opportunity to be heard regarding the violation and evidence in mitigation. The State shall bear the burden of proving by clear and convincing evidence that:

(1) the defendant committed an act that violated a term of the defendant’s pretrial release;

(2) the defendant had actual knowledge that the defendant’s action would violate a court order;

(3) the violation of the court order was willful; and

(4) the violation was not caused by a lack of access to financial monetary resources.

(f) Sanctions for violations of pretrial release may include:

(1) a verbal or written admonishment from the court;

(2) imprisonment in the county jail for a period not exceeding 30 days;

(3) (Blank); or

(4) a modification of the defendant’s pretrial conditions.” 725 ILCS

5/110-6(d)-(f) (West 2024).

¶ 17 The statute states that sanctions for *violations* may include imprisonment in the county jail for a period not exceeding 30 days. Thus, it plainly authorizes one 30-day period, even when the State has proved multiple violations. Had the legislature intended to allow the imposition of consecutive sanctions that total more than 30 days, it would have used other language. For example, it might have said “sanctions for *a violation*” or “sanctions for *each violation*” “may include imprisonment \*\*\* for a period not exceeding 30 days.” The legislature did not do so, and we cannot read those words into the statute. See *Reed*, 2025 IL 130595, ¶ 26. While section 110-6(e) sets forth the State’s burden of proof and only contemplates a single violation (“defendant committed an act that violated a term,” “the defendant’s action,” and “the violation”), that is simply because only one violation is required for a sanction. See 725 ILCS 5/110-6(e) (West 2024).

¶ 18 In addition, we find a contrary interpretation—one that would allow a consecutive 30-day sanction for each violation—would lead to an unjust and absurd result. Under this interpretation, the State could seek a *de facto* revocation of the defendant’s pretrial release when revocation is not otherwise available. See *id.* § 110-6(a) (setting forth limited circumstances in which the State can petition to revoke pretrial release). We cannot interpret the statute in this manner. See *Dobbins*, 2026 IL 131187, ¶ 38.

¶ 19 We thus hold that multiple violations contained in a petition for sanctions—such as the one here—are subject to imprisonment in jail for a period not exceeding 30 days. Accordingly, the circuit court erred when it imposed a sanction of 90 days in jail.

¶ 20 Before concluding, however, we wish to dispel the notion that *Luebke*, 2025 IL App (5th) 241208-U, justifies the imposition of a jail-term sanction that exceeds 30 days, as was posited by the State below. *Luebke* does not justify this practice, which is otherwise plainly prohibited by the Code. The court in *Luebke* did not address the issue’s merits because the defendant had waived the issue. As such, *Luebke* provides no basis to circumvent the otherwise plain language of the Code.

¶ 21 III. CONCLUSION

¶ 22 We reverse the judgment of the circuit court of La Salle County.

¶ 23 Reversed.

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*People v. Matthews, 2026 IL App (3d) 260117*

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**Decision Under Review:** Appeal from the Circuit Court of La Salle County, No. 24-CF-148; the Hon. Howard C. Ryan Jr., Judge, presiding.

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**Attorneys  
for  
Appellant:** James E. Chadd, Carolyn R. Klarquist, and David Holland, of State Appellate Defender’s Office, of Chicago, for appellant.

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**Attorneys  
for  
Appellee:** Patrick Delfino and David J. Robinson, of State’s Attorneys Appellate Prosecutor’s Office, of Springfield, for the People.

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