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2026 IL App (3d) 250322-U

Order filed September 14, 2026

IN THE
APPELLATE COURT OF ILLINOIS
THIRD DISTRICT

2026

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court
	)	of the 12th Judicial Circuit,
Plaintiff-Appellee,	)	Will County, Illinois,
	)	
v.	)	Appeal No. 3-25-0322
	)	Circuit No. 22-CF-1401
SENECA C. HUGHES,	)	
	)	Honorable
Defendant-Appellant.	)	Amy B. Christiansen,
	)	Judge, Presiding.

JUSTICE BRENNAN delivered the judgment of the court.
Justices Holdridge and Davenport concurred in the judgment.

ORDER

¶ 1 *Held:* The evidence presented at trial was sufficient to prove defendant guilty beyond a reasonable doubt.

¶ 2 Defendant, Seneca C. Hughes, appeals from his convictions for aggravated battery and unlawful possession of a controlled substance, arguing that the evidence was insufficient to sustain each conviction. We affirm.

¶ 3 I. BACKGROUND

¶ 4 On September 13, 2022, defendant was charged with, *inter alia*, two counts of aggravated battery (720 ILCS 5/12-3.05(d)(4)(i) (West 2022)) and one count of unlawful possession of a controlled substance (720 ILCS 570/402(c) (West 2022)), stemming from conduct occurring on August 27, 2022. The aggravated battery (insulting and provoking) charges alleged that defendant, knowingly and without legal justification, threw urine on Deputy Cody Marconi and Deputy Darren Strohm as they performed their official duties. The unlawful possession of a controlled substance charge alleged that defendant, knowingly and unlawfully possessed a controlled substance containing oxycodone. The following evidence was elicited at the bench trial on February 4, 2025.

¶ 5 Deputy Michael Stachowicz of the Will County Sheriff's Department testified that he assisted at a traffic stop on August 27, 2022. Upon arrival at approximately 2:40 a.m., he observed Deputy Marconi speaking with the driver of a vehicle, so he approached the passenger side of the vehicle and spoke with defendant. Defendant was asked to exit the vehicle and wore a crossbody bag. Once he exited the vehicle, defendant fled on foot, headed north into an alley, and Stachowicz chased after him. During the pursuit, Stachowicz momentarily lost sight of defendant where "the alley kind of jogs east" at one point. When defendant turned that corner, Stachowicz paused to draw his gun but regained sight of defendant after he turned the corner and observed him continuing to run north. By the time Stachowicz caught up to defendant he had been apprehended by Marconi. Defendant was subsequently searched and cannabis was located in his bag.

¶ 6 Video footage from Stachowicz's body camera depicted the traffic stop and foot pursuit. Stachowicz asked defendant, "You wanna hop out for me?" Upon exiting the vehicle, defendant was observed wearing a navy hooded sweatshirt and a crossbody bag. The video depicted a bulge in defendant's hooded sweatshirt pocket. Initially, Stachowicz told defendant to "just hang out

right here” but then said, “actually, go over by the hood real quick” indicating to the nearby squad car. Defendant approached the squad car and began to place his palms on the hood. He then turned and ran toward the alley. Stachowicz pursued defendant on foot. No other persons were observed on defendant’s path of flight.

¶ 7 After defendant was placed in custody, a canine unit arrived on scene for an article search. The dog located an orange, translucent pill bottle with a white cap in the alley that defendant had ran down. The bottle had no name on it. Stachowicz testified that the bottle appeared to be recently placed in the alley. In support, Stachowicz explained that the bottle contained no condensation or other indicators of age and it “was clean and there was nothing else around it. It wasn’t buried or anything.” Video footage of the canine search and location of the pill bottle was entered into evidence. Stachowicz testified that the bottle was located in the part of the alley where he had lost sight of defendant.

