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

No. 131564

IN THE
SUPREME COURT OF ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS, Plaintiff-Appellant, v. GEOFFREY P. SEYMORE, Defendant-Appellee.	)))))))))))	Appeal from the Appellate Court of Illinois, Second District, No. 2-24-0616 There on Appeal from the Circuit Court of DeKalb County No. 2024 CF 499 The Honorable Joseph C. Pedersen, Judge Presiding.

REPLY BRIEF OF PLAINTIFF-APPELLANT PEOPLE OF THE STATE OF ILLINOIS

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ARGUMENT

As explained in the People's opening brief, the appellate court erred in holding that Rule 604(h) conferred jurisdiction to review the circuit court's jail sanction order. *See* Peo. Br. 9-17.[1] Instead, the court had jurisdiction to review the sanction order because it was a final judgment and thus appealable under article VI, section 6 of the Illinois Constitution of 1970. The appellate court further erred by holding that the County Jail Good Behavior Allowance Act ("Good Behavior Act" or "Act"), 730 ILCS 130/3, entitles a defendant to the award of good-conduct credit to reduce a jail term imposed as a sanction under 725 ILCS 5/110-6(f)(2). Peo. Br. 17-27. Defendant's contrary view contradicts the Act's plain language, which applies good-conduct credit earned in pretrial detention to reduce a later-imposed sentence of conviction for a criminal offense. This Court should therefore reverse the appellate court's judgment and affirm the circuit court's order.

I. This Court Should Not Dismiss This Appeal.

As a threshold matter, defendant's argument that the Court should dismiss this appeal lacks merit. *See* Def. Br. 12-13. Dismissal of an appeal is appropriate where an appellant abandons the issue it presented in the PLA on which this Court has granted review and, instead, raises new issues in the merits briefing. *See People v. Collins*, 2022 IL 127584, ¶¶ 19-23 (dismissing

[1] The People follow the same citation conventions as in the opening brief, with the following additions: "Peo. Br. _" and "Def. Br. _" refer to the People's opening brief and defendant's brief, respectively. "PLA" refers to the People's petition for leave to appeal in this Court.

appeal where People conceded abandonment of sole issue on which Court granted review); *see also People v. Robinson*, 223 Ill. 2d 165, 174-75 (2006).

Here, in contrast with *Collins*, the People briefed both issues presented for review in the PLA. The People's PLA identified the issues on which it sought this Court's review as whether "the appellate court erred in holding that (1) it had jurisdiction over defendant's interlocutory appeal from an order imposing a sanction under 725 ILCS 5/110-6(f) and (2) the good conduct allowance of 730 ILCS 130/3 applies to such sanctions." PLA at 2. As to jurisdiction, the People argued that this Court should hold that "Rule 604(h)(1) provides no basis for an interlocutory appeal in a case involving sanctions under section 110-6(f)," *id.* at 4, which the opening brief thoroughly addressed, *see* Peo. Br. 7-16.

To be sure, the PLA argued that this Court should grant review "to resolve the conflict between the appellate court's opinion below and the First District's opinion in *Boose*." PLA at 5. And an appellate court conflict is a reason for granting review, *see* Ill. S. Ct. R. 315(a), given that "resolving conflicts in the appellate court is one of this Court's greatest responsibilities," *People v. Washington*, 2023 IL 127952, ¶ 49. But the existence of an appellate court conflict was never presented as an "issue" for this Court to resolve on the merits. *See* Def. Br. 12. Rather, as noted, the PLA asked this Court to resolve whether Rule 604(h) conferred appellate jurisdiction over sanction orders, PLA at 2, 5, 6-7, and whether the good-conduct allowance of

730 ILCS 130/3 applies to such sanctions, *id.* at 2, 5-7, which issues were briefed, Peo. Br. 7-27. Accordingly, the People's decision not to reiterate the appellate court conflict in their merits briefing provides no basis for dismissing the appeal.

Nor did the People forfeit the merits of defendant's claim to good-conduct credit by not raising that issue in the appellate court. Def. Br. 13, 34-35. As the appellant in this Court and the appellee below, the People "may raise any issue[ ] properly presented by the record to sustain the judgment of the trial court," even if "the issue[ ] [was] not raised before the appellate court." *People v. Gray*, 2024 IL 127815, ¶ 19 (internal citation and quotations omitted); *see also People v. Wells*, 2023 IL 127169, ¶ 29. The appellate court reversed that portion of the circuit court's order denying good-conduct credit, A13, and the People presented this issue in the PLA, *see* PLA at 2, 5-7, and now ask this Court to affirm the circuit court's judgment, *see* Peo. Br. 17-27; R16. Accordingly, this Court should reject defendant's forfeiture argument.

