

APPELLATE COURT OF ILLINOIS, FIRST DISTRICT, FOURTH DIVISION

People v. Hill

2026 IL App (1st) 242184 · No. 1-24-2184 · Decided February 19, 2026

SUMMARY

The Illinois Appellate Court, First District, affirmed Eddie Hill’s aggregate 30-year sentence for two attempted first degree murder convictions after a second resentencing hearing. The court held that Hill forfeited his claim that the circuit court predetermined the sentence and, in any event, the record showed that the circuit court conducted the required resentencing hearing and considered the relevant evidence, arguments, mitigation, and sentencing range. The court distinguished cases involving a sentencing judge’s refusal to consider permissible sentencing options.

CASE DETAILS

COURT	Appellate Court of Illinois, First District, Fourth Division
WRITING FOR THE COURT	Justice Quish; Presiding Justice Navarro; Justice Lyle
JURISDICTION	Illinois Appellate Court, First District
DECIDED	February 19, 2026
DOCKET	1-24-2184
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from the denial of his motion to reconsider the sentence imposed after a second resentencing hearing following an earlier appellate remand.
STANDARD OF REVIEW	A sentencing decision is reviewed for abuse of discretion. Whether plain error applies requires first determining whether any clear or obvious error occurred. A sentence within the statutory range is not an abuse of discretion unless manifestly disproportionate to the nature of the offense.
PRECEDENTIAL VALUE	Published Illinois Appellate Court opinion
PARTIES	Eddie Hill v. The People of the State of Illinois

TOPICS

- sentencing
- due process
- post-conviction relief
- appellate procedure
- preservation of error

PRACTICE AREAS

criminal law criminal sentencing post-conviction relief appellate procedure
constitutional criminal procedure

QUESTIONS PRESENTED

1. Whether the circuit court was required to conduct a second resentencing hearing after the appellate court vacated the prior sentence and remanded with instructions that the new sentence not exceed 30 years.
2. Whether the circuit court violated due process or abused its discretion by allegedly predetermining that Hill would receive the maximum 30-year sentence.
3. Whether Hill could obtain plain-error review of the unpreserved sentencing claim.

HOLDINGS

1. When an appellate court vacates a sentence and remands for resentencing without imposing the replacement sentence itself, section 5-5-3(d) of the Unified Code of Corrections requires the trial court to conduct a sentencing hearing before imposing a new sentence.
2. The circuit court complied with section 5-5-3(d) by conducting a second sentencing hearing, considering the prior sentencing materials and new evidence, hearing the parties' arguments, and allowing Hill an opportunity for additional allocution.
3. The circuit court did not predetermine Hill's sentence, violate due process, or abuse its discretion by imposing a total sentence of 30 years after the second resentencing hearing.
4. Hill forfeited his claim because he neither made a contemporaneous objection nor raised the alleged predetermination in his written post-sentencing motion, and plain-error review was unavailable because no error occurred.

KEY QUOTATIONS

“In any case in which a sentence originally imposed is vacated, the case shall be remanded to the trial court. The trial court shall hold a hearing under Section 5-4-1 of this Code which may include evidence of the defendant’s life, moral character and occupation during the time since the original sentence was passed. The trial court shall then impose a sentence upon the defendant.” (§ 18)

“A new sentencing hearing is warranted when “a judge’s comments on the record indicate that he or she has predetermined a defendant’s sentence before considering the relevant statutory factors.”” (§ 21)

“Because there was no error in defendant’s second resentencing hearing, there is no plain error.” (§ 31)

FACTUAL BACKGROUND

In February 2000, Eddie Hill approached two teenagers in an apartment-building stairwell and fired a revolver after they declined to join the Gangster Disciples. He pursued them down the stairs and shot both victims, causing one victim to become partially paralyzed and the other to suffer a fractured femur requiring surgery and

a pin. At resentencing, the court considered the seriousness of the offenses, Hill's criminal history, his conduct and rehabilitation while incarcerated, mitigation evidence, and the victims' injuries.

PROCEDURAL HISTORY

Following convictions for attempted first degree murder and other offenses, Hill received an aggregate 75-year sentence. His aggravated-battery convictions were later vacated, and he pursued postconviction relief based on ineffective assistance concerning rejected plea advice. The circuit court ultimately found ineffective assistance and ordered a new sentencing hearing. After an initial resentencing to 37 years, the appellate court remanded with instructions that the sentence not exceed 30 years. On the second resentencing, the circuit court imposed consecutive sentences of 22 and 8 years, totaling 30 years, and denied reconsideration. The appellate court affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Hill, 2023 IL App (1st) 221062, ¶¶ 1, 26, 28
- People v. Hill, No. 1-06-0041 (unpublished order pursuant to Supreme Court Rule 23)
- People v. Hill, 2014 IL App (1st) 131625-U, ¶ 21
- People v. Hillier, 237 Ill. 2d 539, 544-45 (2010)
- People v. Piatkowski, 225 Ill. 2d 551, 565 (2007)
- People v. Mitchell, 2014 IL App (1st) 120080, ¶¶ 10-12
- People v. Stephens, 2012 IL App (1st) 110296, ¶ 123
- People v. Redemacher, 2016 IL App (3d) 130881, ¶ 47
- People v. Morris, 2023 IL App (1st) 220035, ¶¶ 22-34, 41-42, 61-66
- Miller v. Alabama, Miller v. Alabama, 567 U.S. 460 (2012)
- People v. Reyes, 2016 IL 119271
- People v. Coleman, 212 Ill. App. 3d 997 (1991)
- People v. Bolyard, 61 Ill. 2d 583, 587 (1975)
- People v. Zemke, 159 Ill. App. 3d 624, 628-29 (1987)
- People v. Kendrick, 104 Ill. App. 3d 426 (1982)
- People v. Davis, 2024 IL App (1st) 231357-U, ¶¶ 13, 17-18, 29, 32, 36-37
- People v. Jackson, 375 Ill. App. 3d 796, 800 (2007)
- People v. Jones, 2019 IL App (1st) 170478, ¶ 55
- People v. Alexander, 239 Ill. 2d 205 (2010)
- People v. Johnson, 218 Ill. 2d 125, 139 (2005)
- People v. Castejon, 2025 IL App (1st) 221918, ¶ 55

