2026 IL App (2d) 250410-U
No. 2-25-0410
Order filed November 2, 2026

NOTICE: This order was filed under Illinois Supreme Court Rule 23(b) and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).

IN THE

APPELLATE COURT OF ILLINOIS

SECOND DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS, Plaintiff-Appellee,

v.

ANTOINE J. TENNIN, Defendant-Appellant.

Appeal from the Circuit Court of Lake County.
Honorable Christopher D. Lombardo and Mark K. Levitt, Judges, Presiding.
No. 23-CF-1620

JUSTICE MULLEN delivered the judgment of the court.
Justices McLaren and Birkett concurred in the judgment.

ORDER

¶ 1 *Held*: Police officer had probable cause to search console of defendant's vehicle where handgun was discovered; statute criminalizing the unlawful use of a weapon by a felon was not facially unconstitutional.

¶ 2 Defendant, Antoine J. Tennin, appeals the judgment of the circuit court of Lake County finding him guilty of one count of unlawful use or possession of a weapon by a felon. 720 ILCS 5/24-1.1(a) (West 2022). On appeal, defendant asserts that the search of his vehicle that uncovered the weapon was conducted without probable cause. He also argues the statute under which he was convicted is facially unconstitutional. For the reasons that follow, we affirm.

¶ 3 I. BACKGROUND

¶ 4 Following a traffic stop, defendant was arrested and charged with one count of unlawful use or possession of a weapon by a felon. 720 ILCS 5/24-1.1(a) (West 2022). A search conducted during the stop found a handgun in the console of the vehicle defendant was operating. Defendant moved to suppress the firearm, and, on June 12, 2024, a hearing was held on defendant's motion.

¶ 5 At the hearing, the State first called Detective Robert Ogden of the Zion Police Department. On August 11, 2023, at about 7:41 p.m., Ogden was working as a patrol officer. Ogden was acting as a K9 officer that day, partnered with "Taz." Ogden observed a vehicle operating with an expired registration. He turned around, caught up with the vehicle, and activated his overhead lights. The vehicle did not stop immediately. Instead, it continued to a four-way intersection, stopped, turned left, and proceeded about 100 feet to a private driveway, in which it stopped. Ogden followed into the driveway. He opined that this was unusual, as most people stop immediately when he activates his lights.

¶ 6 Defendant opened the driver-side door and attempted to exit, but Ogden directed him to remain in the vehicle. Defendant complied but kept the door open. Ogden stated that it was unusual for someone to try to get out of a vehicle during a traffic stop. Ogden approached to tell defendant why he stopped him. Defendant appeared nervous and was "talking non-stop *** trying to explain something about the car." Ogden "wasn't able to catch everything at the time." There was a passenger in defendant's vehicle. Ogden explained that defendant appeared nervous to him because when approached, defendant "let out a big sigh and then just started talking and was talking quickly."

¶ 7 Ogden observed a "grinder," which is a device used to "grind up usually marijuana leaves." Ogden smelled a "slight odor of burnt cannabis." Ogden directed defendant to exit the vehicle and

conducted a pat-down search for weapons. He brought defendant to the rear of the vehicle, where defendant sat on the tailgate. Other officers arrived at the scene. While defendant was at the rear of the vehicle, he spoke with Sergeant Hucker. Ogden testified that defendant appeared to be trying to keep himself between Ogden and the vehicle.

¶ 8 Ogden testified that he decided to conduct a canine sniff search. He asked another officer to write a citation for defendant while he prepared for the sniff search. They asked defendant to move away from the back of the vehicle so they could conduct the sniff search, but defendant declined to do so. As he was making these preparations, Ogden heard defendant "mention to [his] sergeant that there was weed in the car." Video recorded at the scene indicates that an officer stated that defendant said that there was a "weed" in the vehicle. Ogden decided not to go forward with the sniff search. He asked defendant where the "weed" was. Defendant replied that he had a "little bowl pipe sitting right out there" (the quote is taken from video recorded at the scene). Ogden understood this to mean there was fresh cannabis in the bowl. Ogden returned to the vehicle and observed a "bowl near the grinder." He explained that a "bowl" is "used to smoke cannabis typically." He did not observe any fresh cannabis, but there was "burnt residue" in the bowl. Ogden testified that he then "opened the center console, believing there was probable cause that there was open cannabis in the car." Ogden found a handgun in the console.

