

1 STATE OF ILLINOIS )  
 ) SS:  
2 COUNTY OF C O O K )

3 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
MUNICIPAL DEPARTMENT - FOURTH MUNICIPAL DISTRICT

4 THE PEOPLE OF THE STATE )  
5 OF ILLINOIS, )  
 )  
6 Plaintiff, )  
 )  
7 vs. ) No. 21 MC4 00313501  
 )  
8 )  
9 SEAN PAUL REYES, )  
 )  
10 Defendant. )

11 REPORT OF PROCEEDINGS had at the hearing of the  
12 above-entitled cause before the HONORABLE  
13 STANLEY L. HILL, Judge of said court, on the 10th day  
14 of August, 2022.

15 PRESENT:

16 HONORABLE KIMBERLY M. FOXX,  
State's Attorney of Cook County, by:  
17 MS. ALYSSA DUNBAR (via Zoom)  
and MR. JOSE VILLARREAL,  
18 Assistant State's Attorneys,  
appeared on behalf of the People;

19  
20 MR. JAMES JENKS,  
appeared on behalf of the Defendant.

21  
22  
23 Kristine L. Lapetina, CSR# 084-004733  
Official Court Reporter  
Circuit Court of Cook County  
24 Fourth Municipal District

1 THE COURT: Okay. Alyssa? Alyssa?

2 MS. DUNBAR: Yes, your Honor.

3 THE COURT: Okay. Do you stand on your motion or  
4 do you want to make any argument or anything in  
5 addition to what's already been presented?

6 MS. DUNBAR: We stand on our motion at this time.

7 THE COURT: She stands on the motion.

8 Okay. Mr. Jenks, do you want to respond to --

9 MS. DUNBAR: Your Honor, just to know, I do reserve  
10 rebuttal.

11 THE COURT: You want to respond?

12 MR. JENKS: I do, Judge.

13 THE COURT: All right. Can you hear him, Alyssa?  
14 He's going to respond.

15 MS. DUNBAR: If he could just speak loud and clear  
16 please.

17 THE COURT: Speak into the mic, Jenks.

18 MR. JENKS: Judge, the State alleges that --

19 THE COURT: Hold on.

20 Can you hear him, Alyssa?

21 MS. DUNBAR: For now, yes.

22 THE COURT: Go on, Jenks.

23 MR. JENKS: Judge, the State alleges that somehow  
24 we would attempt to admit edited video simply because

1 my client previously made a YouTube video of this  
2 encounter. The video that we would be submitting does  
3 not have any commentary as the YouTube video did. It  
4 does have different -- the portion of the video that  
5 is -- that relates to the interaction with the  
6 complaining witness is not edited. It's about two  
7 minutes in length.

8           The video that I sent to the State has  
9 different portions of the entire time my client was at  
10 the Berwyn City Hall, so he has video outside that cuts  
11 off to when he goes inside. It's not one, continuous  
12 video. It's a separate, shorter clips from when my  
13 client is in different areas of the building.

14           The portion that relates to the interaction  
15 with the complaining witness is not unedited -- been  
16 edited in any way. It's a very shortened encounter,  
17 and there's no reason that it should not come into --  
18 that it should not be shown and come out.

19           And I find it quite suspect that the State  
20 does not want to show the video of the encounter, which  
21 would probably be the most appropriate way for the  
22 Court to see whether this is a disorderly conduct, not  
23 just based solely on testimony.

24           THE COURT: Okay. I noticed that an Assistant

1 State's Attorney stepped in the courtroom, I think.

2 MR. VILLARREAL: Yes. Assistant State's Attorney  
3 Jose Villarreal. I am --

4 THE COURT: Wait. Hold it, Jose.

5 Jose what?

6 MR. VILLARREAL: V-I-L-L-A-R-R- --

7 THE COURT: V what?

8 MR. VILLARREAL: Pardon me?

9 THE COURT: Spell your last name.

10 MR. VILLARREAL: V, as in Victor,  
11 I-L-L-A-R-R-E-A-L.

12 THE COURT: Are you going to be the attorney on  
13 this --

14 MR. VILLARREAL: Myself and --

15 THE COURT: -- along with Ms. Dunbar?

16 MR. VILLARREAL: Yeah, along with Ms. Dunbar.

17 THE COURT: All right. She's asked for rebuttal to  
18 Jim's argument in opposition to the motion. Are you  
19 responding or shall she?

