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2026 IL App (3d) 260446-U

Order filed November 9, 2026

IN THE

APPELLATE COURT OF ILLINOIS

THIRD DISTRICT

2026

THE PEOPLE OF THE STATE OF ILLINOIS, Plaintiff-Appellee, v. FRANCESCO A. RENDINA, Defendant-Appellant.	))))))))))	Appeal from the Circuit Court of the 18th Judicial Circuit, Du Page County, Illinois, Appeal No. 3-26-0446 Circuit No. 26-CF-950 Honorable Ann Celine O'Hallaren Walsh, Judge, Presiding.

JUSTICE BRENNAN delivered the judgment of the court.
Justices Holdridge and Anderson concurred in the judgment.

ORDER

¶ 1 *Held*: The circuit court did not err in granting the State's motion for relief and detaining defendant.

¶ 2 Defendant, Francesco A. Rendina, appeals the Du Page County circuit court's order granting the State's motion for relief and ordering his detention, arguing the State failed to prove by clear and convincing evidence that the presumption was great that he committed a detainable offense, he posed a threat to the community, and no conditions could mitigate any threat he posed. We affirm.

¶ 3 I. BACKGROUND

¶ 4 On May 5, 2026, the State charged defendant with two counts of reckless homicide (720 ILCS 5/9-3(a) (West 2024)). The State filed a verified petition to deny defendant pretrial release, alleging defendant was charged with a detainable offense and his release posed a real and present threat to the safety of any person, persons, or the community pursuant to section 110-6.1(a)(6)(P) of the Code of Criminal Procedure of 1963 (725 ILCS 5/110-6.1(a)(6)(P) (West 2024)).

¶ 5 The factual basis provided that on the evening of March 27, 2026, officers with the Downers Grove Police Department responded to a two-vehicle collision. Witnesses reported that a BMW SUV and BMW sedan were traveling at a high rate of speed and appeared to be racing. The posted speed limit was 40 miles per hour. A witness provided dash camera footage of the collision, which depicted the vehicles traveling at a high rate of speed and changing lanes in a reckless manner. Another vehicle attempted to pull onto the roadway and the SUV collided with it. The occupants of this vehicle were identified as Ried and Katherine Jacobsen, who died from their injuries. Additional surveillance footage in the area captured the BMWs traveling at a high rate of speed prior to the collision.

¶ 6 Defendant was 17 years old and the driver of the SUV. A search warrant of defendant's vehicle indicated it traveled at 104 miles per hour approximately five seconds before the collision with the accelerator level at 100%. One second before impact, the brake was applied and the steering wheel was turned at 60% capability. The vehicle's speed at the time of impact was 89 miles per hour. The passenger of defendant's vehicle, A.S., sustained a broken leg. A.S. owned the BMW sedan that was driven by Carter Hoovel, who stopped at the scene.

¶ 7 Officers located videos from a Snapchat account associated with defendant. A video from March 25, 2026, depicted a view from behind the wheel of defendant's vehicle as the driver sped

over 100 miles per hour on the roadway. Another video from March 27, 2026, the day of the collision, depicted a view inside defendant's vehicle as the vehicle performed donuts in a parking lot. Additional videos of defendant's vehicle operating in an unsafe manner were recovered from the account. Officers learned that defendant left for vacation in Florida with his family the day after the collision. A video from defendant's Snapchat account that day depicted defendant in a nightclub consuming what appeared to be two shots of alcohol.

¶ 8 Defendant's criminal history began when he was 14 years old and he had received court supervision for driving without a valid driver's license or permit and driving 35 miles per hour or more in excess of the speed limit. Two months before this collision, defendant was cited for driving too fast for conditions, disobeying a stop sign, unlawful passenger-driver with a graduated license, failure to signal, no front registration plate, and failure to carry his driver's license on his person. On March 24, 2026, three days before the collision, defendant pleaded guilty to driving too fast for conditions and disobeying a stop sign and received court supervision.