¶ 9 On cross-examination, Ogden acknowledged that he ran defendant's license plate after they passed each other, but he could not remember how many other plates he had run that day. Ogden decided to pat defendant down based solely on the fact that defendant exited the vehicle. Ogden acknowledged that the bowl and the grinder were located in the same area of the vehicle—"under the little radio area." Defendant did not consent to a search of the vehicle.

¶ 10 On redirect-examination, Ogden testified that he heard defendant "mention" having marijuana in the vehicle. Ogden's sergeant then said "something like *** [h]e said there was weed in the car." Defendant also said something similar to Ogden when he returned to the vehicle after preparing for the sniff search.

¶ 11 The State next called Sergeant Nathan Hucker of the Zion Police Department. Hucker testified that at about 7:41 p.m. on August 11, 2023, he responded to a traffic stop. He and several other officers responded when Ogden called out that he was initiating a traffic stop and the vehicle was not stopping. By the time he arrived, defendant's vehicle was in the driveway with Ogden's vehicle behind it. Hucker stood by the rear of defendant's vehicle, and Ogden eventually directed defendant to move to there as well. At least two other officers were present. Hucker directed defendant to go sit on the hood of Ogden's vehicle. Defendant refused and sat on the back bumper of his own vehicle.

¶ 12 Hucker and defendant had a conversation at the back of the vehicle, which Hucker characterized as "polite" and not "negative whatsoever." At some point, Ogden said he was going to get the dog out of his squad car. He asked defendant to move away from the vehicle. Defendant told Hucker that "he had weed in the car." Ogden then went and looked in the vehicle, returned to the rear, and they placed defendant under arrest.

¶ 13 On cross-examination, Hucker testified that at least four or five officers were present. He agreed that it was not normal for so many officers to respond to a traffic stop.

¶ 14 The trial court denied defendant's motion. It recited Ogden's testimony, crediting his observation that defendant "seemed nervous." The trial court noted that Ogden detected the odor of burnt cannabis as he approached defendant's vehicle. It acknowledged "the Supreme Court's recent pronouncements that the smell of burnt cannabis alone is insufficient for the police to

conduct a probable cause search of the car." It then found that "it was not the smell of burnt cannabis alone" that led to the search of defendant's vehicle. Rather, "it was [defendant's] conduct, the presence of the grinder which was in plain view, and the subsequent activity of [defendant] that led to the inevitable discovery of the weapon in the center console of the car." It rejected defendant's claim that he was in custody at the time he made statements indicating there was cannabis in his vehicle. It therefore denied defendant's motion.

¶ 15 Following a jury trial, defendant was convicted of unlawful possession of a weapon by a felon and sentenced to five years and six months' imprisonment. This appeal followed.

¶ 16 II. ANALYSIS

¶ 17 On appeal, defendant raises two main arguments. First, he asserts that the search of his vehicle that resulted in the discovery of the handgun was conducted without probable cause. Second, he argues that the statute criminalizing the unlawful use of a weapon by a felon is facially unconstitutional. See 720 ILCS 5/24-1.1(a) (West 2022). We find neither contention well-founded.

¶ 18 A. The Search

¶ 19 Defendant first argues that the search of his vehicle that discovered the handgun in its console was conducted without probable cause. When a defendant challenges a trial court's decision to deny a motion to suppress, a mixed question of fact and law is presented. *People v. Mott*, 389 Ill. App. 3d 539, 542 (2009). We will overturn findings of historical fact only if they are contrary to the manifest weight of the evidence, that is, if an opposite conclusion is clearly apparent. *Id*. We review *de novo* the ultimate question of whether the trial court correctly ruled on the motion to suppress. *Id*.

¶ 20 Generally, in accordance with the automobile exception, the police may conduct a warrantless search of a vehicle so long as "probable cause exists to believe the automobile contains evidence of criminal activity subject to seizure." *People v. Contreras*, 2014 IL App (1st) 131889, ¶ 28. Probable cause exists when the facts known by an officer raise a "fair probability that contraband or evidence of a crime will be found in a particular place." *Illinois v. Gates*, 462 U.S. 213, 238 (1983). Regarding automobiles, probable cause " 'requires only that the facts available to the officer—including the plausibility of an innocent explanation—would warrant a reasonable man to believe there is a reasonable probability' that a search of the automobile will uncover contraband or evidence of criminal activity." *People v. Molina*, 2024 IL 129237, ¶ 22 (quoting *People v. Hill*, 2020 IL 124595, ¶ 24).

