

NOTICE: This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

2012 IL App (3d) 100378-U

Order filed February 7, 2012

IN THE
APPELLATE COURT OF ILLINOIS

THIRD DISTRICT

A.D., 2012

THE PEOPLE OF THE STATE OF ILLINOIS,)	Appeal from the Circuit Court
)	of the 14th Judicial Circuit,
)	Whiteside County, Illinois
Plaintiff-Appellee,)	
)	
v.)	Appeal No. 3-10-0378
)	Circuit No. 09-CF-477
JERRY D. JONES,)	
)	Honorable Frank R. Fuhr,
Defendant-Appellant.)	Judge, Presiding.

PRESIDING JUSTICE SCHMIDT delivered the judgment of the court.
Justices Carter and Lytton concurred in the judgment.

ORDER

¶ 1 *Held:* The State adduced sufficient evidence to prove beyond a reasonable doubt that defendant did not act in self-defense when stabbing the victims. Defendant's conviction affirmed.

¶ 2 The State charged defendant, Jerry Jones, with two counts of armed violence (720 ILCS

5/33A-2(a) (West 2008)), alleging that he, while armed with a knife, committed aggravated battery (720 ILCS 5/12-4(a) (West 2008)) against Chad Russell and Tracy Russell. Defendant claimed he acted in self-defense. Following a bench trial, the circuit court of Whiteside County found defendant guilty of both counts and sentenced him to one 25-year term of incarceration. The reasons for the single term of incarceration are not at issue in this appeal but will be explained below. Defendant filed a motion attacking his sentence, which the trial court denied. This is defendant's direct appeal from his conviction in which he raises the singular claim that the State failed to adduce sufficient evidence at trial proving him guilty beyond a reasonable doubt.

¶ 3 **FACTS**

¶ 4 The events leading to defendant's arrest occurred on the night of October 21, 2009, and into the early morning hours of October 22, 2009. Both defendant and his cousin, Scott Jones, were charged with felonies related to injuries suffered by Tracy and Chad Russell. The cases were consolidated for trial. The trial court acquitted Scott Jones of all charges.

¶ 5 The State called Tammy Anspach as its first witness. She stated she lived in Rock Falls, Illinois, and dated Chad Russell throughout most of 2009. Tracy Russell is Chad's brother. While Chad worked the evening of October 21, 2009, she went to the R & R bar in Rock Falls where she saw Scott Jones and Jerry Jones. She had known defendant since childhood and Scott for a couple of years. Tracy was also at the R & R bar and waited with Tammy for Chad to arrive after he got off work. Chad arrived around 11:30 p.m. Tammy drank a couple of beers with Chad before the two left around 12:45 a.m. on October 22, 2009. Prior to leaving, Tammy

observed no conflict between the Joneses and Russells.

¶ 6 Tammy testified that she and the Russells went to her garage after leaving the R & R bar. A recreational room is set up in her garage. She had extended no invitation to the Joneses to come to her garage. While there, she listened to music and drank beer. Roughly 20 to 30 minutes after Tracy took a call on his cell phone, defendant and Scott Jones arrived at the garage on their bicycles. She heard one of them remark, "We are here," at which time she opened the side door to allow them to enter.

¶ 7 Tammy noted that Tracy and Chad were on the far end of the garage when the Joneses walked in. She stood near the door with defendant and her dog when all of the sudden, Scott Jones rushed toward Chad and the two started fighting. Through use of a photograph, Tammy identified which area of the garage everyone stood and where the fight originated and ended.

¶ 8 Tammy testified that after the first fight ended, Scott Jones and Chad Russell stood apart from each other until Scott charged Chad a second time. This time, Chad struck Scott with a fist causing Scott to stumble back, trip backwards over a section of rolled up carpet and hit his head on the pavement. This, Tammy noted, knocked Scott unconscious leading her to go over to him to check on his well being. While checking on Scott, Tammy heard Chad say something to the effect that defendant was attacking him with a knife. She identified the area in the garage from which defendant charged Chad; she denied that Chad initiated the fight. She turned around to try and separate the men when she heard Chad further exclaim that defendant was stabbing him with a knife.

¶ 9 Tammy indicated that Tracy Russell joined the struggle and all four participants went down to the ground. The struggle forced the knife located in defendant's right hand loose. Tammy grabbed the knife and jumped out of the fray. Later that morning, she turned the knife over to the police. At trial, she identified People's exhibit 6 as the knife she turned over to the police.

