

APPELLATE COURT OF ILLINOIS, FOURTH DISTRICT

People v. Wallace

2026 IL App (4th) 250795 · No. 4-25-0795 · Decided June 5, 2026

SUMMARY

The Illinois Appellate Court, Fourth District, affirmed Jimmie L. Wallace’s conviction for unlawful possession of a weapon by a felon and his sentence of three years and two months. Wallace challenged the denial of his motion to suppress evidence obtained from a vehicle and backpack search and argued that the unlawful-possession statute was unconstitutional under the Second Amendment. The opinion addresses vehicle inventory searches, probable cause, officer safety, and constitutional challenges to firearm restrictions.

CASE DETAILS

COURT	Appellate Court of Illinois, Fourth District
WRITING FOR THE COURT	Justice Harris; Justice DeArmond; Justice Grischow
JURISDICTION	Illinois Appellate Court, Fourth District
DECIDED	June 5, 2026
DOCKET	4-25-0795
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a stipulated bench-trial conviction for unlawful possession of a weapon by a felon, challenging the denial of his motion to suppress evidence and the constitutionality of the unlawful-possession statute under the Second Amendment.
STANDARD OF REVIEW	Factual findings on a motion to suppress are reviewed for clear error or manifest weight of the evidence, while the ultimate suppression determination is reviewed de novo. Constitutional challenges to statutes are reviewed de novo.
PRECEDENTIAL VALUE	Published and precedential Illinois Appellate Court opinion
PARTIES	Jimmie L. Wallace v. The People of the State of Illinois

TOPICS

- suppression of evidence
- fourth amendment
- search and seizure
- probable cause
- second amendment

PRACTICE AREAS

criminal law

criminal procedure

constitutional law

appellate practice

QUESTIONS PRESENTED

1. Whether the warrantless search of Wallace's backpack violated the Fourth Amendment because an officer ordered him to leave the backpack in an impounded vehicle before an inventory search.
2. Whether the vehicle inventory search was invalid because officers did not fully comply with department inventory procedures or prepare an itemized inventory.
3. Whether Illinois's unlawful-possession-of-a-weapon-by-a-felon statute, 720 ILCS 5/24-1.1(a), violates the Second Amendment facially or as applied to a defendant whose predicate felony was nonviolent and drug-related.

HOLDINGS

1. The officers lawfully separated Wallace from his backpack during the traffic stop, and the backpack was subject to the inventory search because it was a container located in the vehicle when the vehicle was lawfully impounded. Once the officer found a glass jar containing suspected methamphetamine, probable cause authorized a warrantless automobile search extending to containers in the vehicle capable of concealing contraband, including the backpack.
2. The inventory search was initially valid notwithstanding the officers' failure to complete an itemized list. The search was conducted pursuant to reasonable standardized procedures before the officer found the glass jar and developed probable cause; the later failure to complete the inventory did not invalidate the search or require suppression.
3. The unlawful-possession-of-a-weapon-by-a-felon statute, 720 ILCS 5/24-1.1(a), is not unconstitutional on its face or as applied to Wallace. Under controlling Illinois appellate precedent, felons are outside the class of law-abiding citizens whose conduct is presumptively protected under Bruen, and the court declined to distinguish between violent and nonviolent felonies.

KEY QUOTATIONS

"To be valid, an inventory search must satisfy three requirements: "(1) the original impoundment of the vehicle must be lawful [citation]; (2) the purpose of the inventory search must be to protect the owner's property and to protect the police from claims of lost, stolen, or vandalized property and to guard the police from danger [citation]; and (3) the inventory search must be conducted in good faith pursuant to reasonable standardized police procedures and not as a pretext for an investigatory search." (¶ 42)

"When the Second Amendment's plain text covers an individual's conduct, the Constitution presumptively protects that conduct" (¶ 98)

"As a felon, [the] defendant, by definition, is not a law-abiding citizen." (¶ 100)

FACTUAL BACKGROUND

Police stopped a vehicle at approximately 2 a.m. after observing suspicious activity near a gas station and learning that the driver’s license was suspended. Because department policy required the vehicle to be towed, an officer ordered Wallace to exit without his backpack, which had been between his legs. During an initial inventory search, officers found a glass jar with white residue and then searched the backpack, discovering a loaded firearm. Wallace acknowledged that the backpack was his, that he knew the gun was inside, and that he had purchased it.