This Court should therefore reject defendant's request to dismiss this appeal.

II. A Subsection 110-6(f) Sanction Order Is a Final and Appealable Judgment but Not Subject to Rule 604(h).

The appellate court erred in holding that Rule 604(h)(1) conferred jurisdiction to review the circuit court's jail sanction order because, as explained, *see* Peo. Br. 7-16; PLA at 4-5, the Rule's plain language does not

include orders imposing sanctions for violating pretrial release conditions. Rather, Rule 604(h) only confers jurisdiction over appeals by defendants from interlocutory orders revoking pretrial release, modifying conditions of pretrial release, or denying pretrial release. Ill. S. Ct. R. 604(h)(1)(i)-(iii). But, as defendant argues in response, Def. Br. 15-19, a subsection 110-6(f) sanction order is a final judgment, so the appellate court has jurisdiction under article VI, section 6 of the Illinois Constitution of 1970 to review the sanction order.

A. The circuit court's jail sanction order was a final appealable judgment.

The appellate court had jurisdiction to review the circuit court's jail sanction order as a final and appealable judgment.

The People agree that the circuit court's jail sanction order imposed under subsection 110-6(f)(2) of the Code of Criminal Procedure of 1963 (Code) was a final judgment. *See* Def. Br. 15-19. And article VI, section 6 of the Illinois Constitution of 1970 "provides that appeals from final judgments of the circuit court are a matter of right to the appellate court." *People ex rel. Scott v. Silverstein*, 87 Ill. 2d 167, 172 (1981); *see also Almgren v. Rush-Presbyterian-St. Luke's Med. Ctr.*, 162 Ill. 2d 205, 210 (1994).

Relevant here, "[t]he final decision from which an appeal lies . . . may . . . refer to the final determination of a collateral matter," which is "distinct from the general subject of the litigation, but which, as between the parties to the particular issue, settles the rights of the parties." *Brauer Mach. & Supply Co., for Use of Bituminous Cas. Corp. v. Parkhill Truck Co.*, 383 Ill.

569, 574-75 (1943).[2] "A judgment is considered final 'if it terminates the litigation between the parties on the merits or disposes of the rights of the parties, either on the entire controversy or a separate part thereof.'" *In re A.H.*, 207 Ill. 2d 590, 594 (2003) (quoting *In re Curtis B.*, 203 Ill. 2d 53, 59 (2002)).

Here, the circuit court's jail sanction order was a "final determination" of "a collateral matter" — the People's petition for sanctions alleging that defendant violated his pretrial release conditions, *see* 725 ILCS 5/110-6(d) — that was "distinct from the general subject of" the criminal prosecution. *See Brauer Mach. & Supply*, 383 Ill. at 574-75. "[A]lthough occurring within the context of another proceeding and thus having the appearance of being interlocutory," subsection 110-6(f) sanction proceedings, like criminal contempt proceedings, are thus "original special proceeding[s], collateral to and independent of, the case in which the [violation] arises." *Scott*, 87 Ill. 2d at 172. And the circuit court's sanction order was final because it concluded the collateral proceedings and fixed the rights of the parties — specifically, the People's right to detain defendant for a fixed jail term as a sanction for violating his pretrial release conditions. *See A.H.*, 207 Ill. at 594; *see also In*

[2] Before the adoption of the 1970 Constitution, the right to appeal a circuit court's final judgment to the appellate court was statutory rather than vested by the Constitution, *see* Ill. Const. 1870, art. VI, § 11 (according appellate jurisdiction as the General Assembly provided in law), but the applicable statute conferred the same right to appeal final judgments, *see Brauer Mach. & Supply*, 383 Ill. at 574, so the analysis is the same.

re Marriage of Ruchala, 208 Ill. App. 3d 971, 977 (2d Dist. 1991) (order is "final and appealable because it is collateral to and independent of the case in which it arises, as long as the sanction imposed does not directly affect the outcome of the principal action"). Accordingly, the People agree that the appellate court had jurisdiction to review the circuit court's sanction order as a final and appealable judgment.