¶ 8 Stachowicz and Marconi then transported defendant to the Will County jail. When defendant was brought into the booking area, Stachowicz stood near Marconi and observed defendant place his hands inside his pants after being uncuffed. Stachowicz indicated that the correctional officers told defendant to remove his hands. Eventually, the officers grabbed defendant’s arms and forcibly removed his hands from his pants. When defendant’s hands came out of his pants, Stachowicz testified that liquid “went up in the air” and struck Marconi and Strohm. He believed the liquid to be urine based on the location that it originated from.

¶ 9 Marconi testified that at approximately 2:40 a.m., he initiated a traffic stop on a vehicle for an equipment violation. He was assisted by Stachowicz who engaged with the passenger as he was speaking with the driver of the vehicle. He observed defendant flee on foot with Stachowicz pursuing. Marconi told the driver to “stay put” and followed defendant in his squad car. He saw

defendant attempting to climb over an embankment. Marconi exited his squad car, grabbed defendant's foot, and pulled him off the embankment. He and Stachowicz placed defendant in custody. At the time of his apprehension, cannabis and approximately \$3,400 in cash were found on defendant's person. Marconi and Stachowicz transported defendant to the jail.

¶ 10 After defendant was brought into the booking room, Marconi began filling out paperwork. He testified that upon being uncuffed, defendant immediately put his hands into the front of his pants. He ignored several direct orders to remove his hands. Corrections officers struggled with removing defendant's hands from his pants and eventually forced defendant to remove them. Marconi indicated that once defendant's hands came out of his pants, "[h]e essentially flung liquid," which Marconi assumed was urine, onto Marconi and Strohm. He indicated that the liquid smelled like urine. It struck Marconi's hand, face, and uniform. He did not observe defendant actively urinating in the booking room.

¶ 11 Strohm testified that on August 27, 2022, he was employed as a corrections officer at the Will County jail, "mostly in booking, release, [and] emergency response." Strohm was working in booking when defendant was brought into the jail. He performed a "quick preliminary pat search of [defendant's] pockets." Defendant informed Strohm that he needed to urinate. Defendant was informed that a search for contraband needed to be completed before he could use the restroom. As soon as defendant's handcuffs were removed, he thrust his hands into the front of his pants. Strohm indicated that this behavior was a "red flag to us for safety-wise to be concealing something, trying to hide it, not good for us." Strohm instructed defendant several times to remove his hands from his pants. Defendant refused to comply.

¶ 12 At this point, Strohm testified that he grabbed onto defendant's right arm, attempting to remove defendant's hands from his pants. Defendant's "hand came out of his pants and a wet

substance flew everywhere.” The liquid struck Strohm in his face. He indicated that he did not initially know what the substance was and defendant refused to identify the substance when questioned. Ultimately, Strohm and the other officers determined the liquid to be urine based on its odor. After the incident, defendant was handcuffed, secured in a cell, and searched. Strohm observed liquid on the booking desk but did not see liquid or urine on the floor where defendant had been standing. It did not appear to him that defendant had been actively urinating or had urinated on the floor. Strohm could not recall seeing any wet marks on defendant’s clothing or down his leg.

¶ 13 Two video recordings from the Will County jail booking room were played which depicted the incident from different angles. The videos showed defendant being brought into the booking room. Five officers were in the room with defendant. Two stood in front of defendant on the other side of the booking desk and the other officers moved around the room at various points. Defendant was uncuffed. He placed his hands down the front of his pants. Defendant stood like that for a short time and three officers approached him. They appeared to struggle with defendant’s arms before his hands were removed from his pants. Defendant was handcuffed and escorted away.

¶ 14 The parties stipulated that pills found in the orange pill bottle were tested and found to be approximately seven grams of oxycodone. The cannabis located in the crossbody bag was also tested and confirmed as 39 grams of cannabis.

¶ 15 Defendant moved for a directed verdict which was denied after which defendant rested. The court took the matter under advisement. On March 24, 2025, the court found defendant guilty on all counts. Defendant filed a motion to reconsider arguing that the State presented insufficient evidence. The court denied the motion. Defendant was placed on 24 months’ probation and sentenced to 30 days in the county jail. Defendant timely appealed.

