

APPELLATE COURT OF ILLINOIS, FIRST DISTRICT, SIXTH DIVISION

People v. Sanders

2026 IL App (1st) 230041 · No. 1-23-0041 · Decided May 15, 2026

SUMMARY

The Illinois Appellate Court held that police lacked reasonable, articulable suspicion to conduct a Terry stop of Michael Sanders after responding to an anonymous report of people with guns. The court concluded that the firearm recovered from Sanders was the fruit of an unconstitutional seizure and should have been suppressed. It reversed his conviction for unlawful possession of a weapon by a felon outright.

CASE DETAILS

COURT	Appellate Court of Illinois, First District, Sixth Division
WRITING FOR THE COURT	Justice Hyman; Presiding Justice C.A. Walker; Justice Pucinski
JURISDICTION	Illinois Appellate Court, First District, Sixth Division
DECIDED	May 15, 2026
DOCKET	1-23-0041
DISPOSITION	reversed
PROCEDURAL POSTURE	Sanders appealed from the denial of his motion to suppress evidence, his stipulated bench-trial conviction for unlawful possession of a weapon by a felon, and his two-year sentence.
STANDARD OF REVIEW	The appellate court defers to the trial court's factual findings unless they are against the manifest weight of the evidence and reviews de novo the ultimate question whether evidence should be suppressed.
PRECEDENTIAL VALUE	Published Illinois appellate opinion
PARTIES	Michael Sanders v. The People of the State of Illinois

TOPICS

- fourth amendment
- search and seizure
- criminal procedure
- suppression of evidence
- appellate procedure

PRACTICE AREAS

- criminal procedure
- constitutional law
- appellate procedure
- remedies

QUESTIONS PRESENTED

1. Whether Sanders had a reasonable expectation of privacy in his person sufficient to challenge the stop and frisk while visiting another person's home.
2. Whether the officers had reasonable, articulable suspicion that Sanders was committing or had committed a criminal offense sufficient to conduct a Terry stop.
3. Whether the community-caretaking doctrine justified the officers' stop and frisk of Sanders.
4. Whether the gun was suppressible as fruit of an unconstitutional seizure and whether the conviction could stand without the gun.

HOLDINGS

1. Sanders retained a reasonable expectation of privacy in his own person while visiting another person's home and could challenge the reasons for the officers' stop and frisk.
2. The community-caretaking doctrine did not justify stopping and frisking Sanders in the investigation of a report of a person or people with guns near a home.
3. The officers lacked reasonable, articulable suspicion that Sanders was committing or had committed a criminal offense, so the Terry stop was unconstitutional.
4. The gun was fruit of the unconstitutional stop, no intervening circumstance attenuated the taint, and the conviction had to be reversed outright because the State could not prove felon-in-possession without the gun.

KEY QUOTATIONS

“First, to conduct a lawful investigatory stop, the police officer must reasonably suspect that the person apprehended is committing or has committed a criminal offense.” (§ 39)

“Second, to proceed from a stop to a frisk, the police officer must reasonably suspect that the person stopped is armed and dangerous.” (§ 39)

“To justify a stop, the State “must be able to point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion.”” (§ 42)

“But the officers lacked a reasonable, articulable suspicion that Sanders had committed, or was committing, a crime as he socialized.” (§ 50)

“Thus, the trial court should have suppressed the gun as the fruit of the poisonous tree.” (§ 62)

FACTUAL BACKGROUND

Police officers responded to an OEMC report describing a heavyset male wearing a blue shirt and having dreadlocks who reportedly had a gun near a specified address. Officers entered the fenced front yard, ordered Sanders and three others to stand, and frisked Sanders without first asking questions or observing a weapon. A loaded Glock fell from Sanders's pant leg after an officer handcuffed and frisked him. Sanders was charged with unlawful possession of a weapon by a felon, and the trial court denied his motion to suppress.

PROCEDURAL HISTORY

Chicago police stopped and frisked Sanders after responding to an anonymous report of a person or people with guns. The trial court denied Sanders's motion to suppress and motion to reconsider. Following a stipulated bench trial, the court found him guilty and sentenced him to two years in prison. The appellate court held that the stop lacked reasonable suspicion, ruled that the gun was fruit of the unconstitutional seizure, and reversed the conviction outright.

DISPOSITION

reversed

CASES CITED

- Terry v. Ohio, 392 U.S. 1 (1968)
- People v. Pitman, 211 Ill. 2d 502, 513 (2004)
- People v. Timmsen, 2016 IL 118181, ¶ 9
- People v. Lozano, 2023 IL 128609, ¶¶ 29, 35-36, 38, 40, 44
- People v. Colyar, 2013 IL 111835, ¶¶ 1, 24, 50, 76
- People v. Carter, 2021 IL 125954, ¶ 21
- People v. Johnson, 237 Ill. 2d 81, 89-90 (2010)
- Katz v. United States, 389 U.S. 347, 351 (1967)
- Minnesota v. Carter, 525 U.S. 83, 90-91 (1998)
- City of Champaign v. Torres, 214 Ill. 2d 234, 245 (2005)
- Rakas v. Illinois, 439 U.S. 128, 140-43 (1978)
- Caniglia v. Strom, 593 U.S. 194, 199 (2021)
- Cady v. Dombrowski, 413 U.S. 433, 441, 446-48 (1973)
- People v. McDonough, 239 Ill. 2d 260, 269 (2010)
- People v. Luedemann, 222 Ill. 2d 530, 544-46 (2006)
- People v. Croft, 346 Ill. App. 3d 669, 675-76 (2004)
- Arizona v. Johnson, 555 U.S. 323, 326-27 (2009)
- People v. Bass, 2021 IL 125434, ¶¶ 28-31
- Florida v. Jardines, 569 U.S. 1, 5-9 (2013)
- Collins v. Virginia, 584 U.S. 586, 592-94 (2018)
- People v. Bonilla, 2018 IL 122484, ¶ 27
- United States v. Dunn, 480 U.S. 294, 300 (1987)
- People v. Henderson, 2013 IL 114040, ¶¶ 33-34
- People v. Eubanks, 2019 IL 123525, ¶ 100
- Union Pacific Ry. Co. v. Botsford, 141 U.S. 250, 251 (1891)

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