B. Rule 604(h) does not govern appeals of section 110-6(f) sanction orders.

However, contrary to the appellate court's holding, it did not have jurisdiction under Rule 604(h), and this Court should reject defendant's argument otherwise. *See* Def. Br. 20-25.

By its plain text, Rule 604(h) confers jurisdiction in the appellate court only over "*interlocutory* order[s] of court entered under sections 110-5, 110-6, and 110-6.1 of the [Code]." Ill. S. Ct. R. 604(h)(1) (emphasis added). As discussed *supra* Section II.A, subsection 110-6(f) sanction orders are final judgments, not interlocutory orders. *See also* Def. Br. 14 ("the trial court's order was *either* a final appealable judgment . . . *or* an interlocutory order that is subject to review pursuant to . . . Rule 604(h)(1)") (emphasis added). And, moreover, a jail sanction is not one of the enumerated interlocutory orders over which Rule 604(h) confers appellate jurisdiction: It is not an order revoking pretrial release, modifying conditions of pretrial release, or denying pretrial release. *See* Rule 604(h)(1)(i)-(iii); Peo. Br. 11-17.

Accordingly, Rule 604(h) does not govern appeals of subsection 110-6(f) sanction orders.

Because Rule 604(h) does not govern appeals of sanction orders, the Rule's many directives for appealing the enumerated interlocutory orders do not apply. *See, e.g.*, Ill. S. Ct. R. 604(h)(2) (mandating "motion for relief" in trial court as prerequisite to appeal), 604(h)(3) (appeal may be taken "at any time prior to conviction" and requires no docketing statement), 604(h)(4)-(5) (expedited timing requirements for filing the report of proceedings and record), 604(h)(7)-(8) (requiring expedited briefing and disposition and declining oral argument), 604(h)(9) (maintaining jurisdiction in circuit court pending appeal), 604(h)(10) (notification of mootness), 604(h)(11) (prohibiting subsequent appeals while appeal of relevant order remains pending). Rather, this Court's Rule 606 governs the perfection of appeals of subsection 110-6(f) sanction orders, just as it governs appeals from final judgments and orders in criminal cases. *See, e.g.*, *People v. Marker*, 233 Ill. 2d 158, 164-68 (2009) (discussing time for perfecting appeal of final judgments and orders under Rule 606(b) in criminal cases).

C. This Court should resolve the jurisdictional and merits issues presented under the public-interest exception to the mootness doctrine.

The People agree with the appellate court that defendant's appeal is moot, but that the public-interest exception to the mootness doctrine applies here such that this Court should both address the jurisdictional issue and reach the merits of defendant's appeal. *See* Peo. Br. 18-19.

The questions whether the appellate court has jurisdiction under Rule 604(h) to review pretrial sanction orders and whether good-conduct credits apply to reduce a jail term imposed as a sanction for violating pretrial release conditions both satisfy the public-interest exception because, as to each question, "'(1) the question presented is of a public nature; (2) an authoritative determination of the question is desirable for the future guidance of public officers; and (3) the question is likely to recur.'" *People v. Morgan*, 2025 IL 130626, ¶ 16 (quoting *Commonwealth Edison Co. v. Illinois Com. Comm'n*, 2016 IL 118129, ¶ 12)). Indeed, the issue whether appellate jurisdiction lies under Rule 604(h) to review pretrial sanctions arose in at least two other appeals. *See People v. Boose*, 2024 IL App (1st) 240031, ¶¶ 12-15; *People v. Luebke*, 2025 IL App (5th) 241208-U, ¶¶ 17-18. And the Good Behavior Act's application to jail sanctions also arose in *Boose*, although that case posed a different question: whether good-conduct credit for time served in jail under sanctions may be awarded prospectively against a future sentence following conviction. 2024 IL App (1st) 240031, ¶ 15. Resolving these issues thus "will provide consensus throughout the Illinois judiciary." *People v. Morgan*, 2025 IL 130626, ¶ 17, warranting application of the public-interest exception to mootness.[3]

[3] In addition, appeals of jail sanction orders will almost invariably become moot before the appeal concludes. The Code limits jail sanctions to 30 days, *see* 725 ILCS 5/110-6(f)(2), so even if Rule 604(h)'s expedited briefing schedule and disposition deadline applied — and they do not, *see* Section II.B *supra* — a defendant would serve the jail term before appellate briefing concluded,

III. The Circuit Court Correctly Held that Defendant Was Ineligible for Good-Conduct Credits Against His 30-Day Jail Sanction.