¶ 16

II. ANALYSIS

¶ 17

On appeal, defendant argues that the State failed to prove that he knowingly made contact of an insulting or provoking nature with Marconi and Strohm where urine landed on the officers after they forcibly removed his hands from his pants. Further, defendant argues that the State failed to prove that he possessed the bottle of oxycodone where officers lost sight of him in the alley where the bottle was located.

¶ 18

In reviewing the sufficiency of the evidence, we consider whether any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt. *People v. Collins*, 106 Ill. 2d 237, 261 (1985). In making this determination, we review the evidence in the light most favorable to the State. *People v. Hardman*, 2017 IL 121453, ¶ 37. All reasonable inferences in favor of the State are allowed but unreasonable or speculative inferences are not permissible. *People v. Cunningham*, 212 Ill. 2d 274, 280 (2004). Additionally, “the trier of fact is not required to *** search out all possible explanations consistent with innocence and raise them to a level of reasonable doubt.” *People v. Jackson*, 2020 IL 124112, ¶ 70. It is not the function of the reviewing court to retry the defendant. *People v. Smith*, 185 Ill. 2d 532, 541 (1999). Rather, it is for the trier of fact to “resolve conflicts in the testimony, weigh the evidence, and draw reasonable inferences from the facts.” *People v. Gray*, 2017 IL 120958, ¶ 35. “A criminal conviction will not be set aside unless the evidence is so improbable or unsatisfactory that it creates a reasonable doubt of the defendant’s guilt.” *Collins*, 106 Ill. 2d at 261.

¶ 19

A. Aggravated Battery

¶ 20

“A person commits battery if he or she knowingly without legal justification by any means *** makes physical contact of an insulting or provoking nature with an individual.” 720 ILCS 5/12-3(a) (West 2022). A simple battery charge may become aggravated for several reasons.

Relevant to this appeal, a person commits aggravated battery when he commits a battery while knowing the victim to be a peace officer or corrections officer that was performing his or her official duties. *Id.* § 12-3.05(d)(4)(i). Defendant does not challenge the aggravating factor of his convictions. Accordingly, we must determine whether the State presented sufficient evidence to prove that defendant knowingly made contact of an insulting and provoking nature with Marconi and Strohm.

¶ 21 The evidence presented at trial established that defendant mentioned one time that he needed to urinate immediately prior to placing his hands inside the front of his pants. A small amount of urine pooled on defendant's hands. He refused numerous orders to remove his hands from his pants, forcing officers to struggle with him and physically remove his hands from his pants, at which time, Marconi and Strohm were struck with urine. No urine was observed on the floor where defendant was standing and no witness recalled seeing urine on defendant's clothing or leg. We conclude that this evidence, taken in the light most favorable to the State, is sufficient to sustain defendant's convictions for aggravated battery.

¶ 22 In coming to this conclusion, we reject defendant's contention that he did not act intentionally or knowingly because he was not in control of his arms at the time that Marconi and Strohm were struck with the urine and could not be reasonably certain that such a result would occur where he informed officers that he needed to urinate and had already been searched prior to arriving in the booking room. "[A] person is said to act knowingly when he is consciously aware that his conduct is practically certain to cause the result." *People v. Psichalinos*, 229 Ill. App. 3d 1058, 1067 (1992). Knowledge is typically proven through circumstantial evidence, rather than direct proof. *In re Keith C.*, 378 Ill. App. 3d 252, 260 (2007). "The State must present sufficient evidence from which an inference of knowledge can be made ***." (Internal quotation marks

omitted.) *Id.* Intent may be inferred from both the defendant's conduct surrounding the act, and the act itself. *People v. Begay*, 377 Ill. App. 3d 417, 421-22 (2007); *People v. Barnes*, 364 Ill. App. 3d 888, 896 (2006).

