

NOTICE: This order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

IN THE
APPELLATE COURT OF ILLINOIS
FIRST DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court
	)	of Cook County.
Plaintiff-Appellee,	)	
	)	
v.	)	No. 24 CR 0809001
	)	
DOMONICK COLEMAN,	)	Honorable
	)	Neera Lall Walsh,
Defendant-Appellant.	)	Judge, presiding.

JUSTICE VAN TINE delivered the judgment of the court.
Justices McBride and Reyes concurred in the judgment.

ORDER

- ¶ 1 **Held:** The circuit court did not abuse its discretion in sentencing defendant to 60 years in prison after it found him guilty of two counts of predatory criminal sexual assault and four counts of criminal sexual assault, where the individual 10-year sentences fell within the applicable statutory ranges and where the court expressly considered defendant's age and rehabilitative potential. The sentence was not manifestly disproportionate where defendant repeatedly sexually assaulted a minor over several years while he assumed a parental role for that minor.
- ¶ 2 Following a bench trial at which the circuit court found defendant Domonick Coleman guilty of two counts of predatory criminal sexual assault and four counts of criminal sexual assault,

the court sentenced him to 60 years in prison. Coleman does not challenge his convictions. On appeal, he contends only that his sentence is excessive because it will keep him imprisoned into his eighties and because, in his view, the sentence is irreconcilable with the circuit court's statement regarding Coleman's age and rehabilitative potential. For the following reasons, we affirm.

¶ 3

I. BACKGROUND

¶ 4 Coleman's 60-year aggregate sentence is derived from six convictions that arose from Coleman's sexual abuse of S.D., Coleman's fiancée's daughter. S.D. lived with her mother and Coleman from the time she was 11 years old until she was 17. S.D. viewed Coleman as a parent, and Coleman co-parented her with his fiancée.

¶ 5 The two predatory criminal sexual assault counts concerned an incident when S.D. was 11 years old and Coleman was approximately 28 or 29. S.D. testified that she awoke one morning with Coleman's penis in her mouth and hands. After she removed a sheet covering her face, she saw Coleman on her bed wearing only boxer shorts. She did not disclose the incident at that time.

¶ 6 The remaining four counts concerned conduct that occurred as S.D. grew older. When S.D. was 16 and 17 years old, Coleman had her perform oral sex on him approximately once a week for several months, generally when her mother was away. Coleman at times offered S.D. money, an extended curfew, or other favors in exchange for the sexual acts. Text messages admitted at trial documented Coleman repeatedly requesting and bargaining for oral sex. The messages also reflected the authority he exercised in the household: in one exchange, after S.D. told Coleman that she had already complied that day, Coleman persisted, and S.D. replied, "Dad I did that." The assaults stopped after S.D. told her boyfriend about the incidents and the police became involved.

¶ 7 Following the bench trial, the circuit court found Coleman guilty of two Class X felony counts (predatory criminal sexual assault) and four Class 1 felonies (criminal sexual assault). See 720 ILCS 5/11-1.40(b)(1), 11-1.20(b)(1) (West 2016). Before sentencing, the court reviewed a presentence investigation report (PSI). The PSI indicated that Coleman had no criminal history or gang involvement, had earned a GED in 2009, and had worked for approximately 14 years as a self-employed electrician. Coleman reported a good childhood and a good relationship with his mother and with his father, who had died a few years earlier, but said that he was not close to his siblings and did not maintain contact with them. He also reported a good relationship with his 13-year-old son, with whom he had video visits while in custody. Coleman described his health as good. He also reported that a stomach tumor had been discovered in March 2025, while he was in custody, and that he had since undergone two surgeries in which one of his kidneys was removed.

¶ 8 At sentencing, S.D. read a victim impact statement describing the effects of the abuse on her schooling, personality, and relationship with her mother. She explained that she had been displaced from her home, eventually lived with her grandparents, and had to pay certain school expenses herself. Her grandfather also described the harm to the family and the burden of taking S.D. into his home. In allocution, Coleman apologized to S.D. and others, stating that “nobody’s perfect,” and that he could be “corrected.”