¶ 10 Tammy noted that both Chad and Tracy Russell were bleeding from stab wounds sustained during the struggle with defendant. The brothers continued to strike defendant after the knife became dislodged. Nevertheless, defendant was able to exit the fight, wake Scott and carry him out to the bikes to ride away. Tammy then went into her house and called the police. After emergency personnel and the police arrived, she gave a statement to a detective named Veronica.

¶ 11 Although she testified that she had not altered the scene of the crime during her direct testimony, on cross-examination Tammy admitted that a second set of photos taken well after the incident showed fewer beer cans stacked in the garage. She remembered taking the beer cans off a counter before a second officer came by around 4:30 p.m. on October 22, 2009, to take more photos. The subsequent photos further reveal a black coat was removed from the scene. She believed officers took the coat as evidence.

¶ 12 Tracy Russell testified that he was 42 years old and spent the better part of the afternoon and evening on October 21, 2009, with Scott Jones. The two had been friends for three or four years. Around 2:30 p.m., they started drinking beer at one tavern then moved to the R & R bar later. Tracy did not recall seeing defendant at the bars that evening, claiming he first encountered

defendant at Tammy's garage. Sometime after 11:30 p.m., Chad arrived at the R & R bar to meet Tammy. Tammy, Chad, Scott and Tracy continued drinking beer there without incident. Around 12:30 a.m. on October 22, 2009, Tracy, Chad and Tammy left to go to her residence. The three went to the garage where they listened to music and drank beer.

¶ 13 Tracy continued his testimony noting that while at the garage, he received a phone call from Scott who wanted to know if Chad was still with Tracy. Tracy replied affirmatively and Scott said he would be right over. Tracy inquired as to why Scott wanted to come over, to which Scott replied, "He knows." Scott did not make any threats toward Chad during the phone call. After the call, Tracy told Chad that Scott was on his way over. Thereafter, he heard what sounded like a bicycle running into the overhead garage door and someone yell, "We are here." Tammy opened the side door to allow Scott and defendant to enter. Defendant had barely walked in the garage when Scott walked over to Chad and got into a scuffle. Tracy also used photos from the garage to identify where parties were standing during the scuffle and at various points during the night.

¶ 14 Tracy's testimony regarding how the first fight ended, and second began mirrored Tammy's. Tracy noted that after Scott fell backwards and was knocked unconscious, defendant charged Chad. Tracy did not originally see the knife but heard Chad proclaim, "He's got a knife." He ran into defendant to try to knock him away from Chad and also struck defendant. During this melee, defendant struck Tracy with the knife.

¶ 15 Tracy stated that he continued to strike defendant, and defendant continued to stab him.

Tammy eventually ended up with the knife. The fight ended, defendant aroused Scott, and the two left on their bicycles. Tracy remained in the garage until police and the paramedics arrived. Tracy concluded his direct testimony with descriptions of his stab wounds. The paramedics took him to Sterling Hospital. From there, he was flown to a hospital in Rockford. Tracy sustained seven stab wounds including one to his neck, multiple wounds to his back and one to his chest.

¶ 16 On cross-examination, Tracy indicated that he thought Scott informed him on the phone that Scott "was going to come over and kick his ass," referring to Chad's. He did not recall defendant wearing a coat or defendant ever sitting down in the garage.

¶ 17 Chad Russell testified that he arrived at the R & R bar about 11:30 p.m. Tammy, Tracy and Scott were all there when he arrived. He had known Scott for five or six years. He did not recall seeing defendant at the R & R bar. Chad, Tammy and Tracy left around 12:45 a.m. and went to Tammy's place. Tracy received a phone call while there. About 30 minutes later, Scott and defendant arrived. While he stood near a refrigerator, Scott and defendant entered the garage from a door on the other side. Scott immediately charged Chad. The two wrestled for a bit but the fight ended shortly after both men fell onto an end table.

¶ 18 Chad noted that after the first fight, he asked Scott if Scott had enough. Scott answered no and charged again. This time, Chad landed a punch on Scott's jaw causing him to stagger backwards and trip on rolled up carpet. Scott's head made contact with the concrete, knocking him unconscious. Defendant then left the area by the door and charged at Chad. Initially, he and defendant were the only ones wrestling and ended up on the ground when he noticed his

sweatshirt becoming bloody. Chad possessed no weapon. He eventually noticed a pocketknife in defendant's hand. He identified People's exhibit 6 as that knife.

