

2026 IL App (2d) 260007-U
No. 2-26-0007
Order filed May 26, 2026

NOTICE: This order was filed under Illinois Supreme Court Rule 23(b) and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).

IN THE
APPELLATE COURT OF ILLINOIS
SECOND DISTRICT

In re PARENTAGE OF A.N.B. and A.M.B., Minors

(Igor Istrati, Petitioner-Appellee, v. Viktoriya Bowers, Respondent-Appellant).

Appeal from the Circuit Court of Lake County.
Honorable Patricia L. Cornell, Judge, Presiding.
No. 24-FA-572

JUSTICE MULLEN delivered the judgment of the court.
Justices McLaren and Birkett concurred in the judgment.

ORDER

- ¶ 1 *Held:* Where respondent did not provide appellate court with a sufficient record of proceedings below to evaluate the merits of the appeal, the orders entered by the trial court establishing parentage and allocating parental time and parental responsibilities for the minors would be presumed to be in conformity with the law and have a sufficient factual basis.
- ¶ 2 Petitioner, Igor Istrati, initiated the instant action in the circuit court of Lake County to establish parentage and to allocate parenting time and parental responsibilities for the minors, A.N.B. (born December 25, 2017) and A.M.B. (born November 15, 2019). Respondent and mother of the minors, Viktoriya Bowers, moved to dismiss the action pursuant to section 2-619(a)(1) of the Code of Civil Procedure (Code) (735 ILCS 5/2-619(a)(1) (West 2024)). Respondent argued that the trial court “lack[ed] subject matter jurisdiction over the minor children” under the Uniform

Child-Custody Jurisdiction and Enforcement Act (UCCJEA) (750 ILCS 36/101 et seq. (West 2024)). Specifically, respondent claimed that Illinois was not the minors’ “home state” under the UCCJEA because, at the time these proceedings commenced, the minors had been living in the Russian Federation for more than six months. The trial court denied the motion to dismiss. Additional motion practice followed, after which the trial court found respondent in default and entered an order of parentage declaring petitioner to be the minors’ father. Following a trial, the court entered a default allocation judgment with respect to parental responsibilities and parenting time.

¶ 3 Respondent has filed a pro se appeal raising two issues. First, respondent asserts that the trial court lacked subject matter jurisdiction under the UCCJEA because Illinois was not the minors’ “home state” at the time the proceedings commenced. Second, she argues that the trial court erred in entering a default allocation judgment and related orders in the absence of established legal parentage and in violation of statutory prerequisites. We affirm.

¶ 4 I. BACKGROUND

¶ 5 Initially, we note that the record on appeal consists only of the common law record. Respondent has not provided us with a transcript of the proceedings below. Based on this limited record, we are only able to glean the following facts and procedural history.

¶ 6 The parties were never married, but petitioner and respondent cohabited and were involved in an intimate relationship. The minors and respondent have citizenship of both the United States and the Russian Federation. The minors resided in Illinois from their births through February 2024, when respondent relocated them to the Russian Federation. On July 26, 2024, respondent obtained an emergency order of protection against petitioner. Petitioner subsequently agreed to the entry of

a plenary order of protection. Said plenary order of protection does not include the minors as protected parties and has been modified from time to time.¹

¶ 7 On August 22, 2024, petitioner filed a petition to establish parentage of the minors and to allocate temporary and permanent parenting time and parental responsibilities. Petitioner alleged in relevant part as follows. The minors resulted from the parties' relationship. Although petitioner was present at the minors' births, the parties have not executed a voluntary acknowledgement of paternity, there are no existing court or administrative orders regarding the parentage of the minors, no formal parenting plan exists between the parties, and there has not been any final adjudication by any court allocating parenting time or parental responsibilities between the parties. Petitioner asserted that pursuant to the UCCJEA, Illinois is the "home state" of the minors because they resided in Illinois until February 2024, when respondent moved them to the Russian Federation without petitioner's consent and refused to bring them back to Illinois. Petitioner requested that the trial court enter a judgment declaring him the natural, biological father of the minors and allocating parenting time and parental responsibilities with respect to the minors.