The circuit court correctly found that the Good Behavior Act, 730 ILCS 130/3, does not entitle a defendant to good-conduct credits against a jail term imposed as a sanction for violating pretrial release conditions. The Act's language, as amended to comport with the 2023 changes to pretrial detention procedures, *see* Pub. Act 101-652, § 10-925 (eff. Jan. 1, 2023) (amending 730 ILCS 130/3), demonstrates that the General Assembly intended that a defendant detained as a sanction for failing to comply with pretrial release conditions may apply good-conduct credit accrued during that detention *only* to reduce a later-imposed sentence of imprisonment following conviction.

The Act entitles someone who "commences a *sentence* of confinement in a county jail for a fixed term of imprisonment" to good-conduct credit. 730 ILCS 130/3 (emphasis added). And the Act further provides that prisoners receive one day of good-conduct credit "for each day of *service of sentence* in the county jail" and "for each day of incarceration in the county jail *before sentencing for the offense that he or she is currently serving sentence but was unable to comply with the conditions of pretrial release before sentencing*." *Id.* (emphasis added). The Act thus distinguishes between (1) detention

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and before the court could rule. *See In re Alfred H.H.*, 233 Ill. 2d 345, 350-51 (2009) (expiration of 90-day civil commitment order rendered appeal moot because regardless of the order's validity, it could "'no longer serve as the basis for adverse action against [respondent]'" (quoting *In re Barbara H.*, 183 Ill. 2d 482, 490 (1998)).

pursuant to a current sentence for a criminal offense for which the defendant was convicted, *i.e.*, a sentence, and (2) pretrial and presentencing detention for a failure to comply with pretrial release conditions, *i.e.*, a jail sanction. But for both types of detention, good-conduct credit accrued during detention applies only to reduce the "sentence" for "the offense that [the defendant] is currently serving sentence," *id.* — *i.e.*, the sentence imposed following conviction for a criminal offense. *See* Peo. Br. 20-22.

In other words, the Act's language reflects the General Assembly's intent that a prisoner who serves a jail sanction "before sentencing" because he was "unable to comply with the conditions of pretrial release," will be entitled — upon conviction and sentencing — to apply any good-conduct credit accrued pretrial toward the later-imposed sentence of conviction. 730 ILCS 130/3. Unless and until a defendant is sentenced to imprisonment following conviction, however, there is no sentence to which good-conduct credit can be applied.

The Act's plain language is not only clear, but it is also consistent with the use of the word "sentence" throughout the Illinois Compiled Statutes and this Court's caselaw to mean the judgment pronounced after finding a defendant guilty of violating a criminal statute. *See* Peo. Br. 20-21 (citing 730 ILCS 5/5-1-19; *People ex rel. Barrett v. Bardens*, 394 Ill. 511, 516 (1946); *People v. Caballero*, 102 Ill. 2d 23, 51 (1984); *Sentence*, *Black's Law Dictionary* (12th ed. 2024)). Had the General Assembly intended good-

conduct credit to apply to reduce a pretrial jail "sanction," — the term employed in subsection 110-6(f) — the Act would state that "any person who commences a sentence *or sanction* of imprisonment in a county jail for a fixed term of imprisonment" is entitled to good-conduct credit. The Act would likewise state that a prisoner receive one day of good-conduct credit "for each day of service of sentence *or sanction* in the county jail." But the Act states neither. And, as the circuit court recognized, "reading the plain language that the legislature has chosen to employ regarding violations of pretrial release states that [a defendant] shall be subject to a *sanction*, not a sentence of imprisonment." R62 (emphasis added); *see also, e.g.*, *People v. Goosens*, 2015 IL 118347, ¶ 12 ("when the legislature uses certain language in one instance of a statute and different language in another part, [the Court] assume[s] different meanings were intended").

Accordingly, and contrary to defendant's argument, *see* Def. Br. 27-30, because the Act by its terms applies only to someone "who commences a sentence of confinement in a county jail," 730 ILCS 130/3, there was no need for the General Assembly to expressly exclude pretrial jail sanctions from the Act's general application, because the Act was never intended to apply to jail sanctions in the first place.

