No. 129784 IN THE SUPREME COURT OF ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,	 Appeal from the Appellate Court of Illinois, 1st Judicial District, 1-21-1553
Plaintiff-Respondent,)
-) Circuit Court of Cook County
v.) Honorable Vincent M. Gaughan
) 12 CR 13176
)
ANTUAN JOINER,)
)
Defendant-Petitioner.)

STATEMENT OF ISSUES FOR STANDARD OF REVIEW

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No. 129784 IN THE SUPREME COURT OF ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,))
Plaintiff-Respondent,) Cir. Ct. Cook County) 12-CR-1317601)
v.) Appeal from the Appellate) Court of Illinois, First) Judicial District
ANTUAN JOINER,)) App. No. 1-21-1553
Defendant-Petitioner.)

STATEMENT OF ISSUES FOR STANDARD OF REVIEW

Defendant-Petitioner, ANTUAN JOINER ("Defendant"), through his attorneys, the Law Offices of Kathleen Zellner, hereby files this Statement of Issues for Standard of Review, pursuant to Illinois Supreme Court Rule 315 (h).

- 1) Appellant has attached a complete table of contents, with page references, of the Record on Appeal.
- 2) The first issue in this case is whether the Appellate Court erred in finding the Post-Conviction Relief was properly dismissed as frivolous and patently without merit within the 90 days mandated the Act. This Court's standard of review is de novo. When a postconviction petition is dismissed without an evidentiary hearing,

our review is de novo. People v. Lander, 215 Ill.2d 577, 583 (2005). Additionally, the proper interpretation of the Act is a question of law that we review de novo. People v. Brooks, 221 Ill.2d 381, 388 (2006).

3) The second issue in this case is whether the Appellate Court erred in finding the Post-Conviction Relief was properly dismissed as frivolous and patently without merit because it did not set forth the gist of a constitutional claim. This Court's standard of review is de novo. When a postconviction petition is dismissed without an evidentiary hearing, our review is de novo. People v. Lander, 215 Ill.2d 577, 583 (2005). Additionally, the proper interpretation of the Act is a question of law that we review de novo. People v. Brooks, 221 Ill.2d 381, 388 (2006).

Respectfully submitted,

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