¶ 9 A hearing was held on May 11, 2026. The video of the collision was played in court. The State provided the factual basis and argued defendant posed a real and present threat to the safety of the community, noting: defendant drove his vehicle at an excessive speed and in a reckless manner; videos depicted he drove his vehicle over 100 miles per hour on a roadway days leading up to the collision and otherwise operated the vehicle in an unsafe manner; despite the death of two individuals on the night of the collision, he traveled to Florida to vacation the next day and posted videos of himself consuming alcohol at a nightclub; and his criminal history contained numerous traffic-related offenses. The State argued defendant had a disregard for human life and no condition or combination of conditions could mitigate the threat he posed, specifically, nothing would prevent him from driving and speeding.

¶ 10 Defense counsel disputed that the video of defendant consuming alcohol at a nightclub occurred the day after the collision and stated it occurred months prior. The court stated it would consider the evidence as unlawful behavior in determining whether there were conditions or a combination of conditions that could be imposed for defendant's release. As to the charged offenses, defense counsel argued there was no evidence beyond speeding to support recklessness. Further, defense counsel stated the vehicle defendant struck made "a left turn in front of not just [defendant's] car but another car as they were approaching," which would be a viable issue at trial. Defense counsel also argued defendant was not a threat as he did not have a history of violence or weapons, the Snapchat videos did not show the driver, and defendant's parents had secured all vehicle keys. Between the date of the collision and defendant's arrest, he sought pastoral guidance and therapy, had not driven, and had no incidents with police. Since defendant's criminal history and the current offenses all stemmed from driving, defense counsel contended there were conditions, such as prohibiting defendant from driving, that would mitigate any threat he posed.

¶ 11 The court found by clear and convincing evidence that the presumption was great defendant committed a detainable offense. However, the court found the State failed to prove that defendant posed a real and present threat to the safety of any person or persons in the community based on the specific articulable facts of the case. The court noted defendant's actions were reckless but unintentional, he was 17 years old, his criminal history only consisted of traffic-related offenses, the time between the collision and arrest demonstrated defendant cooperated with police and his counsel, he had family support to supervise him, he sought pastoral guidance and therapy, and he had no violent, drug, or mental health history. The court noted that there was some evidence that defendant consumed alcohol illegally but that it was not enough to warrant a finding of

dangerousness. The court also stated, even if it found defendant to be a threat, it was likely that defendant would comply with conditions of release. A pretrial release order followed.

¶ 12 On May 21, 2026, the State filed a motion for relief, arguing the court erred in determining defendant did not pose a threat to the community. The State noted the circumstances of the offense, defendant's history of traffic-related offenses, and his parents enabling the behavior. The State further argued there were no conditions or combination of conditions that could mitigate the threat defendant posed, stating defendant was placed on court supervision days before the instant offenses and nothing could stop him from driving, speeding, or placing other motorists in danger.

¶ 13 On June 10, 2026, the court held a hearing on the motion. The State submitted additional information about defendant's previous traffic-related offenses and new information it learned regarding three domestic disturbance calls occurring in 2023 and 2024 from defendant's residence when his family contacted the police for his behavior. Defendant had outbursts when his parents denied him certain things and confronted him about his consumption of cannabis and nicotine. The State also provided defendant had a brown Louis Vuitton wallet with a fraudulent Wisconsin driver's license. The driver's license listed defendant's name, the address of his parents' condominium in Lake Geneva, and a false birth date indicating he was 21 years old. The State submitted a photograph of an individual's lap that had a clear bag containing a green leafy substance, the same Louis Vuitton wallet, and a black handgun. The State submitted a video of defendant possibly consuming alcohol and photographs of defendant smoking a cigar and cigarette. Defendant had previously been a patient at a mental health institution for three months for impulse control disorder, anxiety, and depression. Defense counsel provided that discovery demonstrated that the Snapchat video of defendant consuming alcohol was from earlier in the year and not a day after the collision.

¶ 14 Following arguments, the court granted the State's motion for relief. The court found that defendant posed a real and present threat to the safety of any person, persons, or the community based on the facts of the case and defendant's history and characteristics. Further, the court found no conditions could mitigate this risk, noting defendant had a pattern of deplorable driving and impulsive behavior even after being under court supervision, defendant's illegal behavior was first documented at age 14 and was not deterred with legal intervention, and defendant's general disregard for authority whether it pertained to his parents or law enforcement.