¶ 8 On September 12, 2024, petitioner filed a motion to return the minors to Illinois and to turn over respondent's passports.² In the motion, petitioner elaborated on the circumstances of the minors' departure from Illinois and their living situation. According to petitioner, respondent unilaterally removed the minors from Illinois and relocated them to her parents' residence in Stariy Oskol in the Russian Federation. Stariy Oskol is approximately 72 miles from the Ukraine-Russia border in an area affected by the ongoing Russo-Ukrainian war. From February through May 2024, petitioner was unable to reach respondent by telephone. In May 2024, respondent contacted

¹The plenary order of protection has not been included in the record on appeal.

²Although petitioner styled the motion as an "emergency," the trial court found it not to be so.

petitioner and “ask[ed] him to take her and the children on vacation in Turkey *** and return them back to *** Illinois.” Subsequently, petitioner, respondent, and the minors vacationed in Turkey, “where Respondent promised that in August 2024, she [would] bring the children back to *** Illinois.” Respondent returned to Illinois in July 2024, but the minors remained in the Russian Federation and respondent has refused to bring them back to Illinois.

¶ 9 On October 18, 2024, respondent, then represented by counsel, filed a motion to dismiss the petition to establish parentage and to allocate parenting time and parental responsibilities pursuant to section 2-619(a)(1) of the Code (735 ILCS 5/2-619(a)(1) (West 2024)). Respondent asserted that the trial court “lack[ed] subject matter jurisdiction over the minor children” because the Russian Federation was the minors’ “home state” under the UCCJEA when petitioner commenced this action. See 750 ILCS 36/201(a)(1) (West 2024) (providing that Illinois has jurisdiction to make an initial child-custody determination only if Illinois “is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from [Illinois] but a parent or person acting as a parent continues to live in [Illinois]”). Respondent attached to her motion an affidavit in which she acknowledged that she, petitioner, and the minors resided together in Illinois from October 2021 through February 2024, but that “[t]he minor children have lived with my parents and I [sic] in the Russian Federation since February 6, 2024, and continue to reside there.”

¶ 10 In his response to the motion to dismiss, petitioner argued that the court had jurisdiction to adjudicate the parentage issue pursuant to section 603 of the Illinois Parentage Act of 2015 (750 ILCS 46/603 (West 2024)). In addition, petitioner argued that the court had jurisdiction to make a child-custody determination because Illinois remained the minors’ “home state” for purposes of

the UCCJEA where respondent removed the minors from Illinois without his consent and led him to believe that she and the minors would return to Illinois.

¶ 11 On December 3, 2024, petitioner filed a declaration pursuant to section 209 of the UCCJEA (750 ILCS 36/209 (West 2024)). In the declaration, petitioner certified that he and respondent were the parents of the minors. He also certified the addresses where the minors had lived in the past five years and the individuals with whom the minors resided at those addresses. The declaration reflected that the minors lived in Illinois with petitioner and respondent from February 2019 through February 2024, but that the minors have been living with their maternal grandparents in Stariy Oskol, Russian Federation since February 2024.

¶ 12 The trial court held an evidentiary hearing on respondent's motion to dismiss over the course of multiple dates commencing on February 4, 2025. Respondent testified at the evidentiary hearing on the motion to dismiss. Between hearing dates for the evidentiary hearing, petitioner filed a motion for genetic testing. On April 28, 2025, the trial court denied the motion to dismiss in a summary order.

¶ 13 On June 16, 2025, respondent filed an answer to petitioner's motion to return the minors to Illinois and to turn over her passports. Respondent stated that the minors "are her children and are not children of the parties." Respondent further asserted that she and the minors left Illinois for the Russian Federation in February 2024 "due to abuse inflicted by Petitioner," that petitioner's consent for the relocation was not necessary as petitioner's parentage had not been established, and that Illinois is not the minors' "home state" under the UCCJEA.

¶ 14 On June 18, 2025, the trial court entered an order appointing Neta Nodelman as guardian ad litem (GAL) of the minors. The order required the GAL to submit a report addressing parenting

time, decision making, communication, and child-related issues. On July 23, 2025, respondent filed an appearance on her own behalf after her attorney withdrew.