¶ 21 In Illinois, though cannabis has been made legal, certain statutes establish limitations in how it may be used or possessed. Pertinent here, section 11-502.15(b) of the Illinois Vehicle Code (625 ILCS 5/11-502.15(b) (2022)) provides that the driver of a vehicle may possess cannabis only if it is stored "in a secured, sealed or resealable, odor-proof, child-resistant cannabis container that is inaccessible." See *Molina*, 2024 IL 129237, ¶ 42. Evidence of a violation of this statute is sufficient to establish probable cause to search a vehicle. See *People v. Hall*, 2023 IL App (4th) 220209, ¶ 27. In *People v. Redmond*, 2024 IL 129201, ¶ 54, our supreme court held that "the odor of burnt cannabis is a fact that should be considered when determining whether police have probable cause to search a vehicle, but the odor of burnt cannabis, standing alone without other inculpatory facts, does not provide probable cause to search a vehicle."

¶ 22 In this case, multiple facts existed that support a finding that probable cause existed to search defendant's vehicle for improperly stored cannabis. First, the officers detected the odor of burnt cannabis, which, as noted, may be considered but would not be an adequate basis to conduct

a search in itself. *Id*. Second, defendant did not stop immediately when Ogden activated his overhead lights, which Ogden regarded as "unusual." In *Hill*, 2020 IL 124595, ¶ 16, the court noted such behavior supports a finding of probable cause. Third, as the trial court found, defendant appeared nervous when approached by Ogden. Fourth, two devices used for consuming cannabis were observed in plain view inside the vehicle, in the console area immediately accessible to both the driver and passenger. Fifth, as Ogden testified, defendant appeared to be trying to keep himself between Ogden and the vehicle. Sixth, defendant flatly admitted that there was cannabis in the vehicle.

¶ 23 Illinois cases have found probable cause on similar or less compelling facts. For example, in *People v. Cooks*, 2026 IL App (1st) 232112-U, ¶ 52, the court held that the smell of burnt cannabis along with furtive movements were adequate to establish probable cause to search a vehicle. Here, in addition to the odor of burnt cannabis, defendant did not immediately stop when Ogden activated his overhead lights, from which one could infer that defendant was attempting to create an opportunity to hide something in the vehicle. See *Hill*, 2020 IL 124595, ¶ 16. In *People v. Hankton*, 2025 IL App (1st) 230924-U, ¶ 64, the smell of burnt cannabis along with the defendant handing over a plastic bag of improperly stored cannabis created probable cause. Similarly, here, Ogden smelled burnt cannabis and defendant told the police that there was cannabis in the vehicle. Moreover, defendant's apparent nervousness was an additional fact beyond the smell of burnt cannabis that has been found to support a finding of probable cause. *People v. Sinegal*, 409 Ill. App. 3d 1130, 1137 (2011). Thus, multiple factors beyond the smell of burnt cannabis justified the search of defendant's vehicle.

¶ 24 Defendant counters that probable cause was dispelled when Ogden examined the bowl and the grinder and found no raw cannabis. Defendant argues that the scope of a permissible search

was limited by his statements that there was cannabis in the vehicle, which, when asked where it was, defendant stated that he had a "little bowl pipe sitting right out there." Defendant argues, "Once the pipe was discovered and no contraband was present, there was no longer any factual basis to believe evidence of a cannabis-related offense existed elsewhere in the car."

¶ 25 There are several problems with defendant's theory. First, as noted above, in *Cooks*, 2026 IL App (1st) 232112-U, ¶ 52, the court found that the smell of burnt cannabis and evidence indicating the defendant may have been trying to hide something in a vehicle was sufficient to establish probable cause, and both such factors exist in this case independent of defendant's admission. Second, probable cause is ultimately measured with reference to the totality of the circumstances. *People v. Trisby*, 2013 IL App (1st) 112552, ¶ 14. Here, defendant, who was operating a vehicle with the odor of burnt cannabis emanating from it with two devices used in the consumption of cannabis easily accessible to both him and his passenger, did not initially stop when signaled to and reacted to being confronted by the police by attempting to exit the vehicle, becoming nervous, and attempting to position himself between the police officer and the vehicle. He also admitted that there was cannabis in the car, though none was found in the location he indicated. Keeping in mind that "probable cause does not even demand a showing that the belief that the suspect has committed a crime be more likely true than false" (*People v. Wear*, 229 Ill. 2d 545, 564 (2008)), a belief that defendant had used cannabis in the vehicle was certainly warranted. It was similarly reasonable to believe that there would be cannabis found in the vicinity of all of this activity.