20 MR. VILLARREAL: She can respond.

21 THE COURT: Okay.

22 Go ahead, Alyssa.

23 MS. DUNBAR: Thank you, your Honor.

24 We would, in majority, rest on the argument

1 that was presented in the motion. However, in response  
2 to counsel's statement, he very clearly just stated  
3 that this video will show a portion of the events that  
4 happened and then cut out and then pick up showing a  
5 different portion.

6 This does not demonstrate the events as they  
7 occurred in their entirety. It does not present a  
8 clear and accurate depiction --

9 THE COURT: Wait a minute. Wait a minute. Hold  
10 it. Hold it. Whoever's talking -- wait a minute.

11 Whoever's talking, I need you to stop talking  
12 because it's interrupting my ability to hear Ms.  
13 Dunbar. So, please, no talking; otherwise, I'm going  
14 to have to eliminate you, whoever that's coming from,  
15 from this proceeding.

16 Go ahead, Ms. Dunbar.

17 MS. DUNBAR: Your Honor, I'm sharing an office with  
18 another ASA.

19 THE COURT: Well, tell them to be quiet because I  
20 can't hear you and them too.

21 MS. DUNBAR: Okay. So I was saying, your Honor --

22 THE COURT: They're still talking. Tell them to  
23 knock it off. Go talk in another room, please.

24 MS. DUNBAR: I will let them know.

1           So, your Honor, as I was saying, defense  
2 counsel clearly just indicated that only portions of  
3 the video are being shown and that it clearly cuts out  
4 at certain parts and resumes at a different part of the  
5 video.

6           Based on this, and as highlighted in my  
7 motion, this does not reflect a clear and accurate  
8 depiction of the events that occurred that day. It  
9 does not demonstrate that this video is exactly what it  
10 claims to be because it does not show every incident  
11 that happened, only the portion that the defendant  
12 shows to videotape and is now seeking to admit. And  
13 based on that, for the rules stated in my motion, we're  
14 asking that any admission of the video be denied.

15         MR. JENKS: Judge, that's not what I said at all.

16         THE COURT: Just a minute.

17           Okay. Ms. Dunbar, I think that goes to the  
18 weight, not as to its admissibility. I'm the trier of  
19 fact. I'll consider the video.

20           Motion to exclude the video is denied. My  
21 ruling is that it goes to the weight, not the  
22 admissibility. If counsel lays an appropriate  
23 foundation, for whatever he's got, that allegedly shows  
24 what allegedly occurred on that day, the Court is in a

1 position to evaluate what weight, if any, should be  
2 given to the video. And as a consequence, that motion  
3 is denied.

4 MR. JENKS: Thank you, Judge.

5 MS. DUNBAR: I understand, your Honor.

6 THE COURT: All right. Now, are you still ready to  
7 proceed? Where are your witnesses, by the way? Are  
8 they here, Mr. Villarreal?

9 Is it Jose?

10 MR. VILLARREAL: It is Jose.

11 THE COURT: Jose -- and I go by first names, by the  
12 way. I hope you're not offended by that.

13 MR. VILLARREAL: All right.

14 THE COURT: It allows me to cut to the chase.  
15 Are your witnesses here?

16 MR. VILLARREAL: Yes.

17 THE COURT: Are you ready to go?

18 MR. VILLARREAL: Yes.

19 THE COURT: Okay. Are you ready to go?

20 MR. JENKS: Answering ready, Judge.

21 THE COURT: All right. I'm going to call a few  
22 more attorneys who are here. Get ready to go with your  
23 opening statements, and we will proceed at that time.

