



(Docket No. 131300)

THE PEOPLE OF THE STATE OF ILLINOIS, Appellant, v.  
TERRY T. COLLINS, Appellee.  
*Opinion filed May 21, 2026.*

Chief Justice Neville delivered the judgment of the court, with opinion.

This case concerns whether the State could retry Terry Collins for aggravated unlawful use of a weapon after he was acquitted of unlawful possession of a weapon by a felon in a severed trial. At trial on Collins’s charge for possession of a weapon by a felon, the parties stipulated that he had previously been convicted of a felony. The jury found him not guilty by a general verdict. Collins then argued that the jury’s factual finding about his possession of a gun precluded the State from proving an essential issue in the aggravated unlawful use of a weapon case: that he possessed a gun at all. The trial court denied Collins’s motion to dismiss the aggravated unlawful use case, and the appellate court reversed.

The supreme court agreed with the appellate court. Distinguishing federal case law that found that a defendant waives his arguments that an issue is precluded by moving to sever his trial, the court noted both a long line of Illinois cases and a state statute embracing issue preclusion. The statute contains two specific exclusions, and neither of them relates to a defendant’s charges being severed for trial. The State could not prove Collins possessed the gun, having failed to prove it in a prior trial arising from the same event.