¶ 15 On June 30, 2026, defendant filed a motion for relief and incorporated all arguments raised at prior hearings and specifically argued the court erred in finding the State met its burden of proof that he posed a threat and the threat could not be mitigated with conditions. The court held a hearing on the motion and stated it was appropriate for it to consider additional information submitted by the parties as the court must review detention every time defendant appears. The State offered that defendant had not attended any classes or Catholic reconciliation while in jail, despite signing up, and had no religious or mental health related visits. The State also provided police reports from other incidents where defendant was alleged to have been speeding in his mother's vehicle, trespassing at Walmart, purchasing tobacco products from a store, and yelled and swung a bat at objects in the home. The State presented additional videos from defendant's Snapchat account. Among other things, defense counsel argued that defendant did not know he was on court supervision at the time of the instant offenses because he was not present when the order was issued. Following arguments, the court denied the motion. This appeal followed.

¶ 16 II. ANALYSIS

¶ 17 On appeal, defendant argues the State failed to prove each of the required propositions for pretrial detention. 725 ILCS 5/110-2(a), 110-6.1 (West 2024). The State must file a verified

petition requesting the denial of pretrial release. *Id.* § 110-6.1. The State then has the burden of proving by clear and convincing evidence (1) the proof is evident or presumption great that the defendant committed a detainable offense, (2) the defendant poses a real and present threat to any person, persons, or the community or is a flight risk, and (3) no conditions could mitigate this threat or risk of flight. *Id.* § 110-6.1(e). When determining a defendant's dangerousness and the conditions of release, the statute includes a nonexhaustive list of factors the court can consider. *Id.* §§ 110-6.1(g), 110-5; *People v. Mikolaitis*, 2024 IL 130693, ¶¶ 20-21. Where no live witness testimony was presented at the hearing, such as here, we review the court's decision *de novo*. *People v. Morgan*, 2025 IL 130626, ¶ 54.

¶ 18 Initially, we note that defendant has failed to cite any legal authority in his memorandum to support his arguments on appeal. See Ill. S. Ct. R. 604(h)(7) (eff. Apr. 15, 2024). "There is a well-established principle: A reviewing court is entitled to have the issues on appeal clearly defined with pertinent authority cited and a cohesive legal argument presented. The appellate court is not a depository in which the appellant may dump the burden of argument and research." (Internal quotation marks omitted.) *People v. Inman*, 2023 IL App (4th) 230864, ¶ 13. Bare contentions without citation of authority do not merit consideration on appeal. *People v. Post,* 2025 IL App (4th) 250598, ¶ 23. Therefore, defendant has forfeited consideration of these issues.

¶ 19 Even forgiving defendant's forfeiture, we conclude the court did not err in detaining defendant. First, the State proved that the proof was evident or presumption great that defendant committed a detainable offense. Reckless homicide is one of the enumerated offenses eligible for pretrial detention. 725 ILCS 5/110-6.1(a)(6)(P) (West 2024). A person commits the offense of reckless homicide when he unintentionally causes the death of another by driving a motor vehicle recklessly in a manner likely to cause death or great bodily harm. 720 ILCS 5/9-3(a) (West 2024).

The evidence demonstrated defendant drove his vehicle at 104 miles per hour approximately five seconds before the collision with the accelerator level at 100%. Defendant's vehicle struck another vehicle at 89 miles per hour, killing two individuals. The posted speed limit was 40 miles per hour, and it was in the early evening hours when many vehicles were on the roadway. Video evidence demonstrated defendant's vehicle and another vehicle driven by Hoovel were traveling at an excessive speed, weaving through traffic, and appeared to be racing.