There is likewise no merit to defendant's argument that the terms "sanction" and "sentence" are interchangeable, particularly when he also asserts that a "sentence" is a type of "sanction." *See* Def. Br. 30. For starters,

these two assertions are logically at odds. If a sentence is a subset of the greater set of sanctions, then the two terms are not interchangeable — there must be sanctions that are not also sentences. Indeed, subsection 110-6(f) provides for sanctions that are not sentences under that term's common understanding. It would be strange, for example, to say that a court pronounces a "sentence" of a verbal admonishment. *See* 725 ILCS 5/110-6(f)(1). It would likewise be inapt to describe a court as issuing a "sentence" by modifying a defendant's pretrial release conditions. *See id.* § 110-6(f)(4).

Sentences are thus not interchangeable with sanctions. Rather, sentences constitute a subset of sanctions. All sanctions, including sentences, punish past conduct while deterring future violations. But the nature of the wrongful conduct makes all the difference in determining whether a sentence or a sanction is imposed. A sentence is imposed following a criminal conviction, in other words, a violation of a criminal law, *see, e.g.*, 730 ILCS 5/5-1-19; *Barrett*, 394 Ill. at 516; *Sentence*, *Black's Law Dictionary* (12th ed. 2024), as defendant's own examples also illustrate, *see* Def. Br. 31. Although defendant points out that entry of a formal conviction may not be necessary to impose a sentence of probation under the first-offender provisions of certain statutes, *see* 720 ILCS 550/10(a); *id.* § 570/410(a); *id.* § 646/70(a), these provisions nevertheless require a plea or finding of guilt for violating a criminal law before such sentence is imposed, even if a formal conviction does not enter the defendant's criminal history, *see, e.g.*, *People v. Rhoades*, 74 Ill.

App. 3d 247, 254 (4th Dist. 1979) (defendant found guilty of possession of cannabis below certain weight may be discharged without entry of conviction following successful completion of probation); *People v. Glidden*, 33 Ill. App. 3d 741, 744 (3d Dist. 1975) (same). By contrast, a sanction more broadly encompasses punishment both for violations of criminal laws *and* violations of a court's rules or orders. *See, e.g.*, *Sanction*, *Black's Law Dictionary* (12th ed. 2014) ("a penalty or coercive measure that results from failure to comply with a law, rule, or order"); *Lake Env't, Inc. v. Arnold*, 2015 IL 118110, ¶ 15 (court may impose sanctions for violation of Supreme Court Rule 137); *People v. Kladis*, 2011 IL 110920, ¶ 45 (court may impose sanctions for violation of discovery rules). The General Assembly accordingly designated sanctions — not sentences — as the consequence for violating court orders imposing pretrial release conditions. *See* 725 ILCS 5/110-6(f).

In other words, a sentence is a form of sanction, but not all sanctions are sentences. And because the Good Behavior Act applies only to reduce "sentence[s] of confinement in the county jail for a fixed term of imprisonment" through good-conduct credit that the prisoner accrues during the "service of sentence" and "before sentencing for the offense that he or she is currently serving sentence but was unable to comply with the conditions of pretrial release before sentencing," 730 ILCS 130/3, this Court should find that the General Assembly meant to limit the application of good-conduct credit to the narrower category of "sentences" imposed following conviction,

rather than to the broader category of "sanctions" insofar as that category includes sanctions imposed for violating noncriminal rules or orders. *See People v. Ramirez*, 2023 IL 128123, ¶ 13 (courts "may not depart from the language of the statute by interjecting exceptions, limitations, or conditions tending to contravene the purpose of the enactment").

Defendant also contends that jail sanctions imposed for violating pretrial release conditions are equivalent to sentences of imprisonment imposed for criminal contempt, to which the appellate court has held the Good Behavior Act applies. *See* Def. Br. 28, 29-30 (citing *People v. Russell*, 237 Ill. App. 3d 310, 314-15 (4th Dist. 1992); *Kaeding v. Collins*, 281 Ill. App. 3d 919, 928 (2d Dist. 1996)); *see also id.* at 32-33 (citing *People v. Bailey*, 235 Ill. App. 3d 1, 4 (4th Dist. 1992)). Not so. Setting aside that *this* Court has never construed the Act to apply to sentences of imprisonment for criminal contempt, even if that interpretation were correct, jail sanctions imposed for violating pretrial release conditions are *not* equivalent to sentences imposed following criminal contempt proceedings. *See* Peo. Br. 24-26.

