

5/31-4(a) (West 2008)). The information alleged "defendant with the intent to obstruct the prosecution of herself, knowingly furnished false information" to a police officer. Specifically, the information alleged defendant provided a false name and date of birth. Defendant waived her right to a jury trial and the matter proceeded to a bench trial. Evidence introduced at defendant's bench trial showed the following.

¶ 5 Decatur police officer Robert Whitten testified he responded to a traffic accident in July 2009. Defendant was driving a vehicle involved in the accident. When Whitten first contacted defendant, she told him her name was Melissa Smith and her birth date was October 6, 1967. Whitten ran the information defendant provided but could not find any records belonging to such a person. When Whitten informed defendant that he could not find any information on Melissa Smith, defendant admitted she lied and told him her real name and birth date. Whitten testified defendant told him "she was scared and that she was trying to get back to work and that she did not have a valid driver's license." About 30 minutes passed between the time defendant gave Whitten the false information and the time she admitted she lied.

¶ 6 Defendant testified she gave Whitten a false name and date of birth. Defendant stated she was "really nervous" because she "had felonies since '93." Eventually, Whitten searched defendant's purse and learned her real name. Defendant then told Whitten she had provided him with a false name and birth date. Defendant stated she was sorry for lying. Finally, defendant testified she had a valid Georgia driver's license on the date of the accident, though she did not produce a valid license at trial.

¶ 7 The record shows the State separately prosecuted defendant in Macon County case No. 09-TR-14884 for traffic citations issued in connection with the traffic accident.

¶ 8 Following brief closing arguments, the trial court found defendant guilty of obstructing justice and set the matter for sentencing. In October 2010, the court sentenced defendant to 24 months' probation and ordered her to complete 100 hours of community service.

¶ 9 This appeal followed.

¶ 10 II. ANALYSIS

¶ 11 On appeal, defendant argues her conviction must be reversed because the State's information charging her with obstructing justice failed to identify the particular prosecution defendant supposedly obstructed and providing false information to a police officer does not, by itself, constitute obstructing justice. We disagree.

¶ 12 The allegation that a charging instrument failed to state an offense raises due-process concerns, and the charging instrument may be challenged at any time. *People v. Alvarado*, 301 Ill. App. 3d 1017, 1022, 704 N.E.2d 937, 941 (1998). "When attacked for the first time on appeal a complaint is sufficient if it apprised the accused of the precise offense charged with sufficient specificity to prepare his defense and allow pleading a resulting conviction as a bar to future prosecution arising out of the same conduct." *People v. Pujoue*, 61 Ill. 2d 335, 339, 335 N.E.2d 437, 440 (1975). A person obstructs justice when, with the intent to obstruct the prosecution or apprehension of any person, they knowingly furnish false information. See 720 ILCS 5/31-4(a) (West 2008). The facts constituting the crime of obstructing justice must be specifically set forth in the charging instrument because the statute only defines the offense in general terms. *People v. Gerdes*, 173 Ill. App. 3d 1024, 1029, 527 N.E.2d 1310, 1314 (1988). Accordingly, the information in an obstructing-justice case must allege or make reference to some particular impending apprehension or prosecution for an identifiable or potentially

chargeable offense. *Alvarado*, 301 Ill. App. 3d at 1023, 704 N.E.2d at 941.

¶ 13 Here, defendant attacks the sufficiency of the information for the first time on appeal. Thus, the question is whether the State's information charged defendant with sufficient specificity to put her on notice of the nature of the charge and to allow her to prepare her defense. The information in this case specifically stated that defendant provided false information intending to obstruct her own prosecution. The State's information referenced defendant's specific actions and her motivation for those actions with enough specificity to put defendant on notice of the nature of the charge and the events to which it related. By her own admission, defendant supplied Whitten with false information during his investigation of a traffic accident in which defendant was involved. This is sufficient to show that defendant intentionally misled Whitten in order to avoid her own apprehension. We conclude defendant's conviction is not void because the State's information properly charged her with obstructing justice.

¶ 14 III. CONCLUSION

¶ 15 For the foregoing reasons, we affirm the trial court's judgment. As part of our judgment we grant the State its \$50 statutory assessment against defendant as costs of this appeal.

¶ 16 Affirmed.