¶ 19 Chad continued his testimony, noting that it was not until defendant had him down and was "on top of him" that he yelled for help. He sustained seven wounds from the altercation. Once Tracy came to Chad's defense, the two tried to beat defendant's hand into a work bench in hopes of dislodging the knife. After Tammy joined in, the three were able to get the knife away from defendant. Tracy continued to strike defendant for about 30 seconds after Tammy grabbed the knife. Chad and Tracy then ordered defendant to leave, which he did after waking Scott.

¶ 20 During cross-examination, Chad could not recall part of his statement to the police given after the incident. He did not remember that his statement failed to include any facts concerning Scott falling over carpet or that he indicated seeing defendant at the R & R bar. He denied hitting Scott with multiple punches or striking him while he was on the ground. He had never fought with Scott prior to that night nor had Scott ever made a threat against Chad since they have known each other.

¶ 21 Numerous medical personnel testified regarding Chad and Tracy's wounds. A wound under Chad's armpit was thought to have possibly punctured a lung, which necessitated being flown to Rockford. Medical personnel further ordered Tracy flown to Rockford as well.

¶ 22 Paramedic Russell Blase testified that he picked Scott Jones up from a holding cell and rendered treatment to him en route to the hospital. Scott described injuries to his temple and right rib cage. Scott informed Blase that he had been punched with a closed fist causing him to

fall. Scott also indicated he was kicked while on the ground after his fall.

¶ 23 Officer David Pilgrim testified that he received a call to respond to Tammy's garage a few minutes after 2 a.m. While en route, he observed a bicyclist crossing a street and pursued the bicyclist. While chasing the bicyclist, he caught up to two men on bikes, ordered them to stop, get on the ground, and eventually apprehended them. He identified these men as Scott and Jerry Jones and noted they appeared to have been in fights just prior to apprehension. He transported them to the Rock Falls police station.

¶ 24 The State's final witness was Detective Veronica Jaramillo. She arrived at Tammy's garage in the early morning hours on October 22, 2009. While there, she collected evidence including the knife. Tracy and Chad Russell had already been transported to the local hospital when she arrived. Around 2:51 a.m., she went into the house with Tammy where she took a recorded interview. On later dates, she interviewed Chad and Tracy. She initially encountered them at the local hospital but was only able to briefly talk to them before they were transferred to Rockford. The State rested after Detective Jaramillo's testimony.

¶ 25 Both defendant and Scott Jones testified in their own defense. Scott noted he had known Tracy for five or six years and never had a disagreement with him. He also considered Chad a friend and had never before had a fight with Chad, although the two would argue on occasion. He noted that Tracy stopped at his house around 5 p.m. on October 21, 2009. The two went to some bars and wound up at the R & R bar around 10 p.m. that night where they eventually sat with Chad and Tammy. Scott left the tavern and went home around 1 a.m.

¶ 26 Scott testified that he then called Tracy to ask where he was and if he was still drinking. He learned that Tracy was at Tammy's garage so he informed Tracy that he was coming over to drink some more. He denied telling Tracy that he was upset with Chad.

¶ 27 Scott indicated that on the way to Tammy's, he saw defendant at a relative's garage three to five blocks from Tammy's so he asked if defendant wanted to join him for drinks. The two rode bikes to Tammy's. Tammy let them in a side door. Scott claimed defendant entered first, went to one of the couches and sat down. Tracy and Chad were standing next to each other, and Chad walked up to Scott with wide eyes and his chest puffed out. Scott claims Chad made chest-to-chest contact with him and shoved him. While doing so, Chad remarked, "Why did you bring that son-of-a-bitch here?"

¶ 28 Scott stated that Chad began punching him, landing several blows to Scott's head. A punch knocked him down, but his head did not strike the concrete and he did not trip over anything. While on the floor, Chad began to kick him. The last thing Scott could remember before being dragged onto his bike was taking a kick to his temple.

¶ 29 Defendant testified that he was not at the R & R bar on the night in question. While hanging out in his uncle's garage sometime after midnight, Scott stopped by and asked if he wanted to join him for beer at Tammy's. Defendant agreed and the two rode their bikes there. Upon arrival, they stood their bikes up on the driveway and Tammy let them in a side door. Defendant was first to enter the garage. He shed his coat, leaving it over a couch, and sat down on the couch. Scott entered behind him. He asked where the beer was located but "nobody was

saying nothing." Chad approached Scott with "his chest poked out, real puffed up and arms back." Scott smiled at this behavior implying, "are you joking or something?"