¶ 23 A reasonable trier of fact could infer that, if defendant's bladder was full to the point where it was beginning to unintentionally void, he would not have been able to control the amount of urine that came out and there would be urine on his body, clothing, and the floor on which he stood. Further, if his action of physically holding the area was needed to and actually stopped the flow, it is reasonable to believe that it would have started again once defendant's hands were removed. The fact that defendant had control over his bladder and allowed only a small amount of urine to pass lends itself to an inference of intent. Additionally, defendant was aware that he was not allowed to have his hands in his pants at that time. He was given several orders from officers to remove his hands which he continually refused. A reasonable trier of fact could find that defendant was consciously aware that his continued refusal would almost certainly result in his hands being forcibly removed from his pants, flinging the urine that covered them. Accordingly, we affirm defendant's convictions for aggravated battery.

¶ 24 B. Unlawful Possession of a Controlled Substance

¶ 25 To sustain a conviction for unlawful possession of a controlled substance, the State must prove beyond a reasonable doubt that defendant possessed a controlled substance and had knowledge of the presence of the controlled substance. *People v. Thomas*, 2014 IL App (3d) 120676, ¶ 42. The State may establish either actual or constructive possession. Constructive possession exists when a defendant has the intent and capacity to maintain dominion and control over contraband. *People v. Love*, 404 Ill. App. 3d 784, 788 (2010). "Where possession, actual or constructive, has been shown, an inference of guilty knowledge can be drawn from the surrounding

facts and circumstances.” (Internal quotation marks omitted.) *People v. Marion*, 87 Ill. App. 3d 1038, 1042 (1980).

¶ 26 Here, the evidence established that defendant had a crossbody bag containing cannabis and another item in the pocket of his hooded sweatshirt when he exited the vehicle during the initial traffic stop. Defendant was compliant with the officers until he was asked to move toward the hood of the squad car. Defendant approached, placing his palms down against the hood. His posture indicated that he knew he was about to be subject to a pat-down search. At that point, he turned and fled on foot down an alley. Defendant was the only person in the alley. A short time after defendant was apprehended, a clean bottle of pills was located in the alley through which defendant ran, appearing as if it had been recently placed, in the area in which Stachowicz had lost sight of defendant. The pills inside contained oxycodone.

¶ 27 Defendant argues that his suspicious behavior of fleeing is insufficient to prove constructive possession, relying on our supreme court’s finding that mere probabilities are insufficient to establish knowledge or possession beyond a reasonable doubt. See *People v. Jackson*, 23 Ill. 2d 360, 365 (1961). However, *Jackson* is readily distinguishable from the instant case. In *Jackson*, the contraband that the defendant allegedly possessed was located in a common area of an apartment building, which was accessible by several other apartments and was not within the defendant’s immediate control. *Id.* at 364. Further, the State’s theory was that the defendant had thrown the contraband out of her bathroom window, though it presented no evidence that she had ever possessed or been seen in the actual vicinity of the contraband. *Id.*

¶ 28 Here, defendant had an item visibly stored in his hooded sweatshirt pocket. He fled after being asked to move toward a squad car. His actions at the time indicated that he fled once he believed a search of his person was imminent. Defendant was the only person in the alley which

he fled. See *People v. Minniweather*, 301 Ill. App. 3d 574, 580 (1998) (evidence sufficient to support a finding of constructive possession where defendant fled from police and hid, was briefly out of sight, no one else was in the area, and the drugs were located within five or six feet from defendant's hiding spot). The pills were located directly in defendant's flight path, placing him in direct proximity to where the bottle was located. The condition of the bottle and surrounding area suggested that it had not been there prior to defendant's flight down the alley. When viewing this evidence in the light most favorable to the State, we conclude it is sufficient to establish possession and sustain defendant's conviction for unlawful possession of a controlled substance.

¶ 29

III. CONCLUSION

¶ 30

The judgment of the circuit court of Will County is affirmed.

¶ 31

Affirmed.