24 MR. VILLARREAL: Okay.

1 (Whereupon, the above-entitled cause was  
2 passed and later recalled, after which  
3 the following proceedings were had:)

4 MR. JENKS: Judge, I have a quick issue.

5 THE COURT: Yeah, James.

6 MR. JENKS: Judge, on the last court date, we  
7 requested that we'd be able to film the proceeding.  
8 The judge continued it for ruling for --

9 THE COURT: Fine. You can fill out --

10 MR. JENKS: It's an affiliate from ABC News.

11 THE COURT: You can film it. I don't care.

12 MR. JENKS: Sounds good.

13 MS. DUNBAR: Your Honor, I think ASA Villarreal may  
14 have a response to that.

15 THE COURT: Yeah, well, he can respond. He's not  
16 in the courtroom right now.

17 Jose?

18 James, tell him to come out here and talk to  
19 us.

20 (Whereupon, the above-entitled cause was  
21 passed and later recalled, after which  
22 the following proceedings were had:)

23 THE COURT: Jose, go on.

24 MR. VILLARREAL: Your Honor, I --



1 THE COURT: He asked for a video -- he wants to  
2 video the proceedings.

3 MR. VILLARREAL: They need to file a petition, and  
4 we need an opportunity to respond to that.

5 MR. JENKS: Judge, they were on notice, and we made  
6 notice --

7 THE COURT: Stop interrupting.

8 MR. VILLARREAL: I don't -- I need a petition on  
9 paper so I can respond. I don't know anything about an  
10 oral. I'm the supervisor of the office. I need  
11 something on paper.

12 THE COURT: Now, the matter is set for trial, and  
13 I'm going to use my discretion, and I have exercised it  
14 already. I've already indicated I have no objection to  
15 filming.

16 You can film it. I don't care. We can film  
17 it.

18 MR. VILLARREAL: Well, but some of us do care.

19 THE COURT: Pardon me?

20 MR. VILLARREAL: Well, the parties --

21 THE COURT: If -- he's going to have to figure out  
22 how to film it. I can only operate with the courtroom  
23 I've got. Now, whatever way he can do it, I'm going to  
24 let him do that. I'm going to let him present his

1 case.

2 MR. VILLARREAL: Well --

3 THE COURT: If he wants to film it and make a  
4 record of it, I don't care. I really don't.

5 MR. VILLARREAL: It's not the party. It's an  
6 independent --

7 THE COURT: Wait a minute. Hold on. Listen to  
8 what I'm talking about. The issue regarding filming in  
9 the courtroom really was to protect the defendant's  
10 rights. It goes back to a case before I -- when I was  
11 in law school -- before I was in law school dealing  
12 with a circus atmosphere associated with filming, which  
13 is why it was precluded in courtrooms.

14 MR. VILLARREAL: But --

15 THE COURT: To protect the right of the doctor,  
16 who -- by the way, who -- in that Supreme Court case.  
17 You know the case I'm talking about. Supreme Court  
18 case where the doctor was charged with murder and he  
19 was found guilty, and he said that the reason he was  
20 found guilty was because the jurors were intimidated by  
21 the fact that they were being recorded and all kinds of  
22 other shenanigans.

23 That, has now been relaxed to allow courtroom  
24 proceedings to be filmed. That's why I've got 162

1 people on the screen right now.

2 MS. VILLARREAL: But they can't record it. And,  
3 your Honor, I'm sure you're correct. But should the  
4 parties have an opportunity --

5 THE COURT: You got your opportunity right now.  
6 I'm going to rule on it, and we're going to have that  
7 trial today.

8 MR. VILLARREAL: I want to have the trial today,  
9 but the issue is the filming.

10 THE COURT: I know the issue, and I'm allowing it.  
11 I'm allowing him to do it. I don't see any harm to  
12 either side by virtue of it.

13 MR. VILLARREAL: Well, we can't -- we can't present  
14 any harm because you don't give us an opportunity to  
15 respond in kind.