¶ 9 Before imposing the sentence, the circuit court stated that it had considered the PSI, the evidence in aggravation and mitigation, and Coleman’s allocution. The court emphasized that S.D. was a child and that Coleman had occupied a position in which he should have protected her. The court also expressly considered Coleman’s age, family relationships, health, education, and rehabilitative potential. In reciting the applicable ranges, the court described the predatory counts as carrying a term of 6 to 30 years with an extended term of 30 to 60 years, and it stated that it

would not impose an extended term because the consecutive terms would place the aggregate “in a higher range as it is.” The court then sentenced Coleman to 10 years’ imprisonment on each of the six counts. As the sentences run consecutively, they resulted in the aggregate 60-year term.

¶ 10 Coleman moved to reconsider the sentence as excessive. In denying the motion, the circuit court made the statement on which Coleman relies in this appeal: it said that it “could have sentenced [Coleman] to the maximum sentence” but did not do so because it was “mindful of [Coleman’s] age” and had taken his “rehabilitative potential” into consideration. The court also concluded that a lesser sentence would “deprecate the seriousness of the offense,” stressing that Coleman had sexually assaulted a child in his care over a period of years. The court described Coleman as someone the child “looked at as a father figure” and whom he in turn “looked at as his stepdaughter,” while observing that he held neither status legally but had resided in the household with her. The court further noted that the State had neither sought nor been granted extended-term or enhanced penalties.

¶ 11 The circuit court sentenced Coleman on October 24, 2025, and the court denied his motion to reconsider sentence on October 31, 2025.

¶ 12 Coleman appeals.

¶ 13 II. ANALYSIS

¶ 14 On appeal, Coleman argues that the 60-year sentence is an abuse of discretion because he will likely remain in prison until approximately age 86. In support of this contention, he emphasizes his lack of any prior criminal history, steady employment, good relationship with his son, apology, and medical condition. He also maintains that the sentence is irreconcilable with the circuit court’s comments at the hearing on his motion to reconsider. He asks us to reduce the

aggregate sentence to or near the 28-year statutory minimum or, alternatively, to remand to the circuit court for resentencing.

¶ 15 The circuit court has broad discretion in sentencing, and we afford great deference to its decision because the circuit court is in a superior position to evaluate the defendant's credibility, demeanor, moral character, social environment, habits, and age. *People v. Webster*, 2023 IL 128428, ¶ 29; *People v. Alexander*, 239 Ill. 2d 205, 212-13 (2010). We will not disturb a sentence within the statutory range absent an abuse of discretion, which occurs when the sentence is greatly at variance with the spirit and purpose of the law or manifestly disproportionate to the nature of the offense. *People v. Foxx*, 2018 IL App (1st) 162345, ¶ 49. A reviewing court may not substitute its judgment for that of the trial court merely because it would have weighed the aggravating and mitigating factors differently. *People v. Wilson*, 2016 IL App (1st) 141063, ¶ 11.

¶ 16 For sentencing, the Illinois Constitution requires courts to consider both the seriousness of the offense and the objective of restoring the offender to useful citizenship. Ill. Const. 1970, art. I, § 11. But a defendant's rehabilitative potential need not be given greater weight than the seriousness of the offense. *Alexander*, 239 Ill. 2d at 214. Indeed, the seriousness of the offense is the most important factor in fashioning a sentence. *People v. Jackson*, 2014 IL App (1st) 123258, ¶ 53.

¶ 17 Coleman's individual sentences fall well within the applicable statutory ranges. Predatory criminal sexual assault of a child under section 11-1.40(a)(1) is a Class X felony, but the offense statute prescribes its own sentencing range of not less than 6 and not more than 60 years. 720 ILCS 5/11-1.40(b)(1) (West 2016). Criminal sexual assault is a Class 1 felony carrying a term of 4 to 15 years. 730 ILCS 5/5-4.5-30(a) (West 2016). The parties further agree that all six sentences must run consecutively. See *id.* § 5-8-4(d)(2). Coleman therefore faced an aggregate sentencing range

of 28 to 180 years. The court imposed 10 years for each count, which totaled 60 years. Each individual term sits at the lower end of its range, and the aggregate sentence is one-third of Coleman's maximum exposure. We therefore presume the sentence to be proper. See *People v. Busse*, 2016 IL App (1st) 142941, ¶ 27.

