

PEOPLE OF THE STATE OF
ILLINOIS,

Plaintiff-Respondent,

V.

ANTUAN JOINER,

Defendant-Petitioner.

)
)
) **Cir. Ct. Cook County**
) **12-CR-1317601**
)
) **Appeal from the Appellate**
) **Court of Illinois, First**
) **Judicial District**
)
) **App. No. 1-21-1553**
)
)

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,

/s/ Douglas H. Johnson

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