

SUPREME COURT OF ILLINOIS

People v. Marshall

Marshall, 2026 IL 132129 (Ill. 2026) · No. 132129 · Decided May 21, 2026

SUMMARY

The Illinois Supreme Court dismissed Jimmie Marshall’s appeal as moot after he pleaded guilty to aggravated battery, was sentenced to probation, and was released from custody. The court declined to apply the public interest exception to the mootness doctrine and vacated the appellate and circuit court judgments.

CASE DETAILS

COURT	Supreme Court of Illinois
JURISDICTION	Illinois Supreme Court
DECIDED	May 21, 2026
DOCKET	132129
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant appealed the denial of his motion for relief under Illinois Supreme Court Rule 604(h)(2) from an order granting the State's petition for pretrial detention. While the appeal was pending, defendant pleaded guilty, was sentenced to probation, and was released. The Illinois Supreme Court dismissed the appeal as moot and vacated the lower-court judgments.
PRECEDENTIAL VALUE	Published Illinois Supreme Court opinion; precedential.
PARTIES	Jimmie Marshall v. The People of the State of Illinois

TOPICS

- mootness
- appellate procedure
- appellate jurisdiction
- criminal procedure

PRACTICE AREAS

- criminal procedure
- appellate procedure

QUESTIONS PRESENTED

- Whether Marshall's appeal became moot after he pleaded guilty, was sentenced to probation, and was released from custody.

2. Whether the public-interest exception to the mootness doctrine permitted review of Marshall's arguments concerning the availability of plain-error and ineffective-assistance claims in a pretrial detention case.

HOLDINGS

1. The appeal was moot because, after Marshall pleaded guilty, was sentenced to probation, and was released from custody, it was no longer possible to grant him effectual relief.
2. The public-interest exception did not permit review because Marshall could not satisfy the requirement that an authoritative determination be desirable for future guidance of public officers; the law concerning plain-error and ineffective-assistance claims in pretrial detention cases was not in disarray.
3. The appeal was dismissed as moot, and the judgments of the appellate court and circuit court were vacated.

KEY QUOTATIONS

“An appeal is moot when events have occurred that render it impossible to grant the complaining party effectual relief.” (¶ 3)

“This “narrow” exception permits review of an otherwise moot question where the immediacy or magnitude of the interests involved warrant action by the court.” (¶ 4)

“We decline to render an advisory opinion.” (¶ 5)

FACTUAL BACKGROUND

Marshall was charged with aggravated battery after punching Livingston County Sheriff's Department sergeant Andy Rork in the face and breaking his nose. The circuit court granted the State's pretrial petition to detain him. During the appeal, Marshall pleaded guilty to aggravated battery, received probation, and was released from custody.

PROCEDURAL HISTORY

The Livingston County circuit court granted the State's pretrial petition to detain Marshall and denied his Rule 604(h)(2) motion for relief. The appellate court affirmed, concluding that Marshall had waived an argument that the State failed to establish a detainable offense. The Illinois Supreme Court granted review, but Marshall pleaded guilty and was sentenced to probation during the appeal, rendering the case moot.

DISPOSITION

dismissed

CASES CITED

- People v. Grayson, 2025 IL 131279, ¶¶ 3-4
- People v. Seymore, 2025 IL 131564, ¶¶ 33-34

- People v. Morgan, 2025 IL 130626, ¶ 16
- Commonwealth Edison Co. v. Illinois Commerce Commission, 2016 IL 118129, ¶ 16
- People v. Marshall, 2025 IL App (4th) 250426-U

OPINION

PER CURIAM.

2026 IL 132129 IN THE SUPREME COURT OF THE STATE OF ILLINOIS (Docket No. 132129) THE PEOPLE OF THE STATE OF ILLINOIS, Appellee, v. JIMMIE MARSHALL, Appellant. Opinion filed May 21, 2026. PER CURIAM OPINION ¶1 Defendant Jimmie Marshall was charged with the aggravated battery of Livingston County Sheriff’s Department sergeant Andy Rork after defendant punched him in the face and broke his nose.

The Livingston County circuit court then granted the State’s pretrial petition to detain defendant. Subsequently, defendant filed a motion for relief under Illinois Supreme Court Rule 604(h)(2) (eff. Apr. 15, 2024).

The trial court denied that motion, and defendant appealed, arguing for the first time that the State failed to prove he committed a detainable offense under section 110-6.1 of the Code of Criminal Procedure of 1963 (725 ILCS 5/110- 6.1(a)(1.5) (West 2024)) because he did not cause Sergeant Rork great bodily harm.

The appellate court affirmed the trial court’s decision, finding that defendant waived the issue by failing to include it in his Rule 604(h)(2) motion for relief. 1 2025 IL App (4th) 250426-U. See Ill. S. Ct. R. 604(h)(2) (eff. Apr. 15, 2024) (stating that “any issue not raised in the motion for relief *** shall be deemed waived”). ¶2 Defendant now argues that the appellate court erred by construing the “deemed waived” language in Rule 604(h)(2) to mean waiver and not forfeiture, such that his detainable offense issue can be reviewed for plain error or as an ineffective assistance of counsel claim.

The State responds that defendant’s contention cannot be salvaged for purposes of this appeal and, in any event, defendant can still raise this issue by filing an additional motion for relief under Rule 604(h)(2). More importantly, the State argues that defendant’s assertion is moot. ¶3 An appeal is moot when events have occurred that render it impossible to grant the complaining party effectual relief.

People v. Grayson, 2025 IL 131279, ¶ 3 (per curiam). Here, on August 6, 2025, defendant pleaded guilty to aggravated battery. On September 25, 2025, he was sentenced to probation and released from custody. Accordingly, defendant concedes that this appeal is moot, as it is no longer possible to grant him effectual relief. ¶4 Defendant nonetheless urges this court to review these issues under the public interest exception to the mootness doctrine.

This “narrow” exception permits review of an otherwise moot question where the immediacy or magnitude of the interests involved warrant action by the court. *People v. Seymore*, 2025 IL 131564, ¶ 33. The exception applies where (1) the issue presented is of a public nature, (2) an authoritative determination is desirable for the future guidance of public officers, and (3) the issue is likely to recur.

People v. Morgan, 2025 IL 130626, ¶ 16. In determining whether an authoritative determination is desirable for the future guidance of public officers, this court generally considers whether the law is in disarray or whether conflicting precedent exists. *Seymore*, 2025 IL 131564, ¶ 34; *Commonwealth Edison Co. v. Illinois Commerce Comm’n*, 2016 IL 118129, ¶ 16.

1 The court also rejected defendant’s challenge to the trial court’s determination that no condition or combination of conditions would mitigate the threat posed. He does not challenge that ruling here. -2- ¶5 Here, we agree with the State’s conclusion that defendant cannot satisfy the second requirement of the public interest exception because the law addressing the availability of plain error and ineffective assistance of counsel claims in pretrial detention cases is not presently in disarray.

Unlike the issue presented in *Seymore*, these issues have not evaded judicial review. Cf. *Seymore*, 2025 IL 131564, ¶ 34. We decline to render an advisory opinion. ¶6 Accordingly, we dismiss this appeal as moot and vacate the judgments of the appellate court and the circuit court. *Grayson*, 2025 IL 131279, ¶ 4. ¶7 Judgments vacated. ¶8 Appeal dismissed. -3-