¶ 26 Regarding the bowl and the grinder, we recognize that it is possible that defendant was simply transporting these devices from a place where he had legally used them; however, it is well established that the existence of an innocent explanation for otherwise suspicious facts does not

necessarily defeat probable cause. *People v. Rodriguez-Chavez*, 405 Ill. App. 3d 872, 876 (2010). Defendant further asserts that the possession of these devices did not indicate a crime had occurred, pointing out that the legislature has excluded cannabis paraphernalia from the definition of drug paraphernalia. See 720 ILCS 600/2(d) (West 2022). However, otherwise innocent objects can support the existence of probable cause in appropriate circumstances. For example, in *People v. Flores*, 371 Ill. App. 3d 212, 220 (2007), the court found the fact that the defendant had a screwdriver in his pocket supported probable cause that the defendant was involved in car stereo thefts. Quite simply, that possession of the bowl and grinder themselves did not violate a criminal statute does not preclude one from inferring that defendant had been doing something illegal related to them.

¶ 27 We also reject defendant's assertion that probable cause dissipated when Ogden examined the bowl and found no cannabis in it. Indeed, defendant stated there was "weed" in the car and Ogden found none in the bowl, so it was reasonable to continue the search. Moreover, when asked where the "weed" was, defendant stated that he had a "little bowl pipe sitting right out there." He did not say the "weed" was in the bowl, and the compartment Ogden searched was adjacent to where the bowl was located.

¶ 28 In short, defendant has not convinced us that the search that found the gun in his vehicle was conducted without probable cause.

¶ 29 B. Constitutionality of section 24-1.1(a) of the Criminal Code of 2012

¶ 30 Pursuant to section 24-1.1(a) of the Criminal Code of 2012 (Code) (720 ILCS 5/24-1.1(a) (West 2022)), defendant was convicted of one count of unlawful possession of a weapon by a felon. He now argues that this statute is facially unconstitutional under *New York State Rifle & Pistol Ass'n v. Bruen*, 597 U.S. 1 (2022). We disagree.

¶ 31 Defendant concedes he did not raise this issue before the trial court. However, a facial challenge to the constitutionality of a statute is not subject to ordinary forfeiture principles. See *People v. Doehring*, 2024 IL App (1st) 230384, ¶ 14. Thus, we will address this argument.

¶ 32 A defendant challenging the facial constitutionality of a statute bears a heavy burden of overcoming "the strong judicial presumption that the challenged statute is constitutional." *People v. Cox*, 2025 IL App (1st) 2412560, ¶ 10. "To overcome this presumption, the defendant must clearly establish that the statute violates the constitution." *Id*. A court has "a duty to uphold the constitutionality of a statute whenever reasonably possible, resolving doubts in favor of its validity." *Id*. "A statute will be deemed facially unconstitutional only if there is no set of circumstances under which the statute would be valid." *People v. Bochenek*, 2021 IL 125889, ¶ 10. The constitutionality of a statute presents a question of law that we review *de novo*. *Cox*, 2025 IL App (1st) 241260, ¶ 10.

¶ 33 Here, defendant's challenge to the statute begins with *Bruen*. In that case, the Supreme Court set forth the following test for assessing the constitutionality of a statute under the second amendment:

> "When the Second Amendment's plain text covers an individual's conduct, the Constitution presumptively protects that conduct. The government must then justify its regulation by demonstrating that it is consistent with the Nation's historical tradition of firearm regulation. Only then may a court conclude that the individual's conduct falls outside the Second Amendment's 'unqualified command.' " *Bruen*, 597 U.S. at 17 (quoting *Konigsberg v. State Bar of California*, 366 U.S. 36, 50, n.10 (1961)).

Thus, *Bruen* "requires a threshold textual inquiry followed, if necessary, by a historical inquiry." *People v. Echols*, 2024 IL App (2d) 220281-U, ¶ 151. The former requires a court to determine if

the plain text of the second amendment applies to the conduct at issue. *Id*. If it does, the state must show the statute is "consistent with the Nation's historical tradition of firearm regulation." *Bruen*, 597 U.S. at 24.

