

1, 2006). We affirm.

¶ 3 On September 5, 2008, the State filed an information charging the defendant with participation in methamphetamine manufacturing (720 ILCS 646/15(a)(2)(C) (West 2008)). Public defender Stacey Hollo was appointed to represent him. In January 2009, the State and the defense were involved in plea negotiations. However, the defendant did not accept the State's offer of a plea deal within the time limit given by the prosecutor. On February 4, 2009, the defendant pled guilty. Although the parties told the court that they did not have a plea agreement, the State's attorney stated that he would recommend a sentence cap of 30 years. On March 16, 2009, the matter came for a sentencing hearing. At this point, the parties informed the court that they had agreed to a sentence of 17 years. The court explained to the defendant that if he wanted to file motions to withdraw either his guilty plea or his agreement to the 17-year sentence, he had the right to Ms. Hollo's continued assistance.

¶ 4 On April 15, 2009, the defendant filed a *pro se* motion to withdraw his guilty plea, alleging ineffective assistance of counsel, coercion by the State's attorney, and unspecified other violations of his constitutional rights. The court appointed public defender Brett Batty to represent the defendant on this motion. On November 9, 2009, Batty filed an amended motion to withdraw the defendant's guilty plea or, in the alternative, reduce his sentence. The matter came for a hearing on February 23, 2010. The court granted the defendant's motion to withdraw his guilty plea. The court also granted Batty's motion to withdraw as counsel and appointed John Evans to represent the defendant.

¶ 5 On May 10, 2010, the defendant appeared in court, represented by Evans. The defendant again pled guilty, this time in an open plea. The court advised the defendant that the sentencing range for the offense charged was 9 to 80 years. See 720 ILCS 646/100(a) (West 2008) (providing that a person convicted of a subsequent methamphetamine offense is subject to twice the maximum prison term otherwise authorized). The court reminded the

defendant that he had the right to be represented by counsel and that if he could not afford to hire his own attorney, counsel would be appointed for him. The court then explained to the defendant the rights he was giving up by pleading guilty. The court asked the defendant if he understood these rights, and the defendant indicated that he did. The court asked the defendant if he understood the possible sentence range he faced. The defendant said that he understood. The court found that the defendant's plea was knowing and voluntary, and accepted the plea.

¶ 6 On August 24, 2010, the court began a sentencing hearing. The defendant, still represented by counsel, addressed the court. He acknowledged guilt, but stated that he had allowed other individuals to manufacture methamphetamine in his trailer. He also told the court that he was seeking treatment for his drug addiction. The hearing was continued to allow defense counsel to research an issue. On October 6, the hearing continued. The court sentenced the defendant to 17 years in prison and admonished him regarding his appeal rights.

¶ 7 On May 9, 2011, the defendant mailed to the court a *pro se* motion to reduce his sentence. He argued that (1) his sentence was counterproductive to his rehabilitation, (2) his crime did not cause harm to anyone, and (3) a shorter sentence followed by mandatory drug treatment would be more productive. Along with the motion, the defendant sent a letter. In the letter, he explained that his attorney told him he would file a motion to reduce the defendant's sentence, but did not do so. The defendant stated that "due to the negligence" of his attorney, he had to file a motion to reduce his sentence on his own. He explained that he had the motion notarized on October 26, 2010—20 days after he was sentenced—and placed it in the prison mail system. The defendant enclosed a copy of his prison trust account transaction sheet showing that he had placed the motion in the prison mail system within 30 days after sentencing. The defendant indicated in his letter that he understood that his motion

"must be heard" before he could file an appeal. In addition, he stated that he was also filing a "request for investigation" of the attorney who represented him in the plea proceedings.

¶ 8 On May 27, 2011, the court held a status hearing on the defendant's motion to reduce his sentence. John Evans, the attorney who represented the defendant during the plea proceedings, appeared with the defendant. Evans informed the court that the defendant filed a *pro se* motion to reduce his sentence. He further noted that the defendant filed a complaint against him. The prosecutor noted that the filing date of the defendant's motion was May 9 and that there was "some kind of letter" with the motion.

¶ 9 The court then stated: "Basically, the letter is saying that he actually attempted to file the motion. Are you going to represent yourself?" The defendant replied, "Yes, sir." The defendant explained that he was aware that his motion had to be filed within 30 days of sentencing, which was October 6, 2010. He told the court that he mailed the motion on October 29, but did not hear anything about it for over five months. The defendant further explained that he sent a copy of his trust account transaction sheet along with the motion and letter to prove that he mailed the motion on October 29, within the 30-day period.

¶ 10 The prosecutor indicated that he intended to file a motion to strike the defendant's motion, and the court set a date for a hearing on the State's motion. The following exchange then occurred:

"THE COURT: Is that agreeable, Mr. Greenwood?