PROCEDURAL HISTORY

After a traffic stop, officers searched and impounded the vehicle in which Wallace was a passenger and found a firearm in his backpack. The circuit court denied Wallace’s motion to suppress and later denied his facial and as-applied constitutional challenge to the unlawful-possession statute. Following a stipulated bench trial, the court found him guilty, denied his posttrial motion, and sentenced him to three years and two months’ imprisonment. The Illinois Appellate Court affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Manzo, People v. Manzo, 2018 IL 122761, ¶ 25
- People v. Molina, 2024 IL 129237, ¶¶ 17, 20
- People v. Dunmire, 2019 IL App (4th) 190316, ¶¶ 35, 72
- People v. Timmsen, 2016 IL 118181, ¶ 9
- People v. Hill, 2020 IL 124595, ¶¶ 20, 23
- People v. Webb, 2023 IL 128957, ¶ 25
- People v. Gipson, 203 Ill. 2d 298, 304 (2003)
- People v. Hundley, 156 Ill. 2d 135, 138 (1993)
- United States v. Ross, 456 U.S. 798, 825 (1982)
- United States v. Di Re, 332 U.S. 581, 587 (1948)
- Wyoming v. Houghton, 526 U.S. 295, 296-307 (1999)
- State v. Boyd, 64 P.3d 419, 421-27 (Kan. 2003)
- State v. Groshong, 135 P.3d 1186, 1189 (Kan. 2006)
- State v. Newsom, 979 P.2d 100, 100-02 (Idaho 1998)
- State v. Tognotti, 2003 ND 99, ¶¶ 3, 14-21, 663 N.W.2d 642
- State v. Nelson, 948 P.2d 1314, 1315-16 (Wash. Ct. App. 1997)
- State v. Steele, 2000 S.D. 78, ¶¶ 2-19, 613 N.W.2d 825
- State v. Roe, 90 P.3d 926, 929, 932-33 (Idaho Ct. App. 2004)
- State v. Leatham, 2025 UT App 194, 584 P.3d 336, 342-43
- Meyer v. State, 535 P.3d 635, 637, 640-42 (Idaho Ct. App. 2023)

- Rodriguez v. United States, 575 U.S. 348, 355-56 (2015)
- Maryland v. Wilson, 519 U.S. 408, 413-15 (1997)
- Pennsylvania v. Mimms, 434 U.S. 106, 109, 111 (1977)
- People v. Moss, 217 Ill. 2d 511, 530-31 (2005)
- People v. Walker, 2013 IL App (4th) 120118, ¶ 47
- People v. Sorenson, 196 Ill. 2d 425, 433 (2001)
- Arizona v. Johnson, 555 U.S. 323, 327 (2009)
- New York State Rifle & Pistol Ass’n v. Bruen, 597 U.S. 1, 8-10, 17, 30 (2022)
- District of Columbia v. Heller, 554 U.S. 570 (2008)
- McDonald v. City of Chicago, 561 U.S. 742 (2010)
- People v. Villareal, People v. Villareal, 2023 IL 127318, ¶ 14
- People v. Bochenek, 2021 IL 125889, ¶ 10
- People v. Hilliard, 2023 IL 128186, ¶ 21
- People v. Burns, 2024 IL App (4th) 230428, ¶ 21
- People v. Cadengo, 2025 IL App (4th) 240568, ¶¶ 65, 68
- People v. Huff, 2025 IL App (4th) 240762, ¶ 16
- People v. Gardner, 2024 IL App (4th) 230443, ¶ 68
- People v. Brooks, 2023 IL App (1st) 200435, ¶¶ 100-105
- People v. Macias, 2025 IL App (1st) 230678, ¶¶ 31-34
- People v. Woodhouse, 2026 IL App (1st) 240827, ¶ 47
- People v. Travis, 2024 IL App (3d) 230113, ¶ 33
- People v. Stephens, 2024 IL App (5th) 220828, ¶ 39
- People v. Gray, 2025 IL App (1st) 191086-B, ¶ 23
- People v. Smith, 2025 IL App (5th) 230656, ¶¶ 34-36