¶ 20 While defendant argues the State failed to meet its burden on this proposition because it failed to (1) inform the court that the victims' vehicle did not have the right-of-way at the time of the collision and (2) demonstrate the collision would not have occurred but for defendant's speed at the time of impact, the quantum of evidence required to detain a defendant pretrial is less than required at trial to prove a defendant guilty beyond a reasonable doubt. See 725 ILCS 5/110-6.1(f)(2), (4)-(6) (West 2024). The State need not prove its case at the initial detention hearing. Moreover, defense counsel seemingly agreed with this stance as he noted these were issues for trial. Defendant's attempt to change his position on appeal is unavailing. See *People v. Stewart*, 2018 IL App (3d) 160205, ¶ 19 (explaining that parties are barred from complaining of errors to which they consented or induced the court to make as it would be manifestly unfair to allow a second trial on the basis of an error to which they injected into the proceedings).

¶ 21 Second, the State demonstrated defendant posed a threat to any person, persons, or the community. The statute provides factors the court can consider when determining dangerousness, and the State presented evidence of such factors, including the nature and circumstances of the offenses, the persons to whose safety defendant is believed to pose a threat and the nature of said threat, the age and physical condition of defendant, and defendant's current placement on court supervision. See 725 ILCS 5/110-6.1(g) (West 2024). Defendant was 17 years old at the time of

the offenses and operated a vehicle in such a dangerous manner that it resulted in a collision, the death of two individuals, and the breaking of A.S.'s leg. His unlawful behavior related to driving began when he was 14 years old and was cited for driving without a valid driver's license or permit and driving 35 miles per hour or more in excess of the speed limit. Two months before this collision, defendant was cited for various driving infractions, and three days before the collision, plead guilty to driving too fast for conditions and disobeying a stop sign and received court supervision. Videos obtained from defendant's Snapchat account further demonstrated his speeding and operation of the vehicle in an unsafe manner. This history, along with the nature and circumstances of the current offenses, demonstrated that defendant had a pattern of reckless behavior and problematic judgment, which presented a real and present danger to any person, persons, or the community.

¶ 22 Finally, the State presented evidence that there were no conditions available to mitigate the threat defendant posed. The statute provides factors the court can consider when determining the conditions of release, and the State presented evidence of such factors, including the nature and circumstances of the offenses, the weight of the evidence against defendant, the history and characteristics of defendant, including his current status on court supervision, and the nature and seriousness of the real and present threat to the safety of the community based on the specific articulable facts of the case. See 725 ILCS 5/110-5 (West 2024). These factors demonstrated defendant's repeated disregard for the law and his unlikelihood of compliance with conditions. Defendant often documented his unlawful behavior with photographs and videos uploaded to his Snapchat account, demonstrating his flagrant behavior toward the law. Defendant had a history of disobeying the law (traffic offenses and consumption of alcohol as a minor) and committed the current offenses while on court supervision, which he was placed on just days before the collision.

Although defendant suggested that the removal of his driving privileges would mitigate this risk, we disagree. Defendant's conduct displayed a departure from civil society such that no conditions would be sufficient to protect the community under the circumstances presented. Further, defendant's history already contained an instance of him driving without a driver's license or permit while speeding. Thus, the court did not err in finding that no condition or combination of conditions could mitigate the threat defendant posed.

¶ 23 Finally, we note that the parties submitted additional evidence in relation to the motion for relief and the court indicated it was appropriate to introduce and consider new evidence at this juncture. This court has held, albeit after the hearing in this case, that "it is improper to introduce new evidence in support of a motion for relief" and "[t]he hearing on the motion for relief does not contemplate a second, full pretrial detention hearing." *People v. Walters*, 2026 IL App (3d) 260262, ¶ 17. Accordingly, "a motion for relief does not provide the opportunity to redo an unfavorable initial detention hearing by presenting evidence that could have been presented earlier." (Internal quotation marks omitted.) *Id.* Thus, we have not considered the evidence submitted after the initial detention hearing in reviewing this detention decision. Of course, the court was correct in that it must reevaluate defendant's detention at every hearing—but it is defendant's *continued* detention that requires a showing of new information or change of circumstances to warrant altering a prior detention order. See *People v. Post*, 2026 IL 132403, ¶ 39.

¶ 24 For the foregoing reasons, the court did not err in granting the State's motion for relief and detaining defendant.

¶ 25 III. CONCLUSION

¶ 26 The judgment of the circuit court of Du Page County is affirmed.

¶ 27 Affirmed.