Criminal contempt *is* a crime, albeit not a statutory one. *See Bloom v. Illinois*, 391 U.S. 194, 201 (1968) ("Criminal contempt is a crime in the ordinary sense; it is a violation of the law, a public wrong which is punishable by fine or imprisonment or both."). Criminal contempt charges allege violations of a court's authority to administer justice and thus amount to criminal offenses, some of which may receive severe sentences. *See, e.g.,*

People v. Geiger, 2015 IL App (3d) 130457, ¶¶ 1, 47 (defendant's conviction and 10-year sentence for direct criminal contempt for refusing to testify at double-murder trial comparable to criminal prosecution for obstructing justice or perjury); *see also People v. Geiger*, 2012 IL 113181, ¶ 24 (legislature may not limit sentences for criminal contempt). And criminal contempt proceedings entail the same constitutional protections for defendants as do criminal prosecutions. *See People v. Lindsey*, 199 Ill. 2d 460, 471 (2002).

By contrast, and as defendant acknowledges, Def. Br. 34, the General Assembly has specified a very limited range of sanctions for relatively minor violations of pretrial release conditions, *see* 725 ILCS 5/110-6(f). And the General Assembly has proscribed procedures for imposing sanctions under the clear-and-convincing evidence standard, so the full panoply of constitutional protections afforded criminal defendants do not apply. *See id.* § 110-6(e). Jail sanctions for violating pretrial release conditions are therefore not equivalent to sentences for criminal contempt, so the Good Behavior Act does not apply to the former even if it does apply to the latter.

Although defendant argues that any ambiguity in the meaning of a "sentence" should be resolved in defendant's favor, Def. Br. 32, the rule of lenity plays no role here. "Under that rule, a court adopts a more lenient interpretation of a criminal statute where, after applying traditional tools of statutory construction," a "grievous" ambiguity remains. *People v. Hoffman*, 2025 IL 130344, ¶¶ 46-47. But the relevant provision of the Good Behavior

Act is not ambiguous, for as explained, "sentence" has a consistent meaning in Illinois statutory and common law. *See, e.g.*, 730 ILCS 5/5-1-19; *Barrett*, 394 Ill. at 516; *Sentence*, *Black's Law Dictionary* (12th ed. 2024). In fact, even defendant's proposed "alternative" meaning of the term is consistent with this common definition. Defendant states that a sentence may refer to "the punishment imposed on a criminal wrongdoer." Def. Br. 32. But a "*criminal* wrongdoer" describes someone who has violated a criminal law, *not* someone who has committed a noncriminal violation of a court order. Defendant, then, cannot show that the meaning of "sentence" under the Act is ambiguous — much less so grievously ambiguous that the Court must apply the rule of lenity as a last resort. *See Hoffman*, 2025 IL 130344, ¶¶ 46-47.

Finally, defendant misses the mark when he suggests that without the possibility of early release from his 30-day jail sanction, he has no incentive to improve his behavior. Def. Br. 33-34. On the contrary, sanctions under subsection 110-6(f) are intended to deter defendants from violating their pretrial release conditions again and encourage compliance to avoid future sanctions — which purposes the jail sanction undoubtedly fulfills. Moreover, defendants have the added incentive to maintain good behavior while serving the sanction because, as explained, those 30 days may be applied to reduce any future sentence following conviction of the charged offense. *See* 730 ILCS 130/3. Finally, defendant's argument is belied by the facts of his own case: as defendant emphasizes, since he completed his jail sanction, he has missed

no subsequent court hearings nor committed any other violations of his pretrial release conditions, resulting in the circuit court's decision to remove electronic monitoring as a condition of pretrial release. *See* Def. Br. 11.

CONCLUSION

For these reasons and those stated in their opening brief, the People respectfully request that this Court reverse the judgment of the appellate court and affirm the circuit court's order.

July 28, 2025

Respectfully submitted,

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RULE 341(c) CERTIFICATE OF COMPLIANCE

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages containing the Rule 341(d) cover, the Rule 341(h)(1) table of contents and statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is 17 pages.

/s/ Lauren E. Schneider
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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 July 28, 2025, the foregoing **Reply Brief of Plaintiff-Appellant People of the State of Illinois** was filed with the Clerk of the Illinois Supreme Court using the Court's electronic filing system, which provided service to the following:

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