

2025 IL App (1st) 232113-U

No. 1-23-2113

Order filed September 16, 2025

Second Division

IN THE
APPELLATE COURT OF ILLINOIS
FIRST DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,)	Appeal from the
)	Circuit Court of
Plaintiff-Appellee,)	Cook County.
)	
v.)	No. 22 CR 12106
)	
JERMAINE LESTER,)	Honorable
)	Michael R. Clancy,
Defendant-Appellant.)	Judge, presiding.

JUSTICE D.B. WALKER delivered the judgment of the court.
Presiding Justice Van Tine and Justice McBride concurred in the judgment.

ORDER

¶ 1 *Held:* Defendant's conviction for damage to government supported property and damage to government supported property by fire affirmed where the evidence established that defendant was found alone in a locked jail cell with fire-charred pieces of mattress filler from a government-issued mattress.

¶ 2 I. BACKGROUND

¶ 3 Following a bench trial, defendant Jermaine Lester was convicted of criminal damage to government supported property (720 ILCS 5/21-1.01(a)(1) (West 2020)) and criminal damage to government supported property by means of fire or explosive (720 ILCS 5/21-1.01(a)(2) (West

2020)) and sentenced to concurrent terms of two years imprisonment. On appeal, defendant argues that the State failed to prove him guilty beyond a reasonable doubt because the evidence did not prove that he damaged any government supported property, or that he did so by means of fire. For the following reasons, we affirm.

¶ 4 Defendant was charged with one count of criminal damage to government supported property and one count of criminal damage to government supported property by means of fire or explosive. The charged property was a mattress “supported” with state funds administered by the Cook County Sheriff’s Department and valued under \$500.

¶ 5 At trial, Cook County Sheriff’s Department sergeant Eliud Duran, formerly of the Cook County Department of Corrections (“jail”), testified that at approximately 2:20 p.m. on November 17, 2021, he responded to a radio call of smoke coming out of a cell in the top 2H tier of the jail. At the time, he supervised Cook County Sheriff’s officers John Carden and Orona (whose first name does not appear in the record), who also responded to the incident.

¶ 6 Carden led Duran to the cell, where Duran observed smoke emanating from underneath the door. Duran also saw that the observation window on the cell door had been covered, which was prohibited. Duran pounded on the cell door and ordered removal of the covering so that he could see into the cell. Duran aimed a Taser into the cell, after ordering the cell door opened.

¶ 7 Upon entry into the cell, Duran observed defendant, whom he identified in court, as the only person in the cell. Defendant was secured and removed from the cell. Duran determined that a mattress sheet and towel covered the observation window. Duran observed defendant’s personal belongings “packed up ready to go” in a bedsheet and stepped over charred “mattress filler” or

“padding.” Duran had observed flames on the “mattress filler,” which Orona extinguished with a fire extinguisher.

¶ 8 Duran had seen mattress filler “[t]housands of times” at the jail before this incident. Mattress filler comes from inside the standardized mattresses supplied to inmates by the jail. Inmates ripped up the mattresses to make pillows or add to another mattress. Inmates were not allowed to bring their own mattresses into jail.

¶ 9 On that day, Duran was equipped with a body worn camera, the footage from which was published and entered into evidence without objection as Exhibit 1. Duran identified the mattress depicted in the footage as a mattress issued by the jail.

¶ 10 The video footage from Duran’s body worn camera is included in the record on appeal. The footage shows individuals identified as Carden and Orona approach a cell door. One of them holds a fire extinguisher. The cell door’s observation window is covered and the metal flap on the door appears blackened. Duran loudly demands that defendant remove the obstruction from the window, and then commands Carden to open the door while Duran points his Taser at the cell door. Carden opens the cell door, unleashing a plume of smoke, and flames are briefly visible at the bottom of the video’s frame. The flames are extinguished out of the camera’s view, and the officers kick the smoking residue out of the cell.

¶ 11 Defendant is on the floor at the back of the cell, his head wrapped in fabric. He is handcuffed and removed. Duran then re-enters the cell and the video depicts a mattress on its side, leaning against the bed frame. A bundle made of bedsheets is visible on the bed frame. The cell contains one overhead electrical light fixture, which is illuminated. No electrical outlets are visible. No other inmate appears in the video footage.

¶ 12 Duran testified that defendant did not have a cellmate at the time of the fire. Inmates on the 2H tier were prohibited from having flammable or fire-starting items in their cells. Defendant's cell had a light fixture in the center of the ceiling, which was the only electrical device in the cell. The cells had no electrical outlets.

¶ 13 On cross-examination, Duran testified that, when he found defendant in the cell, defendant had a towel wrapped around his head and stated he could not breathe. Duran confirmed that he did not see defendant start the fire. The only thing he saw on fire was mattress filler. Duran did not observe any fire-starting materials, such as matches and lighters, in the cell when he examined it.

