

SUPREME COURT OF ILLINOIS

People v. Crane

195 Ill. 2d 42 (2001) · No. No. 88454 · Decided January 19, 2001

SUMMARY

The Supreme Court of Illinois held that Anthony Crane's constitutional right to a speedy retrial was not violated despite a 26-month delay following reversal of his murder and aggravated-arson convictions. Applying the four-factor balancing test from *Barker v. Wingo*, the court found that the State's appellate proceedings justified nine months of delay, while an unexplained 11-month delay caused by failure to reissue the appellate mandate was attributable to the State. The court also held that the ultimate determination of a constitutional speedy-trial violation is reviewed de novo, while underlying factual findings receive deference.

CASE DETAILS

COURT	Supreme Court of Illinois
WRITING FOR THE COURT	Justice McMorro
JURISDICTION	Illinois
DECIDED	January 19, 2001
DOCKET	No. 88454
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State appealed the Illinois Appellate Court's reversal of defendant's convictions and dismissal of the indictment on constitutional speedy-retrial grounds. The Illinois Supreme Court reversed the appellate court and remanded for consideration of defendant's remaining claims of trial error.
STANDARD OF REVIEW	Factual determinations underlying a constitutional speedy-trial claim are upheld unless against the manifest weight of the evidence; the ultimate determination whether the constitutional speedy-trial right was violated is reviewed de novo.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Illinois
PARTIES	The People of the State of Illinois v. Anthony Crane

TOPICS

speedy trial

sixth amendment

criminal procedure

standard of review

appellate procedure

PRACTICE AREAS

criminal procedure

constitutional law

appellate procedure

QUESTIONS PRESENTED

1. What standard of review applies to a trial court's ruling on a constitutional speedy-trial claim?
2. Whether the 26-month delay between reversal of defendant's convictions and his motion to dismiss violated his constitutional right to a speedy retrial under the Barker v. Wingo balancing test.

HOLDINGS

1. A reviewing court defers to the trial court's factual findings unless they are against the manifest weight of the evidence, but reviews de novo the ultimate determination whether the constitutional speedy-trial right was violated.
2. The 26-month delay did not violate Crane's constitutional right to a speedy retrial because 15 months were justified, the remaining 11 months resulted from negligent administrative delay, Crane failed to assert his right for 24 months, and the total circumstances did not warrant dismissal despite his incarceration.

KEY QUOTATIONS

“When resolving a constitutional speedy-trial claim, any factual determinations made by the trial court, which are contained in the record, shall be upheld on review unless they are against the manifest weight of the evidence.” (562)

“The trial court is in no better position than the reviewing court to balance the competing concerns.” (562)

“Under the particular circumstances of this case, dismissal of the charges is too severe a remedy for the negligence which occurred, especially in light of the defendant's inaction and the seriousness of the offenses involved.” (567)

FACTUAL BACKGROUND

Crane remained incarcerated after his murder and aggravated-arson convictions were reversed and a new trial was ordered. Although the appellate mandate should have been reissued after the United States Supreme Court denied the State's certiorari petition, it was not transmitted to the circuit court for approximately 11 months. In total, 26 months elapsed between reversal of the convictions and Crane's motion to dismiss on constitutional speedy-retrial grounds; he did not demand trial until approximately 24 months after the reversal.

PROCEDURAL HISTORY

Crane was convicted of aggravated arson and first degree murder. The appellate court reversed those convictions because the State had failed to establish probable cause for his arrest and the trial court therefore erred in denying suppression of his confession; the Illinois Supreme Court denied leave to appeal, and the United States

Supreme Court denied certiorari. After an 11-month administrative delay in reissuing the appellate mandate, Crane moved to dismiss on speedy-retrial grounds. The trial court denied the motion, Crane was retried and convicted, and the appellate court reversed and dismissed the indictment under *Barker v. Wingo*. The Illinois Supreme Court reversed that judgment and remanded for consideration of remaining appellate issues.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the Illinois Appellate Court's judgment and remand the cause to that court to consider defendant's remaining arguments concerning alleged trial errors that it had not addressed because it reversed the conviction on speedy-trial grounds.