¶ 30 Defendant claimed Chad then shoved Scott, knocking him back "about three steps, three good steps." Chad again approached Scott, chest to chest. This resulted in Scott asking, "What is your problem?" In response, Chad said, "What the F did you bring him here for?" Chad then shoved Scott multiple times after which Chad punched Scott three or four times in the face. Scott attempted to cover-up from the punches, but Chad managed to strike him with another punch which sent Scott staggering to the floor.

¶ 31 Defendant stated he did not witness Scott trip over anything. Scott's loss of consciousness was caused by Chad kicking him while he lay in a prone position on the ground. Chad first kicked Scott in the ribs and then in the temple area of his head, which drew blood. As defendant leaned over to try and raise Scott from the ground, Chad rushed toward defendant and started hitting him. The initial punches broke defendant's nose. Chad's punches drove defendant back against the fiberglass door of the garage causing a gash to his lower back from the hardware on the door. About this time in the fight, Tracy Russell also attacked defendant. No weapons were being used during at this time in the fight. Shortly after Tracy joined in, however, defendant observed the same knife admitted into evidence during the State's case-in-chief.

¶ 32 Defendant claimed he sustained wounds to his arm and fingers during the time Chad used the knife. He claimed to bend Chad's wrist hard, dislodging the knife from Chad's grasp.

¶ 33 Defendant continued by noting he was knocked to the floor by a blow to the head from an

object he never saw. The blow came just after he dislodged the knife from Chad and figured it was delivered by Tammy. The blow caused defendant to temporarily go to the ground where he picked up the knife. He then used the knife in self-defense as the Russell brothers repeatedly advanced on him. This is when he inflicted the stab wounds on the Russells. Stabbing the Russells caused them to cease advancing on him so he worked his way over to Scott and dragged him to the door, all while still holding the knife.

¶ 34 Defendant claimed to have dropped the knife while attempting to get his semi-conscious cousin out of the garage. Once Scott regained consciousness, he was able to push him onto his bike and the two left the scene. Soon after, an officer spotted and stopped them.

¶ 35 Using photographs, defendant identified injuries he sustained during the fight. Specifically, he noted cuts to two of his fingers, claiming they were inflicted by Chad while defendant tried to get the knife out of his hand. He further identified a small cut to his scalp, a gash on his back, a slice on his right arm and a number of bruises to his face and arms.

Defendant concluded his direct testimony by indicating that he had previously been incarcerated from 1989 until 2008. Defendant stated he received concurrent 30-year sentences for attempted murder and armed violence.

¶ 36 Richard Fortune testified that he is friends with both Chad Russell and Scott Jones. Fortune is a cousin of Jerry Jones. Near Halloween of 2009, he had a conversation with Chad about the incident in Tammy's garage. Without prompting, Chad stated that defendant is a "crazy son-of-a-bitch" and that on the night in question, defendant grabbed the knife out of Chad's hand

by the blade. Chad further stated he was sorry for what happened.

¶ 37 After closing arguments, the trial court acquitted Scott Jones and found defendant guilty as charged after "considering all of the evidence, including the testimony of all of the witnesses and the demeanor of all of the witnesses while testifying, and the consistencies or inconsistency of various witness' testimony with the physical evidence admitted through the numerous photographs as well as other physical exhibits ***." The trial court ordered a presentence investigation report completed and asked the parties to agree on a sentencing date.

¶ 38 During sentencing, the parties informed the court that defendant was not given notice at the time he waived his right to a jury trial that he would be required to serve consecutive terms of incarceration if convicted of offenses against both Chad (count I) and Tracy (count II) Russell. The trial court then imposed a single, 25-year term of incarceration for defendant's conviction as to count I. Defendant filed a motion attacking his sentence, which the trial court denied. This appeal followed.

¶ 39 ANALYSIS

¶ 40 During his testimony, defendant admitted stabbing Chad and Tracy Russell during their struggle. On appeal, he acknowledges the sole issue we must determine is whether the State adduced sufficient evidence "to prove beyond a reasonable doubt that [he] was not justified in his acts of defensively stabbing Chad and Tracy Russell, while the Russell brothers were viciously attacking [him]." Defendant's entire attack on his conviction is based on arguments involving his claim of self-defense. That is, defendant seemingly acknowledges that if his claim of

self-defense fails, the State adduced sufficient evidence to prove the elements of armed violence beyond a reasonable doubt.