¶ 14 Carden testified that he received a radio notification for assistance in cellblock 2H on November 17, 2021, at around 2:20 p.m. Carden met up with Duran and Orona and proceeded to cell 2267, where he observed smoke "coming from under the door." Carden approached the cell and saw that the observation window had been obstructed. He stated that every cell had an observation window, which officers used to perform security checks. Carden opened the cell's door, and Orona extinguished the flames with a fire extinguisher. Defendant, whom Carden identified in court, was the only person in the cell.

¶ 15 In the cell, Carden observed charred remnants of "mattress foam or pieces of mattress" on the floor of defendant's cell. He had seen mattress foam outside of mattresses "probably 100" times and observed dozens of fires. Carden had seen burnt mattress foam through "means like this with fires." Mattress foam comes from inside the mattress, and there was no way to obtain the foam without damaging or destroying the mattress. The cell contained a single standard-issue mattress, which Carden recognized as the jail's property. No other mattress was present.

¶ 16 In defendant's cell, Carden observed a tied-up bed sheet that "appeared to have property" placed on defendant's bed. He did not observe any other personal property outside of that area. The cell did not contain any electrical outlets, and the jail does not give inmates any flame-starters or fire accelerants.

¶ 17 On cross-examination, Carden testified that before the incident, he had not been in defendant's cell that day. Carden confirmed he did not see defendant start the fire; nor did he see matches, a lighter, or any accelerant in the cell. He confirmed that the only thing he saw damaged in the cell was mattress filler or foam.

¶ 18 Cook County Sheriff's Department investigator Thurman (whose first name does not appear in the record) testified that she investigated the incident at the jail. She believed damage occurred to a mattress that was lit on fire inside the cell. The cost of the mattress provided to inmates at the jail was about \$131. To the best of her knowledge, mattresses were supplied to inmates intact. Thurman was unaware of a time when an inmate received a dilapidated or destroyed mattress.

¶ 19 On cross-examination, Thurman testified that she never personally inspected the mattress issued to defendant. She also stated that mattress foam or filler is not on the jail's procurement list, but mattresses are on that list.

¶ 20 After closing arguments, the trial court found defendant guilty of criminal damage to government supported property and criminal damage to government supported property by means of fire or explosive. The court stated that defendant was locked in his cell, alone, with the window covered before he was found with burning mattress filler in his cell. It noted that defendant's personal property was gathered in one location, and that the fire was by the door while defendant

was found on the opposite end of the room. The trial court found that this combination of circumstantial evidence proved the State's case beyond a reasonable doubt.

¶ 21 Defendant filed a posttrial motion, arguing, *inter alia*, that the State failed to prove him guilty beyond a reasonable doubt. The trial court denied the motion, stating that the State proved its case through both direct and circumstantial evidence. The trial court sentenced defendant to concurrent two-year prison sentences.

¶ 22 II. ANALYSIS

¶ 23 On appeal, defendant challenges the sufficiency of the evidence, arguing that the State failed to prove that he started the fire or caused damage to the government-issued mattress in his cell.

¶ 24 When a defendant claims that the evidence is insufficient to sustain his conviction, this Court must determine “ ‘whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime proved beyond a reasonable doubt.’ ” (Emphasis omitted.) *People v. McLaurin*, 2020 IL 124563, ¶ 22 (quoting *Jackson v. Virginia*, 443 U.S. 307, 319 (1979)). A reviewing court must draw all reasonable inferences in favor of the State. *People v. Harvey*, 2024 IL 129357, ¶ 19. This standard applies to cases regardless of whether the evidence is direct or circumstantial, and “circumstantial evidence meeting this standard is sufficient to sustain a criminal conviction.” *People v. Jackson*, 232 Ill. 2d 246, 280-81 (2009).

¶ 25 Circumstantial evidence is evidence that may allow a trier of fact to infer connected facts that reasonably and usually follow (*People v. McAndrew*, 2024 IL App (1st) 230881, ¶ 45), or that permit reasonable inferences relevant to the defendant's guilt or innocence (*People v. Johnson*,

2018 IL App (1st) 150209, ¶ 19). The trier of fact need not “search out all possible explanations consistent with innocence and raise them to a level of reasonable doubt.” (Internal quotation marks omitted.) *People v. Spears*, 2024 IL App (1st) 181491, ¶ 194. If the evidence, taken together, establishes the defendant’s guilt beyond a reasonable doubt, a factfinder need not satisfy itself beyond a reasonable doubt “as to each link in the chain of circumstances,” to sustain a conviction. (Internal quotation marks omitted.) *People v. Galarza*, 2023 IL 127678, ¶ 27.