¶ 15 On August 21, 2025, the trial court held a hearing on petitioner's motion for genetic testing and his motion to return the minors to Illinois and to turn over respondent's passports. Respondent appeared at the hearing in person. The parties argued the motions, and the GAL informed the court of the status of her investigation. At the end of the hearing, the trial court entered an order granting both motions. Among other things, the order established a procedure for the minors' return to Illinois, prohibited either party from leaving Illinois (except by court order), and required respondent to execute and provide by no later than 9 a.m. on August 22, 2025, travel consent forms and the minors' passport information for their travel to Illinois from the Russian Federation.

¶ 16 On August 22, 2025, petitioner filed an emergency motion for rule to show cause and immediate order of contempt for respondent's failure to comply with the ruling of August 21, 2025, requiring her to provide passport information and to execute travel consent forms for the minors. The trial court held a hearing the same day, during which petitioner, petitioner's attorney, and the GAL provided testimony. The order entered by the trial court indicates that respondent was not present at the hearing and attempts to contact her by telephone and at her residence and place of employment were unsuccessful. The trial court found the matter constituted an emergency, issued a rule to show cause against respondent, continued the matter to August 25, 2025, and noted that respondent's failure to appear at the August 25, 2025, hearing would result in the issuance of a body attachment. Respondent appeared at the August 25, 2025, hearing via Zoom and informed the court that she was in Russia. The court found that respondent violated the ruling of August 21, 2025, by leaving Illinois and failing to provide travel documentation for the minors. The court therefore issued a body attachment order *instanter*.

¶ 17 On August 27, 2025, petitioner filed a motion for a default. Petitioner argued that respondent must be found in default and his petition to establish parentage must be granted pursuant to section 2-1301(d) of the Code (735 ILCS 5/2-1301(d) (West 2024)) because, following the denial of her motion to dismiss, respondent fled to Russia and she did not file a response to his petition to establish parentage. On September 4, 2025, respondent filed a response to the motion for a default. Respondent acknowledged that she did not file a formal answer to the petition to establish parentage and to allocate parenting time and parental responsibilities. She asserted, however, that the court entered an order on April 28, 2025, requiring only that she respond to the petition for genetic testing and the motion regarding the relocation of the minors and the surrender of her passports. Respondent further alleged that her attorney at the time advised not to file an answer until the court ruled on her motion to dismiss.

¶ 18 On September 8, 2025, petitioner executed an acknowledgement of parentage. The trial court held a hearing that same day, at which petitioner, his attorney, and the GAL appeared in person and respondent appeared from Russia via Zoom. Following the hearing, the trial court entered an order noting that petitioner had been admonished in open court regarding the acknowledgment of parentage. The same order found respondent in default and granted petitioner's motion to enter a default on his petition to establish parentage and to allocate parenting time and parental responsibilities. The court also entered an order of parentage finding petitioner to be the father of the minors.

¶ 19 On September 24, 2025, respondent filed a motion to vacate the body attachment order. On September 26, 2025, the trial court struck the motion because respondent had been previously defaulted in the matter. In the same order, the trial court directed that the GAL's written report be filed by November 3, 2025, and set the matter for trial on December 1, 2025.

¶ 20 On October 8, 2025, respondent filed a *pro se* motion to vacate the September 8, 2025, default judgment and acknowledgment of parentage pursuant to section 2-1301(e) of the Code (735 ILCS 5/2-1301(e) (West 2024)). In support of her motion, respondent cited attorney error, lack of jurisdiction under the UCCJEA, procedural violations, and a misuse of process by petitioner. On November 14, 2025, respondent filed a motion to appear remotely via Zoom for all court hearings. On November 17, 2025, respondent filed a motion to continue. In the latter motion, respondent asserted that she is in the process of obtaining documents from Russian guardianship authorities “regarding the children’s habitual residence and best interests.” Respondent stated that she needed additional time to “properly prepare these documents, translate them into English, and submit them to the Court.” At a pre-trial conference on November 18, 2025, respondent appeared remotely via Zoom from the Russian Federation. Following the conference, the trial court entered an order finding that respondent remained in default, striking all motions filed by respondent after the order of default against her was entered, and barring either party from filing any motion without leave of the court.

¶ 21 At the December 1, 2025, trial, the court heard testimony from the GAL and petitioner. Respondent was not present at the trial either physically or remotely. The court took the matter under advisement.

