

1 STATE OF ILLINOIS

2 COUNTY OF COOK

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4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CRIMINAL DIVISION

5 THE PEOPLE OF THE STATE)
OF ILLINOIS)
6)
7 Plaintiff,)
8)
vs.) No. 04CR09579 01
9) 04CR17677 01
WILLIAM CARTER,)
10)
Defendant.)

11 REPORT OF THE PROCEEDINGS had at the
hearing in the above entitled cause before the
12 Honorable Nicholas Ford, Judge of said Court,
on the 16th day of December, 2004.

13 PRESENT:

14 RICHARD A. DEVINE,
15 STATE'S ATTORNEY OF COOK COUNTY, by:
16 NOT IDENTIFIED,
17 ASSISTANT STATE'S ATTORNEY
appeared on behalf of the People;

18 ATTORNEY FOR DEFENDANT
19 NOT IDENTIFIED.

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23 MICHELLE M. PIZZOFERRATO
24 OFFICIAL COURT REPORTER
License No. 084-001963

1 THE CLERK: William Carter.

2 THE COURT: Counsel he has the matter of
3 04CR095799-01 .

4 So on this case it is one year consecutive
5 to one year. You are amending 17677 to 402C, is that
6 right, counsel

7 ASSISTANT STATE'S ATTORNEY: That is correct.

8 THE COURT: What about the one below?

9 ASSISTANT STATE'S ATTORNEY: I believe we are
10 amending that one as well.

11 THE COURT: 402C --

12 ASSISTANT STATE'S ATTORNEY: Counsel, actually
13 let me see. That is fine, yes.

14 THE COURT: So as to a total of two, one plus
15 one on probation?

16 ASSISTANT STATE'S ATTORNEY: Yes.

17 THE COURT: I will just give him two years
18 probation. So it is not a 402C, counsel on
19 04CR17677-01, that is at to Count 2 as charged?

20 ASSISTANT STATE'S ATTORNEY: As charged.

21 THE COURT: What is the class, Counsel, one?

22 THE ATTORNEY: And the other matter 9579

23 THE COURT: Is a Class 2. So you are aware,
24 you are going to plead guilty to a Class 1 and a

1 Class 2 both felonies.

2 Class 1 carries a sentence between 4 and 15
3 years in the Illinois Department of Corrections, a
4 fine up to \$25,000 or a period of probation.

5 We will go on Count 402 and the other one
6 is Class 1, actually, nolle one, two and three?

7 ASSISTANT STATE'S ATTORNEY: Correct.

8 THE COURT: So you are pleading to two cases,
9 do you know that?

10 THE DEFENDANT: Yes.

11 THE COURT: Both of them are Class 1 felonies.
12 I am going to give you probation on each one you can
13 get between four and fifteen years mandatory
14 supervisory release.

15 On either of them you can get up to a
16 \$25,000 fine, do you know that?

17 THE DEFENDANT: Yes.

18 THE COURT: Do you want to plead guilty in
19 exchange for two years probation concurrent with
20 one.

21 THE DEFENDANT: Yes.

22 THE COURT: Do you know that when you plead
23 guilty you are giving up your right to what is
24 called a jury trial. A jury trial is where 12 of

1 your peers decide you guilt or innocence based on
2 their review of the evidence beyond a reasonable
3 doubt. And any decision that they make must be
4 unanimous, they have to all agree.

5 So not only are you giving up your right to
6 a jury trial, but also a bench where I would decide
7 your guilt or innocence.

8 Do you understand that?

9 THE DEFENDANT: Yes.

10 THE COURT: You are giving up your right to
11 confront and cross examine the witnesses, present
12 evidence on your own behalf, remain silent and have
13 the State prove your guilt.

14 Do you understand that?

15 THE DEFENDANT: Yes.

16 THE COURT: Did anyone threaten or promise you
17 anything in this case to make you plead guilty?

18 THE DEFENDANT: No.

19 THE COURT: You are pleading guilty to both
20 cases?

21 THE DEFENDANT: Yes.

22 THE COURT: Is there a stipulation to the facts
23 in the arrest report as being sufficient to prove
24 his guilt beyond a reasonable doubt?

1 THE ATTORNEY: So stipulated.

2 THE COURT: I find that sufficient for the
3 offenses as charged.

4 I also find that he understands the nature
5 of the charges against him.

6 And in both cases he understands the
7 possible sentences and his rights under the law.

8 The plea is being made freely and
9 voluntarily as it exists.

10 Is there anything further by way of
11 aggravation?

12 ASSISTANT STATE'S ATTORNEY: No.

13 THE ATTORNEY: No.

14 THE COURT: Is there anything you want to add,
15 Mr. Carter?

16 THE DEFENDANT: No, sir, I just wanted to let
17 you know that I am in the Daily Reporting Program
18 since August 20th.

19 THE COURT: And you didn't have any problems?

20 THE DEFENDANT: Yes, I have no problems.

21 THE COURT: Any way from now on you are going
22 to go on your own, you are not going to be on a Daily
23 Reporting Program. It is bad news, I mean not
24 really bad news, but you cannot pick up any new

1 cases. If you pick up one case the least I can give
2 you is four years, do you understand that?

3 THE DEFENDANT: Yes, I do.

4 THE COURT: I am going to give you two years
5 probation concurrent to these two cases with fees,
6 fines and costs.

7 It is important that you know that you have
8 the right to appeal and you must do so within 30
9 days in a motion asking me to reconsider the
10 sentence, for leave to withdraw your motion. If you
11 don't file that you are waiving your right for the
12 purposes of the other case too.

13 Do you understand that?

14 THE DEFENDANT: Yes.

15 THE COURT: That is it, good luck.

16 (WHICH WERE ALL THE PROCEEDINGS HAD IN
17 THE ABOVE ENTITLED CAUSE.)

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1 STATE OF ILLINOIS)
2) SS.
2 COUNTY OF COOK)

3 IN THE CIRCUIT COURT OF COOK COUNTY,
4 COUNTY DEPARTMENT - CRIMINAL DIVISION

5 I, Michelle M. Pizzoferrato, Official Court
6 Reporter and note reader for the Circuit Court of
7 Cook County, Criminal Division- Third Municipal
8 District, do hereby certify that I transcribed the
9 foregoing Report of Proceedings from the notes of
10 V. Ondriska, a Certified Shorthand Reporter, and that
11 the foregoing is a true and correct transcript of
12 said Report of Proceedings to the best of my ability
13 as appears from the stenotype notes had before the
14 Honorable Nicholas Ford, Judge of said court.

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Michelle M. Pizzoferrato

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18 Dated this 15th day of April, 2024.

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