¶ 26 In a bench trial, the trial court determines the credibility of the witnesses, resolves conflicting evidence, weighs the evidence, and draws reasonable inferences from the evidence. *People v. Siguenza-Brito*, 235 Ill. 2d 213, 228 (2009). We afford deference to the fact-finder’s conclusions regarding witness credibility and the weight to afford to each piece of evidence. *Jackson*, 232 Ill. 2d at 280-81. We will reverse a conviction based on insufficient evidence only where the evidence is so improbable or unsatisfactory that there is reasonable doubt as to the defendant’s guilt. *People v. Beauchamp*, 241 Ill. 2d 1, 8 (2011).

¶ 27 To prove defendant guilty of criminal damage to government supported property (count I), the State was required to show that defendant knowingly damaged government supported property without the State’s consent. 720 ILCS 5/21-1.01(a)(1) (West 2020); *People v. Little*, 2018 IL App (1st) 151954, ¶ 53. To prove criminal damage to government supported property by means of fire or explosive (count II), the State was required to prove that defendant used fire or explosives to cause such damage. *Id.* § 21-1.01(a)(2). Government supported property is any property supported in whole or in part with State, local government, school district, or federal funds administered or granted by State agencies. *Id.* § 21-1.01(b). As charged here, damage to property worth \$500 or

less is a Class 4 felony. *Id.* § 21-1.01(c). Defendant argues the State failed to prove that he started the fire or that he knowingly caused any damage to the mattress.

¶ 28 Here, taking the evidence in the light most favorable to the State, we find that a rational trier of fact could find defendant guilty of criminal damage to government supported property and of such damage by means of fire. It is uncontested that a fire occurred in defendant's jail cell. Defendant was the sole occupant of his jail cell at the time of the fire, and his cell included one government-issued mattress. The observation window on defendant's cell door was covered, and the mattress had been pulled off the bunk and placed on its side against the bunk. Defendant's personal belongings had been packed up and placed on the empty bunk, and he was found with a towel around his head.

¶ 29 Investigator Thurman testified that inmates received mattresses from the jail intact. Former Sergeant Duran and Officer Carden both identified charred pieces of mattress filler in defendant's cell by the door, which they recognized based on their experience of having seen filler removed from mattresses at the jail many times. Carden further testified that mattress filler can only be obtained by destroying or damaging the mattress supplied by the jail. From this evidence, the trial court, as finder of fact, could reasonably infer that defendant knowingly damaged the government provided mattress, both by removing the filler and by means of fire. *Little*, 2018 IL App (1st) 151954, ¶¶ 53-57. Therefore, the evidence was sufficient to prove defendant guilty of damage to the mattress, the government supported property, and of such damage by means of fire. *Id.*

¶ 30 Nevertheless, defendant argues that the State's evidence was insufficient because there was no direct evidence showing he started the fire or that the mattress was damaged. However, defendant's guilt may be proved entirely by circumstantial evidence. *Galarza*, 2023 IL 127678, ¶

27. The evidence showed mattress filler was on fire in defendant's cell. No one else was in defendant's locked, single-occupancy cell while the mattress filler was on fire; inmates are not permitted to supply their own mattresses; and there was only one mattress in his cell. The circumstantial evidence established that the mattress filler must have been removed from the government-provided mattress in defendant's cell in order to set it on fire.

¶ 31 Defendant contends that he could not have started the fire where no matches, lighter, or fire accelerant were recovered from his cell, but this is an explanation consistent with defendant's innocence that the trial court was not required to raise to the level of reasonable doubt. *Spears*, 2024 IL App (1st) 181491, ¶ 194. Although the record does not explain how the mattress filler was ignited, the trier of fact need not be satisfied beyond a reasonable doubt "as to each link in the chain of circumstances" if all the evidence, taken together, proves the defendant's guilt. *Galarza*, 2023 IL 127678, ¶ 27. "[B]eyond a reasonable doubt does not mean that the factfinder must disregard the inferences that flow normally from the evidence before it." *People v. Harris*, 2023 IL App (1st) 210754, ¶ 77. It is a reasonable inference from the evidence that defendant damaged the government-provided mattress by removing the mattress filler and then set the filler on fire; no other inference comports with the evidence. See *People v. Carr*, 2013 IL App (3d) 110894, ¶ 21 (finding the defendant guilty of criminal damage to government supported property based on circumstantial evidence where he was found locked in the back seat of a government supported vehicle sitting among the vehicle's shattered rear passenger window).

¶ 32 In conclusion, the State proved beyond a reasonable doubt that defendant knowingly damaged the mattress—which was indisputably government supported property—by pulling out

filler without the State's consent and by means of fire. 720 ILCS 5/21-1.01(a)(1), (a)(2).

Accordingly, we find no basis to disturb the trial court's judgment as to either charge.

¶ 33 For these reasons, we affirm the judgment of the circuit court of Cook County.

¶ 34 Affirmed.