

**THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 604(h)**

No. 131279

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CYNTHIA A. GRANT  
SUPREME COURT CLERK

IN THE  
SUPREME COURT OF ILLINOIS

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SEAN GRAYSON,	)	Original Motion for Supervisory
	)	Order Pursuant to Supreme
Movant,	)	Court Rule 383.
	)	
v.	)	
	)	
JUSTICES OF THE ILLINOIS	)	Circuit Court of Sangamon
APPELLATE COURT, FOURTH	)	County, No. 24 CF 909Appeal
DISTRICT,	)	No. 4-24-1100
	)	
Respondent.	)	

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**OBJECTION TO EMERGENCY MOTION FOR SUPERVISORY ORDER**

The Attorney General of Illinois, on behalf of the People of the State of Illinois, files this objection in response to Sean Grayson’s emergency motion for a supervisory order directing his release.

**Background**

The People of the State of Illinois charged movant with first degree murder, aggravated battery with a firearm, and official misconduct. The circuit court found that movant’s release would endanger the public and that no conditions of supervision were sufficient to mitigate that risk, and it granted the People’s petition to detain him pending trial.

Movant appealed the detention order, and the Illinois Appellate Court reversed on November 27, 2024. *People v. Grayson*, 2024 IL App (4th) 241100-U.

The appellate court rejected the circuit court's factual findings and ordered that the case be remanded for the circuit court to determine the least restrictive conditions of release.

The appellate court stayed its mandate until January 2, 2025, to permit the People to file a petition for leave to appeal (PLA). The People filed a PLA on December 4, 2024. The following day, movant filed an "emergency motion for supervisory order" requesting that this Court order the appellate court to remand the case for his immediate release.

### **Argument**

**I. This Court should deny a supervisory order in this original action and instead address the issue of defendant's detention in Appeal No. 131279.**

At the outset, this Court should deny relief in this original action — without addressing the merits of movant's request for pretrial release — because a motion for supervisory order is an improper means to pursue the requested relief.

Article VI, section 16, of the Illinois Constitution of 1970 vests this Court with "general administrative and supervisory authority over [the] judicial system." *In re Estate of Funk*, 221 Ill. 2d 30, 97 (2006). But beyond the Court's leave to appeal docket, "supervisory orders are disfavored." *People ex rel. Birkett v. Bakalis*, 196 Ill. 2d 510, 512 (2001). Generally, a supervisory order should be granted "only if the normal appellate process will not afford adequate relief and the dispute involves a matter important to the administration of justice, or where intervention is necessary to keep an inferior court or tribunal from acting beyond

the scope of its authority.” *In re J.T.*, 221 Ill. 2d 338, 347 (2006). Here, the normal appellate process affords adequate relief. The People have already filed a PLA in this Court. Movant needed only to file a motion in that case pursuant to Supreme Rule 604(a)(3) seeking his release. Accordingly, this Court should deny defendant’s motion seeking the extraordinary remedy of a supervisory order.

Indeed, the issue of defendant’s release is already pending in that case: contemporaneously herewith, the People are filing a motion in that appeal for this Court to continue to stay the mandate (and, thus, to continue defendant’s detention) until this Court has disposed of that appeal.

**II. On the merits, this Court should deny a supervisory order because movant is not entitled to immediate release.**

Alternatively, this Court should deny a supervisory order because movant is not entitled to immediate release.

Under Supreme Court Rule 604(a)(3), a “defendant shall not be held in jail . . . during the pendency of an appeal by the State, or of a petition or appeal by the State under Rule 315(a), unless there are compelling reasons for his or her continued detention.” Ill. S. Ct. R. 604(a)(3). By its terms, the rule applies because the People’s PLA is pending. However, the sole issue on which review is sought is whether the circuit court correctly determined that defendant *should not be released* because he poses a danger to the community and that no conditions of release are sufficient to mitigate that threat. The circuit court’s findings — which, as the PLA explains, were wrongly rejected by the appellate court — provide “compelling

reasons” for staying defendant’s release until this Court has had the opportunity to review them.

**Conclusion**

This Court should deny a supervisory order.

December 6, 2024

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**CERTIFICATE OF FILING AND SERVICE**

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct. On December 6, 2024, the foregoing **Objection to Emergency Motion for Supervisory Order** was filed with the Clerk of the Supreme Court of Illinois, using the court's electronic filing system, which automatically served notice on the following e-mail addresses:

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