¶ 22 On December 3, 2025, the court entered a default allocation judgment with respect to parental responsibilities and parenting time. In the judgment order, the court determined that it had jurisdiction over the minors pursuant to the UCCJEA declaration that was filed on December 3, 2024. The court further determined that the minors lived with petitioner and respondent in Illinois from February 2019 through February 2024, when respondent unilaterally took the minors to the Russian Federation without petitioner’s consent. The court noted that the GAL prepared a 34-page

report and testified to the contents thereof at trial. After summarizing portions of the GAL's report and testimony, the court ordered that the parties equally share parental responsibilities and significant decisions (including education, health, religion, and extracurricular activities) until further order of the court. The court also ordered respondent to return the minors to Illinois *instanter*, at which time they will undergo an evaluation. The court reserved the issue of parenting time because the minors were in the Russian Federation and respondent refused to bring them back to Illinois. The court ordered that, upon the return of the minors to Illinois, respondent turn over the minors' passports to petitioner until further order of the court. The court also issued a new body attachment against respondent *instanter*. On January 2, 2026, respondent filed a *pro se* notice of appeal.

¶ 23

II. ANALYSIS

¶ 24 On appeal, respondent raises two issues. First, she argues that the trial court lacked subject matter jurisdiction under the UCCJEA because Illinois was not the minors' "home state" at the time these proceedings commenced. Second, she argues that the trial court erred in entering a default allocation judgment and related orders in the absence of established legal parentage and in violation of statutory prerequisites. Prior to discussing respondent's claims, we address two preliminary matters.

¶ 25 First, we note that petitioner has not filed an appellee brief. However, because the record is simple and the issues may be decided without the aid of an appellee brief, we will proceed to do so under the guidelines set forth in *First Capitol Mortgage Corp. v. Talandis Construction Corp.*, 63 Ill. 2d 128, 133 (1976).

¶ 26 Second, as noted earlier, the record does not contain any report of the proceedings from the trial court. See Ill. S. Ct. R. 321 (eff. Oct. 1, 2021) (providing that the record on appeal shall consist

of the judgment appealed from, the notice of appeal, the common law record, and any report of proceedings). In addition, the record does not contain an acceptable substitute for the report of proceedings, such as a bystander’s report or an agreed statement of facts. See Ill. S. Ct. R. 323(c), (d) (eff. July 1, 2017). Respondent, as the appellant, bears the burden of providing this court with a sufficiently complete record for our review of the alleged errors. *Foutch v. O’Bryant*, 99 Ill. 2d 389, 391-92 (1984). This duty applies to *pro se* litigants. See *Steinbrecher v. Steinbrecher*, 197 Ill. 2d 514, 528 (2001) (“*Pro se* litigants are presumed to have full knowledge of applicable court rules and procedures.”); *Holzrichter v. Yorath*, 2013 IL App (1st) 110287, ¶ 78 (“In Illinois, parties choosing to represent themselves without a lawyer must comply with the same rules and are held to the same standards as licensed attorneys.”). As our supreme court has stated, “[a]n issue relating to a circuit court’s factual findings and basis for its legal conclusions obviously cannot be reviewed absent a report or record of the proceeding.” (Internal quotation marks omitted.) *In re Marriage of Gulla*, 234 Ill. 2d 414, 422 (2009). Hence, if a complete record is unavailable, the reviewing court must presume “that the order entered by the trial court was in conformity with law and had a sufficient factual basis.” *Foutch*, 99 Ill. 2d at 392. Any doubts arising “from the incompleteness of the record will be resolved against the appellant.” *Foutch*, 99 Ill. 2d at 392. With these principles in mind, we turn to respondent’s claims of error.

¶ 27

A. UCCJEA

¶ 28 Respondent first argues that the trial court lacked subject matter jurisdiction under the UCCJEA because Russia, not Illinois, was the minors’ “home state” at the time these proceedings commenced. The UCCJEA became effective in Illinois on January 1, 2004. *In re Marriage of Milne*, 2018 IL App (2d) 180091, ¶ 27. The UCCJEA was promulgated “‘to end custody jurisdictional disputes between states, to promote cooperation between states in determining