¶ 18 We note that the parties and the circuit court did not describe these ranges consistently. The State first advised the court that each predatory count carried a term of 6 to 60 years and that Coleman's aggregate exposure was 28 to 180 years. The court later recited a range of 6 to 30 years on those counts, with an extended term of 30 to 60 years, and declined to impose an extended term. On appeal, the State likewise treats 6 to 30 years as the baseline and contends that extended-term eligibility would have raised Coleman's exposure to 76 to 180 years. Section 11-1.40(b)(1) prescribes a single term of 6 to 60 years for a violation of subsection (a)(1), so the extended-term framing was inapt; because that provision already authorized 60 years on each predatory count, extended-term eligibility could not have enlarged Coleman's maximum exposure. However, this imprecision below does not affect our disposition. Coleman does not contend that the circuit court misapprehended the applicable range, and in any event, the court's description understated rather than overstated its sentencing authority. Under either formulation, the 10-year terms imposed on the predatory counts fall at the low end of the range available to the court.

¶ 19 Further, the record rebuts Coleman's contention that the circuit court failed to give meaningful weight to rehabilitation or his other mitigation. The court stated that it considered the PSI, which contained Coleman's lack of criminal history, employment record, family ties, and medical history. See 730 ILCS 5/5-5-3.1(a)(7), (11) (West 2016). The court also specifically discussed his age, health, education, family relationships, and rehabilitative potential. A sentencing court need not recite and assign a value to every mitigating fact in the record. *People v. Jones*,

2019 IL App (1st) 170478, ¶ 55. Rather, absent some affirmative indication to the contrary other than the sentence itself, we presume that the court considered the mitigating evidence before it. *People v. Sauseda*, 2016 IL App (1st) 140134, ¶ 19. Accordingly, the court's omission to separately mention Coleman's clean criminal record when announcing sentence does not overcome that presumption.

¶ 20 The circuit court's comments at the hearing on Coleman's motion to reconsider do not amount to an abuse of discretion. Coleman reads them as a finding that a sentence likely to last for the rest of his life was categorically inappropriate. We do not. The court's reference to the "maximum sentence" was made in explaining why it had not imposed the maximum punishment available, not in announcing a limitation on the aggregate term it considered appropriate. The maximum aggregate term Coleman faced was 180 years, and the maximum the court understood to be available to it, absent an extended term it declined to impose, was 120 years. A 60-year aggregate sentence therefore gave effect to the court's decision not to impose the maximum while still recognizing the seriousness of six separate offenses. The court made that balancing explicit when it found that a sentence below 60 years would deprecate the seriousness of the conduct. Those conclusions are not inconsistent, as Coleman suggests.

¶ 21 The fact that the aggregate sentence will keep Coleman imprisoned into old age does not, by itself, make the sentence an abuse of discretion. Coleman was an adult throughout the charged conduct, and he does not raise a constitutional challenge to his sentence. Rather, he argues that the circuit court abused its sentencing discretion. The federal decisions on which he relies, which discuss the diminishing deterrent and incapacitative value of very long sentences imposed on aging defendants, are not binding on this court. Moreover, these cases did not review an Illinois sentence

for abuse of discretion. See *United States v. Craig*, 703 F.3d 1001, 1002-04 (7th Cir. 2012) (Posner, J., concurring); *United States v. Wurzinger*, 467 F.3d 649, 652 (7th Cir. 2006).

¶ 22 In *Sauseda*, this court rejected a similar excessive-sentence argument from a defendant who emphasized that even the minimum sentence would leave him imprisoned until age 75. *Sauseda*, 2016 IL App (1st) 140134, ¶ 8. Because counsel had presented that point to the sentencing court, nothing in the record rebutted the presumption that the court had considered it, and this court declined to reweigh the sentencing factors. *Id.* ¶ 20. Here, the circuit court expressly considered Coleman’s age and medical condition, observing that Coleman had reported no outstanding medical condition other than the one that arose after he entered custody and that the condition was receiving attention. We cannot reweigh those considerations merely because the aggregate effect of the mandatory consecutive terms is severe.

