(Docket No. 130932)
THE PEOPLE OF THE STATE OF ILLINOIS, Appellee, v.
GREGORY A. JOHNSON JR., Appellant.
Opinion filed November 12, 2026.

Justice Cunningham delivered the judgment of the court.

Gregory A. Johnson faced murder charges for the death of Timothy Ellis but was found unfit to stand trial. He was later found fit in a cursory proceeding (via stipulation of the parties as to what a doctor's report would be) and pleaded guilty four months later. Johnson later sought to withdraw his guilty plea and argued for the first time on appeal that the trial court committed plain error in finding him restored to fitness, rendering his plea involuntary. The appellate court found it unclear whether the trial judge even saw the expert's report prior to finding Johnson restored to fitness, and it remanded for a retrospective fitness hearing to determine whether Johnson was fit at the time of his guilty plea.

The supreme court affirmed the decision of the appellate court. First, the supreme court found the appellate court did not lack jurisdiction based on Johnson's notice of appeal failing to include the finding of fitness; finding him fit was an interlocutory order in the procedural progression to his judgment of conviction. The supreme court found the appellate court did not err in conducting a plain-error review of Johnson's claim. In so holding, the supreme court overruled its prior decision in *People v. Ratliff*, 2024 IL 129356, insofar as it held that plain-error review was not available after a guilty plea, and drew a line between waiver and forfeiture of such claims. Finally, the appellate court was correct to find error in the restoration to fitness process; the evidence before the trial court did not satisfy the statutory standard. Johnson's case was thus sent back to the circuit court for a retrospective fitness hearing.