16 THE COURT: Well, wait a minute now.

17 MR. VILLARREAL: There might be none, but I have --

18 THE COURT: He didn't write anything, so you can  
19 respond the way he stated.

20 Hold it. Let's do it like this, make your  
21 oral presentation now, James.

22 MR. JENKS: Judge, on the last court date, we made  
23 an oral motion to record today at the trial. The judge  
24 reserved it for ruling for the presiding judge over the

1 trial.

2           The State, Ms Dunbar, was on notice on that  
3 date. She objected, and it was set for ruling by the  
4 judge today.

5           THE COURT: Jose?

6           MR. VILLARREAL: I have no idea -- no word to that,  
7 and --

8           THE COURT: Well, wait a minute. Ask Alyssa.

9           MR. VILLARREAL: It should be placed on paper.  
10 This isn't --

11          THE COURT: No, it doesn't have to be placed on  
12 paper.

13          MR. VILLARREAL: Well, is there, like, some  
14 precedent that we shouldn't file a motion on paper?

15          THE COURT: You can put it on paper. Write it out  
16 right now and give it to me, if you want to put it on  
17 paper.

18          MR. VILLARREAL: Your Honor, you know I can't do  
19 that at this point.

20          THE COURT: I know you can't, so I ruled. I ruled.

21          MR. VILLARREAL: Okay.

22          THE COURT: We're going to proceed to trial today.

23          MR. VILLARREAL: Okay.

24          MR. JENKS: Thank you, Judge.

1 (Whereupon, the above-entitled cause was  
2 passed and later recalled, after which  
3 the following proceedings were had:)

4 MR. VILLARREAL: Your Honor, may I interrupt for  
5 one second. It'll be real fast.

6 THE COURT: Yeah.

7 Just a moment.

8 Yes, what is it, Jose?

9 James?

10 MR. VILLARREAL: I'm going to assume that the Court  
11 is not going to change its mind; is that correct?

12 THE COURT: Correct.

13 MR. VILLARREAL: Motion State SOL that matter.

14 THE COURT: Hold it. Wait a minute. Wait a  
15 minute. Come up here.

16 MR. JENKS: Judge, let me grab my client.

17 THE COURT: Get him out here.

18 Stand in front of the microphone, Jose, so  
19 that -- okay.

20 All right. In the room is Sean Paul Reyes.

21 Go ahead, Mr. Villarreal.

22 MR. VILLARREAL: Motion State SOL.

23 THE COURT: All right.

24 MR. JENKS: Defendant demands trial, Judge.

1 THE COURT: All right. Okay. SOL, defendant  
2 demands trial.

3 Okay. Mr. Reyes --

4 THE DEFENDANT: Yes, your Honor.

5 THE COURT: -- this case has been stricken from the  
6 call with leave to reinstate, which means that it's  
7 been dismissed.

8 THE DEFENDANT: All right.

9 THE COURT: Now, listen, an SOL could result in it  
10 being refiled, perhaps, but right now, it is dismissed.  
11 You are free to go. Goodbye.

12 MR. JENKS: Thank you, your Honor.

13 THE DEFENDANT: Thank you. Appreciate it.

14 (Which were all proceedings in  
15 the above-entitled cause.)

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4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
MUNICIPAL DEPARTMENT - FOURTH MUNICIPAL DISTRICT

5  
6 I, Kristine L. Lapetina, Official Court  
7 Reporter of the Circuit Court of Cook County, Municipal  
8 Department - Fourth Municipal District, do hereby  
9 certify that I reported in shorthand the proceedings  
10 had on the hearing in the aforementioned cause; that I  
11 thereafter caused to be transcribed into typewriting  
12 the foregoing transcript, which I hereby certify is a  
13 true and accurate transcript of the Report of  
14 Proceedings had before the HONORABLE STANLEY L. HILL,  
15 Judge of said Court.

16  
17   
18 \_\_\_\_\_  
Kristine L. Lapetina, CSR  
19 Official Court Reporter  
License No. 084-004733

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22  
23 Dated this 17th day of August, 2022.

24