CASES CITED

- *People v. Crane*, 244 Ill. App. 3d 721, 184 Ill. Dec. 865, 614 N.E.2d 66 (1993)
- *People v. Crane*, 152 Ill. 2d 566, 190 Ill. Dec. 897, 622 N.E.2d 1214 (1993)
- *Barker v. Wingo*, 407 U.S. 514, 92 S. Ct. 2182, 33 L. Ed. 2d 101 (1972)
- *Klopfert v. North Carolina*, 386 U.S. 213, 87 S. Ct. 988, 18 L. Ed. 2d 1 (1967)
- *Beavers v. Haubert*, 198 U.S. 77, 87, 25 S. Ct. 573, 49 L. Ed. 950 (1905)
- *People v. Henry*, 47 Ill. 2d 312, 316, 265 N.E.2d 876 (1970)
- *People v. Bazzell*, 68 Ill. 2d 177, 181-83, 11 Ill. Dec. 594, 369 N.E.2d 48 (1977)
- *People v. Staten*, 159 Ill. 2d 419, 203 Ill. Dec. 230, 639 N.E.2d 550 (1994)
- *People v. Anderson*, 53 Ill. 2d 437, 441, 292 N.E.2d 364 (1973)
- *People v. Stuckey*, 34 Ill. 2d 521, 523, 216 N.E.2d 785 (1966)
- *People v. Coleman*, 183 Ill. 2d 366, 384-89, 233 Ill. Dec. 789, 701 N.E.2d 1063 (1998)
- *In re G.O.*, 191 Ill. 2d 37, 50, 245 Ill. Dec. 269, 727 N.E.2d 1003 (2000)
- *Ornelas v. United States*, 517 U.S. 690, 699, 116 S. Ct. 1657, 134 L. Ed. 2d 911 (1996)
- *People v. Kliner*, 185 Ill. 2d 81, 115, 235 Ill. Dec. 667, 705 N.E.2d 850 (1998)
- *People v. Turner*, 128 Ill. 2d 540, 132 Ill. Dec. 390, 539 N.E.2d 1196 (1989)
- *Doggett v. United States*, 505 U.S. 647, 651-57, 112 S. Ct. 2686, 120 L. Ed. 2d 520 (1992)
- *United States v. Loud Hawk*, 474 U.S. 302, 312-15, 106 S. Ct. 648, 88 L. Ed. 2d 640 (1986)
- *People v. Singleton*, 278 Ill. App. 3d 296, 299-300, 214 Ill. Dec. 1014, 662 N.E.2d 580 (1996)
- *People v. Belcher*, 186 Ill. App. 3d 202, 205-06, 134 Ill. Dec. 240, 542 N.E.2d 419 (1989)
- *People v. Lock*, 266 Ill. App. 3d 185, 191, 203 Ill. Dec. 675, 640 N.E.2d 334 (1994)
- *People v. Wills*, 153 Ill. App. 3d 328, 106 Ill. Dec. 207, 505 N.E.2d 754 (1987)
- *People v. Williams*, 299 Ill. App. 3d 143, 148, 233 Ill. Dec. 225, 700 N.E.2d 753 (1998)
- *People v. Sanders*, 86 Ill. App. 3d 457, 41 Ill. Dec. 453, 407 N.E.2d 951 (1980)

- People v. Dorsey, 105 Ill. App. 3d 895, 61 Ill. Dec. 802, 435 N.E.2d 499 (1982)
- Jackson v. State, 69 Md. App. 645, 519 A.2d 751 (1987)
- People v. Moore, 263 Ill. App. 3d 1, 200 Ill. Dec. 168, 635 N.E.2d 507 (1994)
- People v. Prince, 242 Ill. App. 3d 1003, 183 Ill. Dec. 252, 611 N.E.2d 105 (1993)
- People v. Worley, 45 Ill. 2d 96, 98, 256 N.E.2d 751 (1970)

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