¶ 41 Self-defense is an affirmative defense, and once a raised by a defendant, the State has the burden of proving beyond a reasonable doubt that defendant did not act in self-defense in addition to proving the elements of the charged offense. *People v. Lee*, 213 Ill. 2d 218, 224 (2004). The elements of self-defense are: (1) that unlawful force was threatened against a person; (2) that the person threatened was not the aggressor; (3) that the danger of harm was imminent; (4) that the use of force was necessary; (5) that the person threatened actually and subjectively believed a danger existed that required the use of force applied; and (6) the beliefs of the person threatened were objectionably reasonable. 720 ILCS 5/7-1(West 2008); *Lee*, 213 Ill. 2d at 225. If the State negates any one of these elements, the defendant’s claim of self-defense must fail. *People v Jeffries*, 164 Ill. 2d 104, 127-28 (1995).

¶ 42 The gravamen of defendant’s argument is that the trial court erred in believing the testimony of Tammy and the Russell brothers while rejecting the testimony of Scott and Jerry Jones. Defendant comes to this conclusion based on perceived inconsistencies between Chad, Tammy and Tracy’s testimony and photographs from the scene.

¶ 43 It is the function of “the trier of fact to assess the credibility of witnesses, the weight to be given their testimony and the inferences to be drawn from the evidence.” *Lee*, 213 Ill. 2d at 225. The trier of fact “must also resolve conflicts or inconsistencies in the evidence.” *Id.* “The relevant standard of review is whether, after considering the evidence in the light most favorable

to the State, any rational trier of fact could have found, beyond a reasonable doubt, that defendant did not act in self-defense.” *Id.* We affirm defendant’s conviction finding that a rational trier of fact could have found, beyond a reasonable doubt, that he did not act in self-defense.

¶ 44 Before discussing the evidence over which the parties quarrel, we first address an argument of law made by defendant. Citing to *People v. McGrath*, 193 Ill. App. 3d 12 (1989), defendant argues that “it was incumbent upon the State to prove beyond a reasonable doubt that defendant’s belief that he was in danger of imminent harm was unreasonable.” While that was true in *McGrath*, it is not necessarily true in this matter.

¶ 45 In *McGrath*, the injured parties “admitted that they followed the defendants from the Jubilation to their apartment complex in order to retaliate against them for the incident at the Jubilation.” *Id.* at 27. In fact, the State conceded in *McGrath* that six men other than defendant “were the original aggressors.” *Id.* There is no such concession in this case. Again, if the State negates any of the six self-defense elements listed above beyond a reasonable doubt, defendant’s claim of self-defense fails. *Jeffries*, 164 Ill. 2d at 127-28.

¶ 46 We find the State adduced sufficient evidence at trial to defeat, beyond a reasonable doubt, at least one element of defendant’s self-defense claim. Chad, Tracy and Tammy all clearly testified that the Joneses were the aggressors in this confrontation. Evidence indicated that neither Tammy nor the Russell brothers invited defendant to the garage that evening and that upon Jerry and Scott’s arrival, Scott charged Chad. Once Chad knocked Scott to the floor, defendant became the aggressor and attacked Chad, stabbing him multiple times. Moreover, at

the time defendant initiated contact with Chad, neither he nor Scott were in imminent danger of bodily harm. Chad, Tracy and Tammy all testified that once Chad knocked Scott down, the second fight concluded. It was not until defendant then attacked Chad that a third fight, involving a knife, began.

¶ 47 While acknowledging that it was for the trier of fact to determine which version of the events were more credible, the Russells' or the Joneses', defendant argues that Chad, Tammy and Tracy's version of the events are so "fraught with inconsistencies and signs of blatant falsification" that we should reject them wholesale and outright reverse defendant's conviction. Defendant claims that the "State's witnesses fashioned a slanted and at times completely false account of the altercations in Tammy Anspach's garage" and, as such, asks this court "to refrain from simply deferring to the lower court's 'credibility determinations.' "

¶ 48 Defendant notes that all of the witnesses stated Scott had no disagreement with Chad. This, defendant posits, makes Chad, Tammy and Tracy's testimony that Scott was the aggressor upon arrival at the garage "utterly unbelievable." Yet on cross-examination, defense counsel actually brought to light the fact that Tracy previously stated that Scott informed him, during a phone call, that Scott was coming to the garage to "kick Chad's ass." Tracy testified he did not recall such a statement until defense counsel reminded him of it. Moreover, the fact that no witness identified a specific disagreement between the Russells and Joneses prior to the fight is an insufficient basis for us to reverse the trial court's reliance on Chad, Tracy and Tammy's version of the events and rejection of defendant's and Scott's.

