



(Docket No. 131187)

THE PEOPLE OF THE STATE OF ILLINOIS, Appellee,  
v. GREGORY DOBBINS, Appellant.  
*Opinion filed January 23, 2026.*

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

In *Dobbins*, the supreme court addressed whether an action for a certificate of innocence survives the death of the petitioner. Dobbins successfully had his conviction for possession of a controlled substance vacated, as it was based on fabricated evidence from a Chicago police sergeant and coconspirators. He filed a petition for a certificate of innocence but passed away unexpectedly two weeks before his hearing. His widow sought to be substituted as the petitioner for a certificate of innocence. The circuit and appellate courts found the certificate of innocence action to be a statutory right that does not survive the petitioner's death. The supreme court affirmed.

The court first declined to direct the circuit court to enter a *nunc pro tunc* (now for then) order granting Dobbins a certificate, as there was no action for it to relate back to. Nothing in the record indicated the certainty that Dobbins would receive a certificate at the time of his death, so a *nunc pro tunc* order could not appropriately direct the circuit court to do so now. On similar grounds, the court likewise declined to exercise supervisory authority under the exception in *Tunnell v. Edwardsville Intelligencer, Inc.* Turning finally to the question of whether Dobbins's action for a certificate survived under the Survival Act, the court concluded it did not. The petition for a certificate of innocence is a condition precedent to (a requirement to pursue) an action to recover damages, and not an action to recover damages in its own right. As a result, it was merely a personal right belonging to Dobbins before he died.