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2012 IL App (3d) 090595-UB

Order filed March 1, 2012
Modified Upon Denial of Rehearing May 24, 2012

IN THE
APPELLATE COURT OF ILLINOIS
THIRD JUDICIAL DISTRICT

A.D., 2012

THE PEOPLE OF THE STATE OF ILLINOIS,)	Appeal from the Circuit Court
)	of the 10th Judicial Circuit,
Plaintiff-Appellee,)	Tazewell County, Illinois,
)	
vs.)	Appeal No. 3-09-0595
)	Circuit No. 08-CF-403
)	
HAROLD C. GROEL,)	Honorable
)	Stephen Kouri
Defendant-Appellant.)	Judge, Presiding.

Justice Wright delivered the judgment of the court.
Presiding Justice Schmidt concurred in the judgment.
Justice McDade dissented.

ORDER

- ¶ 1 *Held:* The trial court did not err by admitting evidence of uncharged sexual conduct or by allowing the State to impeach defendant with his prior conviction for endangering the health or life of a child. The State's evidence proved the offense of criminal sexual assault beyond a reasonable doubt. The prosecutor's comments during closing arguments did not amount to plain error. Defendant's conviction is affirmed.
- ¶ 2 On July 31, 2008, a Tazewell County grand jury indicted defendant for multiple counts of

2012 IL App (3d) 090595-UB, *People v. Harold C. Groel*

¶ 68 JUSTICE McDADE, dissenting:

¶ 69 I believe the petition for rehearing should be granted and dissent from the decision to deny with a modified order. I agree that the motion to publish should be denied.