¶ 49 Defendant further claims that photographs unequivocally prove the Joneses' version of the events were more credible than the Russells'. Defendant notes the two sets of photographs, one taken shortly after police initially arrived and the other taken 12 hours later, indicate Tammy altered the scene of the crime. Defendant draws our attention to the fact that Tammy admitted to removing a number of beer cans after police initially left. Defendant further notes that the first photo shows a black jacket hung over the back of a couch while the later photo shows the jacket was removed. Claiming the State neither introduced the jacket into evidence nor offered "an explanation for how defendant could have placed it on the couch when he allegedly never made it that far into the garage before the fighting began," defendant claims these photos "serve[] to expose the falsity of Tammy, Tracy, and Chad's testimony that Chad walked into the garage ahead of defendant and immediately rushed Chad and started the first fight." We disagree.

¶ 50 Detective Jaramillo testified that she took one nondescribed article of clothing from the garage. This certainly could have been the jacket shown in the photograph. Moreover, only defendant testified that the jacket belonged to him and that he placed it on the couch after sitting down. While this contradicts Tammy's and the Russells' testimony that he stood near Tracy while Chad and Scott fought, it was for the trier of fact to resolve the differences between those two version of events, not us. *Lee*, 213 Ill. 2d at 225. The State argues that the placement of the jacket in no way contradicts testimony from its witness regarding "who started the fight or who had the knife and started the stabbing." In reply to this assertion by the State, defendant acknowledges, "That much is true." Whether defendant put a coat on the back of the couch or

not does not negate Chad, Tracy and Tammy's testimony that Scott was the original aggressor in the altercation and defendant attacked Chad with a knife after Scott fell backwards over the carpet.

¶ 51 Defendant also takes issues the differing versions of events regarding the carpet: that being, the Russells' version where defendant tripped and hit his head and the Joneses' that Scott fell over nothing and was being beaten unconscious by Chad when defendant intervened. Again, it was the task of the trial court, not this court, to resolve these differences. *Id.* A photograph of the garage does, in fact, show a roll of carpeting hanging over a white chaise lounge and a blood stain on the other side of the carpet where the Russells claim Scott fell and struck his head.

¶ 52 Defendant also claims that failure of the State's witnesses to account for every injury he received is further evidence of their total lack of credibility and decision to fabricate much of their testimony. We disagree. All witnesses described a scenario in which five adults participated in multiple fights resulting in more than twenty cuts, scrapes, stab wounds, abrasions and bruises. We find nothing inherently "unreasonable, improbable or unsatisfactory" stemming from a witnesses' inability to explain exactly how each wound suffered during the melee occurred.

¶ 53 We acknowledge the line of cases, cited to by defendant, that hold a court of review may reverse a defendant's conviction when the State's evidence is "so fraught with inconsistencies and contradictions" or "so lacking in credibility that a reasonable doubt of defendant's guilt remains." *People v. Schott*, 145 Ill. 2d 188, 206-07 (1991); *People v. Stevenson*, 25 Ill. 2d 361, 365 (1962).

This case, however, is not such a case.

¶ 54 Our supreme court has long acknowledged that, "It is rare, indeed, when all details of any related experience will fit as a perfect whole without minor inconsistencies." *People v. Neukom*, 16 Ill. 2d 340, 347 (1959). We cannot say that Chad, Tracy and Tammy's version of the night's events were so fraught with inconsistencies that they bring into question defendant's guilt. It is true that the Russells' version differs from that of the Joneses'. Yet, again, a court of review may not reverse a "guilty verdict unless the evidence, viewed in the light most favorable to the State, was so palpably contrary to the verdict, so unreasonable, improbable, or unsatisfactory as to create a reasonable doubt of the defendant's guilt. [Citation.] A reviewing court may not substitute its judgment for that of the trier of fact" and cannot reverse a verdict "if any rational trier of fact could have reached the conclusion below and must consider all of the evidence in the light most favorable to the prosecution." *People v. Harre*, 155 Ill. 2d 392, 397-98 (1993).

¶ 55 We hold the State adduced sufficient testimony to negate, beyond a reasonable doubt, defendant's claim of self-defense. As such, we affirm defendant's conviction and sentence for armed violence.

¶ 56 **CONCLUSION**

¶ 57 For the foregoing reasons, the judgment of the circuit court of Whiteside County is affirmed.

¶ 58 Affirmed.