¶ 23 Coleman also requests that we weigh the cost to taxpayers of incarcerating him into old age, citing a 2025 financial impact statement published by the Illinois Department of Corrections. A sentencing court is required to “consider the financial impact of incarceration based on the financial impact statement filed with the clerk of the court.” 730 ILCS 5/5-4-1(a)(3) (West 2016). But here too, Coleman has not identified anything in the record to rebut the presumption that the court has fulfilled its obligation and considered the financial impact statement. See, e.g., *Sauseda*, 2016 IL App (1st) 140134, ¶ 22; *People v. Canizalez-Cardena*, 2012 IL App (4th) 110720, ¶ 24.

¶ 24 Coleman’s reliance on *Steffens* is misplaced. The defendant in that case was 16 years old when he committed a single murder, and the reviewing court reduced his 30-year sentence to 20 years because his rehabilitative potential had not been given adequate consideration in light of his age and the absence of a significant criminal record. *People v. Steffens*, 131 Ill. App. 3d 141, 151-52 (1985). Coleman, by contrast, was between 28 and 34 years old across the six-year period of

the charged conduct, and the circuit court did not overlook his age. The court stated it was taking his age specifically into account, and it returned to that consideration when it denied the motion to reconsider. *Steffens* and the cases following it rest on the diminished culpability and greater rehabilitative capacity of a youthful offender, considerations that have no application to an adult who sexually abused a child in his own household over a period of years. Coleman also reads *Steffens* to suggest that the statutory minimum will ordinarily satisfy the State's interest in retribution. But the sentence he quotes concerns murder. The *Steffens* court observed that the legislature had determined adequate retribution for murder may be satisfied by imposition of the minimum sentence, citing the murder sentencing provision. *Id.* at 151 (citing Ill. Rev. Stat. 1981, ch. 38, par. 1005-8-1(a)(1)(a)). That describes a legislative judgment about a single offense carrying a single discretionary term. It says nothing about this scenario, in which the legislature set a range of 6 to 60 years for predatory criminal sexual assault and separately required that sentences for multiple such offenses run consecutively. 720 ILCS 5/11-1.40(b)(1) (West 2016); 730 ILCS 5/5-8-4(d)(2) (West 2016). Coleman's aggregate term is the sum of six sentences, each imposed at or near the bottom of its own range, which are statutorily set to run consecutively.

¶ 25 The remainder of the cases Coleman cites on appeal are distinguishable and thus do not compel reversal. In *People v. Juarez*, 278 Ill. App. 3d 286, 293 (1996), this court reduced a sentence for aggravated discharge of a firearm where, among other distinctions, no occupant of the targeted vehicle sustained injury. *People v. Bonner*, 2025 IL App (1st) 221395-U, ¶ 68, involved a 17-year-old defendant and a record the reviewing court found showed a pronounced disconnect between the circuit court's treatment of mitigation and the sentence it selected.¹ Here,

¹Parties may cite Rule 23 orders filed on or after January 1, 2021, as persuasive authority. Ill. S. Ct. R. 23(e)(1) (eff. June 3, 2025).

Coleman was an adult, the aggravating circumstances were substantial, and the circuit court expressly explained why the seriousness of the repeated offenses warranted an aggregate 60-year term notwithstanding the mitigation. Sentencing decisions turn on the particular circumstances of each case. See *People v. Fern*, 189 Ill. 2d 48, 53 (1999).

¶ 26 Essentially, Coleman asks us to give his lack of criminal history, employment, family relationships, health, and rehabilitative potential more weight than the circuit court gave them and to give the seriousness and circumstances of his offenses less weight. That is precisely the reweighing that we simply cannot do. See *People v. Flores*, 404 Ill. App. 3d 155, 158 (2010). The court considered both sides of the sentencing balance and selected individual terms well within the statutory limits. Given the repeated sexual assaults of a child who regarded Coleman as a father figure and the harm reflected in the sentencing record, the resulting aggregate sentence is not greatly at variance with the spirit and purpose of the law or manifestly disproportionate to the nature of the offenses.

¶ 27

III. CONCLUSION

¶ 28 For these reasons, we affirm the judgment of the circuit court of Cook County.

¶ 29 Affirmed.