¶ 34 Various courts have determined that challenges such as defendant's fail the first prong of the inquiry, noting that felons are not the law abiding citizens encompassed by the word "people" as used in the second amendment. See, *e.g.*, *People v. Baker*, 2023 IL App (1st) 220328, ¶ 37 ("The problem with defendant's argument is that *Bruen* just does not apply to him. The *Bruen* Court could not have been more clear that its newly announced test applied only to laws that attempted to regulate the gun possession of 'law-abiding citizens,' and not felons like defendant."). Others, considering the second prong, have held that disabling felons from possessing firearms is consistent with our nation's tradition of firearm regulation. See *People v. Brooks*, 2023 IL App (1st) 200435, ¶ 90 ("In sum, we conclude that the legislature's ability to impose status-based restrictions disqualifying certain categories of people from possessing firearms is consistent with the national historical tradition of firearm regulation."); *United States v. Calhoun*, 710 F. Supp. 3d 575, 589-95 (N.D. Ill. 2024). Indeed, in *District of Columbia v. Heller*, 554 U.S. 570, 626-27 (2008) (holding unconstitutional a statute banning possession of a handgun in a home), the Supreme Court stated:

> "Although we do not undertake an exhaustive historical analysis today of the full scope of the Second Amendment, nothing in our opinion should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms."

¶ 35 Indeed, as the State points out, this court (and many others) have addressed similar arguments numerous times in the wake of *Bruen*. See *People v. Tapia*, 2026 IL App (2d) 240721-U, ¶ 40 (upholding constitutionality of section 24-1.1(a) of the Code (720 ILCS 5/24-1.1(a) (West 2024)); *People v. Gross*, 2024 IL App (2d) 230017-U, ¶ 29 ("Moreover, assuming *arguendo* that he is a member of that class, section 24-1.1 is consistent with the nation's historical tradition of firearm regulation."); *Echols*, 2024 IL App (2d) 220281-U, ¶ 142; *People v. Martinez*, 2024 IL App (2d) 230305, ¶ 18; *People v. Boss*, 2025 IL App (1st) 221855, ¶ 36 ("Even if we were to conclude that the first prong of the *Bruen* test applies to [the] defendant, we would still find, like every other Illinois court that has considered the issue thus far, that the UUWF statute is constitutional on its face, based on the United States Supreme Court's statements in *Heller, McDonald, Bruen*, and *Rahimi*."); *People v. Burns*, 2024 IL App (4th) 230428, ¶ 22 ("Accordingly, we reject defendant's arguments that section 24-1.1(a) of the Code violates the second amendment on its face and as applied to defendant."). We agree with the State that *stare decisis* compels that we follow such cases. The doctrine of *stare decisis* holds that courts should adhere to precedents and not to disturb settled points of law. *People v. Colon*, 225 Ill. 2d 125, 145 (2007). "[A] question once deliberately examined and decided should be considered as settled and closed to further argument." *Wakulich v. Mraz*, 203 Ill. 2d 223, 230 (2003) (quoting *Prall v. Burckhartt*, 299 Ill. 19, 41 (1921)). The doctrine exists to ensure the law does not change erratically and develops in a principled and intelligible manner. *People v. Mitchell*, 189 Ill. 2d 312, 338 (2000). Accordingly, absent some compelling reason to abandon this existing precedent, *stare decisis* counsels that we follow it. See *Colon*, 225 Ill. 2d at 146.

¶ 36 Defendant offers no compelling reason for us to depart from this precedent. He argues that, contrary to numerous Illinois cases that hold that felons are not "people" as contemplated by

the second amendment (see, *e.g.*, *Baker*, 2023 IL App (1st) 220328, ¶ 37), a felon's right to possess and use a firearm falls within the text of this amendment. Such cases typically rely on statements by the Supreme Court that it did not intend to disturb current laws barring felons from possessing a weapon. See *Heller*, 554 U.S. at 626-27; see also *Baker*, 2023 IL App (1st) 220328, ¶ 37). Defendant relies on *United States v. Rahimi*, 602 U.S. 680 (2024), in support of this assertion. *Rahimi* involved a challenge to a federal statute (18 U.S.C. § 922(g)(8)) that prohibited an individual from possessing a firearm if that person is subject to a domestic violence restraining order that includes a finding that the person "represents a credible threat of physical safety" to the individual's partner or child of the partner. *Id.* at 684. Defendant points out that the *Rahimi* court rejected " the Government's contention that Rahimi may be disarmed *simply* because he is not 'responsible.' " (Emphasis added.) *Id.* at 701. However, elsewhere, *Rahimi* distinguished *Heller*, 554 U.S. 570, by noting that *Heller* " 'stated that many such prohibitions, like those on the possession of firearms by 'felons and the mentally ill,' are 'presumptively lawful.' " *Rahimi*, 602 U.S. at 699 (quoting *Heller*, 554 U.S. at 627 n.26). Thus, the statement defendant takes from *Rahimi* addressing whether not being responsible is sufficient to disarm an individual does not provide compelling support for defendant's argument concerning felons given the *Rahimi* court's express reliance on the above-cited passage from *Heller* following such statements.