custody issues, and to enhance the ability of states to enforce custody orders expeditiously.’ ” *Fleckles v. Diamond*, 2015 IL App (2d) 141229, ¶ 32 (quoting *In re Joseph V.D.*, 373 Ill. App. 3d 559, 561 (2007)). Once a state makes an initial child-custody determination, the UCCJEA grants that state exclusive continuing jurisdiction. *Milne*, 2018 IL App (2d) 180091, ¶ 27; see 750 ILCS 36/202(a) (West 2024). The term “jurisdiction” as used in the UCCJEA “ ‘must be understood as simply a procedural limit on when the court may hear initial custody matters, not a precondition to the exercise of the court’s inherent authority,’ which ‘emanates solely from article VI, section 9 of our constitution (Ill. Const. 1970, art. VI, § 9).’ ” *Milne*, 2018 IL App (2d) 180091, ¶ 27 (quoting *McCormick v. Robertson*, 2015 IL 118230, ¶ 27).

¶ 29 Section 201(a) of the UCCJEA lists four possible jurisdictional bases for making an initial child-custody determination. 750 ILCS 36/201(a) (West 2024). Under the statute, Illinois has jurisdiction to make an initial custody determination if:

“(1) this State is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this State but a parent or person acting as a parent continues to live in this State;

(2) a court of another state does not have jurisdiction under paragraph (1), or a court of the home state of the child has declined to exercise jurisdiction on the ground that this State is the more appropriate forum under Section 207 or 208, and:

(A) the child and the child’s parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this State other than mere physical presence; and

(B) substantial evidence is available in this State concerning the child’s care, protection, training, and personal relationships;

(3) all courts having jurisdiction under paragraph (1) or (2) have declined to exercise jurisdiction on the ground that a court of this State is the more appropriate forum to determine the custody of the child under Section 207 or 208; or

(4) no court of any other state would have jurisdiction under the criteria specified in paragraph (1), (2), or (3).” 750 ILCS 36/201(a)(1) (West 2024).

The “[p]hysical presence of, or personal jurisdiction over, a party or a child is not necessary or sufficient to make a child-custody determination.” 750 ILCS 36/201(c) (West 2024).

¶ 30 The UCCJEA defines “home state” as “the state in which a child lived with a parent or a person acting as a parent for at least six consecutive months immediately before the commencement of a child-custody proceeding. *** A period of temporary absence of any of the mentioned persons is part of the period.” 750 ILCS 36/102(7) (West 2024). The UCCJEA does not define the term “temporary absence.” *Milne*, 2018 IL App (2d) 180091, ¶ 30. However, under the Uniform Child Custody Jurisdiction Act, the predecessor to the UCCJEA, courts considered a parents’ agreement and their intent regarding the temporary or permanency status of the child’s out-of-state absence. *In re Frost*, 289 Ill. App. 3d 95, 102 (1997). Thus:

“While the child may have resided in the new state for a period of six months or longer, the six-month period within which the parent in the original state could file a custody action within that state would not begin to run until that parent had reason to recognize the permanency of the out-of-state absence.” *Frost*, 289 Ill. App. 3d at 102.

For purposes of the UCCJEA, a foreign country is treated as if it were a state of the United States for the purposes of applying Articles 1 and 2 of the statute unless the child custody law of the

foreign country violates fundamental principles of human rights. 750 ILCS 36/105(a), (c) (West 2024).

¶ 31 As noted, respondent claims that the trial court lacked subject matter jurisdiction under the UCCJEA because Russia, not Illinois, was the minors' "home state" at the time these proceedings commenced. In support of her position, respondent notes that petitioner filed the petition to establish parentage and allocate parenting responsibilities and parenting time on August 22, 2024. She further notes that the minors departed Illinois on February 6, 2024, and continuously resided in the Russian Federation thereafter. Respondent reasons that because the period between February 6, 2024, and August 22, 2024, exceeds six months, the Russian Federation must be treated as the minors' "home state" under the UCCJEA. See 750 ILCS 36/102(7), 201(a)(1) (West 2024). Respondent concludes that because the Russian Federation qualifies as the minors' "home state" for purposes of the UCCJEA and no other statutory jurisdictional basis applies, Illinois lacked the authority to exercise initial custody jurisdiction in this case.