¶ 37 Defendant also contends that statements like the one referenced above from *Heller* are *dicta*. Of course, there are two types of *dicta*, *obiter* and judicial:

> "The term '*dictum*' is generally used as an abbreviation of *obiter dictum*, which means a remark or opinion uttered by the way. Such an expression or opinion as a general rule is not binding as authority or precedent within the *stare decisis* rule. [Citation.] On the other hand, an expression of opinion upon a point in a case argued by counsel and

> deliberately passed upon by the court, though not essential to the disposition of the cause, if *dictum,* is a judicial *dictum.* [Citations.] And further, a judicial *dictum* is entitled to much weight, and should be followed unless found to be erroneous. [Citation.] Even *obiter dictum* of a court of last resort can be tantamount to a decision and therefore binding in the absence of a contrary decision of that court. [Citation.]"

In *People v. Black*, 2012 IL App (1st) 110055, ¶ 14, the first district of this appellate court rejected the defendant's attempt to characterize statements such as those that defendant relies on as "an 'off-hand' reference that should not be followed." We came to a similar result in *People v. Gross*, 2024 IL App (2d) 230017-U, ¶ 22. We cannot simply disregard the Supreme Court's statements that it did not intend to disturb laws disabling felons from possessing weapons.

¶ 38 Defendant attempts to distinguish between a person's status as a felon and their conduct of possessing a firearm. See *Kanter v. Barr,* 919 F.3d 437, 452 (7th Cir. 2019) (Barrett, J. dissenting), *abrogated on other grounds by Bruen*, 597 U.S. 1. Two Illinois cases have reached a similar conclusion. In *People v. Brooks*, 2023 IL App (1st) 200435, ¶ 89, the court asserted: "Under *Bruen*, the first step asks only whether 'the Second Amendment's plain text covers an individual's *conduct.*' (Emphasis added in original.) *Bruen*, 597 U.S. at 17. ***. Accordingly, the defendant's status as a felon is irrelevant at this stage of the analysis." *People v. Travis*, 2024 IL App (3d) 230113, ¶ 25, came to a similar conclusion. In any event, the distinction between conduct and status was plain at the time the Supreme Court stated that it did not intend to disturb such laws. Hence, this distinction does not undermine the weight placed on such statements.

¶ 39 Therefore, defendant has provided us with no compelling reason to abandon this existing precedent (*Colon*, 225 Ill. 2d at 146), so, *stare decisis* requires that we adhere to it. See *People v. Burns*, 2024 IL App (4th) 230438, ¶ 21 ("As a felon, defendant, by definition, is not a law-abiding

citizen. Thus, defendant cannot show that his conduct was presumptively protected by the second amendment, and therefore, he does not fall within the scope of *Bruen*. As a result, defendant cannot show that section 24-1.1(a) of the Code violates the second amendment on its face under the *Bruen* framework.").

¶ 40 Because defendant has not convinced us to abandon precedent holding that he, as a felon, may constitutionally be denied the ability to possess a weapon, we need not consider whether this regulation is consistent with our nation's history of firearm regulation. See *People v. Hatcher*, 2024 IL App (1st) 220455, ¶ 57 ("Our analysis of the constitutionality of [the statutes at issue] ends at the first step of the *Bruen* test."); see also *United States v. Scheidt*, 103 F. 4th 1281, 1284 (7th Cir. 2024) ("The plain text of the Second Amendment does not cover [the defendant's] conduct, so there is no need to conduct a historical analysis of gun registration forms."). We note, however, that recent Illinois cases have held that statutes restricting felons from possessing weapons were consistent with our history of firearm regulation. See *Brooks*, 2023 IL App (1st) 200435, ¶ 105; see also *People v. Muhammad*, 2023 IL App (1st) 230121-U, ¶ 22.

¶ 41 III. CONCLUSION

¶ 42 For the reasons stated, we affirm the judgment of the circuit court of Lake County.

¶ 43 Affirmed.