¶ 32 Respondent made this identical argument in her motion to dismiss. Following an evidentiary hearing at which respondent testified, the trial court entered a summary order denying the motion to dismiss. Subsequently, petitioner filed a UCCJEA declaration, detailing the addresses where the minors have lived in the past five years and the individuals with whom the minors resided at those addresses. Petitioner also executed a voluntary acknowledgment of parentage and filed a motion for a default, asserting that, following the denial of her motion to dismiss, respondent fled to Russia and did not file a response to his petition to establish parentage. The trial court found respondent in default, granted petitioner's motion for a default on his petition to establish parentage, and entered an order of parentage finding petitioner to be the father of the minors. The court subsequently held a trial, after which it entered a default allocation judgment. The default

allocation judgment provides that the court had jurisdiction of the minors pursuant to the UCCJEA declaration and that the minors lived with the parties in Illinois from February 2019 through February 2024, “when [respondent] unilaterally took the children to the Russian Federation without [petitioner’s] consent.”

¶ 33 As noted earlier, the record does not contain a report of the proceedings from the evidentiary hearing on the motion to dismiss, or an acceptable substitute, such as a bystander’s report or an agreed statement of facts. See Ill. S. Ct. Rs. 321 (eff. Oct. 1, 2021) and 323(c), (d) (eff. July 1, 2017). Moreover, the order denying the motion to dismiss does not state its reasoning or what evidence was presented at the evidentiary hearing on the motion. Likewise, the record does not contain a report of proceedings from any other hearing in this case or the December 1, 2025, trial. Thus, we do not know what evidence was presented or what legal arguments were made on the jurisdictional issue. While we do know that the trial court concluded that it had jurisdiction of the minors pursuant to the UCCJEA declaration, that the minors lived with the parties in Illinois from February 2019 through February 2024, and that respondent unilaterally took the children to the Russian Federation without petitioner’s consent, the factual bases underpinning the court’s rejection of the Russian Federation as the minors’ “home state” are not apparent from the incomplete record presented. See *Gulla*, 234 Ill. 2d at 422 (noting that “[a]n issue relating to a circuit court’s factual findings and basis for its legal conclusions obviously cannot be reviewed absent a report or record of the proceeding.” (Internal quotation marks omitted.)). Although it appears undisputed that the minors resided in the Russian Federation for more than six months, without a record of the proceedings, we can only speculate as to the reason why the trial court rejected the Russian Federation as the minors’ “home state” under the UCCJEA. Certainly, there is evidence in the record to support such a rejection as petitioner claimed that respondent promised

to return the minors to Illinois. See *Frost*, 289 Ill. App. 3d at 102 (holding that the six-month period within which the parent in the original state could file a custody action within that state does not begin to run until that parent has reason to recognize the permanency of the out-of-state absence).

¶ 34 Hence, given this incomplete record, we must presume that the order entered by the trial court was in conformity with the law and had a sufficient factual basis. *Foutch*, 99 Ill. 2d at 392; see also *Gulla*, 234 Ill. 2d at 423-24 (presuming that the trial court’s finding that it had jurisdiction was correct where the appellant failed to provide a transcript, bystander’s report, or agreed statement of facts from the hearing at which the trial court found that it had jurisdiction). For this reason, we reject respondent’s claim that the trial court lacked subject matter jurisdiction under the UCCJEA because Russia, not Illinois, was the minors’ “home state” at the time these proceedings commenced.

¶ 35 **B. Allocation Judgment**

¶ 36 Respondent also argues that the trial court erred in entering a default allocation judgment and related orders in the absence of established legal parentage and in violation of statutory prerequisites. She claims, for instance, that the court entered substantive custodial orders before parentage was lawfully established. She also contends that parentage in this case was created through a “unilateral acknowledgment” coupled with a default judgment, which is improper. Further, she insists that the default allocation judgment was entered in violation of due process because she was not present at the trial. Finally, she asserts that the enforcement orders are derivative of the improperly entered underlying orders and therefore cannot stand.

¶ 37 Again, however, respondent has not included in the record the transcript of the underlying proceedings or an adequate substitute. Also missing from the record is the GAL’s 34-page report. As noted in our discussion of the previous issue, in light of respondent’s failure to provide a

sufficient record of the proceedings in the trial court to evaluate the merits of the appeal, we must presume the orders entered by the trial court were in conformity with the law and had a sufficient factual basis. *Foutch*, 99 Ill. 2d at 392.

¶ 38

III. CONCLUSION

¶ 39 For the reasons set forth above, we affirm the judgment of the circuit court of Lake County.

¶ 40 Affirmed.