A. Yes, sir.

THE COURT: And you're going to represent yourself?

A. Yes sir."

¶ 11 At the June 2011 hearing on the State's motion to strike, the court again asked the defendant if he wanted to represent himself. The defendant again responded, "Yes, sir." The State argued that the defendant's motion to reduce his sentence was not timely. In response,

the defendant reiterated the facts set out in his May 9 letter to the court. The court found that the evidence showed that the defendant had attempted to file the motion to reduce sentence within 30 days and, therefore, denied the State's motion to strike.

¶ 12 The court set the matter for a hearing the following month. The court then asked the defendant, "You still want to represent yourself?" The defendant responded: "Yes, Your Honor. I believe from what I understand basically from my motion to reduce sentence I just give the reasons why I feel I need a reduction of sentence, right?"

¶ 13 The matter came for a hearing in July 2011. The court again asked the defendant if he still wanted to represent himself. The defendant replied, "Yes, your Honor." He then asked for a continuance, explaining that the prison law library had been closed for a period of four weeks. He stated, "I know I wanted to represent myself, but I want to do some kind of research about—like grounds for sentence reductions and that." The court granted the request for a continuance and set another hearing date.

¶ 14 When the matter came for a hearing in September 2011, the defendant again requested a continuance. He explained that he had not yet received all the transcripts from his plea proceedings and that he needed "to do a little bit more research time to prepare" himself. The court continued the hearing until early November.

¶ 15 The court held a hearing on the defendant's motion to reduce sentence on November 7, 2011. The defendant argued that his sentence overlooked his rehabilitative potential. He pointed out that he had never physically harmed anyone and that all his crimes were drug-related. He stated that he was no longer using drugs and was attending drug counseling sessions in prison. He also noted that he was taking college classes. He asserted that his lengthy prison sentence limited his access to certain counseling and educational services. The court took the matter under advisement. On November 10, 2011, the court entered a written order denying the defendant's motion to reduce his sentence. This appeal followed.

¶ 16 The defendant argues that (1) his waiver of counsel was not knowing and voluntary because the court failed to comply with the requirements of Rule 401(a) before accepting his waiver of counsel and (2) the court failed to strictly comply with Rule 604(d), which requires a court to determine whether a defendant who files a *pro se* postplea motion wants to be represented by counsel. We find neither argument persuasive.

¶ 17 Rule 401(a) provides that before permitting a criminal defendant to waive the right to counsel, a court must admonish the defendant regarding the following three things: (1) the nature of the offense charged, (2) the minimum and maximum sentences possible for the offense, and (3) that he has a right to counsel and, if indigent, the right to have counsel appointed to represent him. The court must also determine that the defendant understands each of these things. Ill. S. Ct. R. 401(a) (eff. July 1, 1984). These admonishments are designed to ensure that any waiver of counsel is knowing and intelligent. See *People v. Vernon*, 396 Ill. App. 3d 145, 152, 919 N.E.2d 966, 974 (2009).

¶ 18 A defendant has the right to counsel at all critical stages of criminal proceedings, and the waiver of that right must be knowing and voluntary to be effective. *Vernon*, 396 Ill. App. 3d at 152, 919 N.E.2d at 975. As previously noted, the purpose of the Rule 401(a) admonitions is to ensure that any waiver of counsel is knowing and intelligent. *People v. Haynes*, 174 Ill. 2d 204, 241, 673 N.E.2d 318, 335 (1996); *Vernon*, 396 Ill. App. 3d at 152, 919 N.E.2d at 974; *People v. Meeks*, 249 Ill. App. 3d 152, 171-72, 618 N.E.2d 1000, 1013 (1993). Courts generally will not find a knowing and intelligent waiver of counsel unless the court has complied with the rule. See, e.g., *Haynes*, 174 Ill. 2d at 236, 673 N.E.2d at 333; *Vernon*, 396 Ill. App. 3d at 152, 919 N.E.2d at 974. However, strict compliance is not required where the defendant shows a high degree of legal sophistication or where the record demonstrates that the waiver was knowing and intelligent. In such cases, substantial compliance is sufficient. *Meeks*, 249 Ill. App. 3d at 172, 618 N.E.2d at 1013.

¶ 19 The ultimate question, however, is whether the waiver was knowing and intelligent. *People v. Houston*, 174 Ill. App. 3d 584, 589, 529 N.E.2d 292, 296 (1988). Thus, courts have found "substantial compliance" with Rule 401(a) in spite of incomplete or inaccurate admonitions where the record indicated that the waiver was knowing and intelligent. See *People v. Black*, 2011 IL App (5th) 080089, ¶ 20, 953 N.E.2d 958 (explaining that "an otherwise inadequate admonition may be constitutionally sufficient" if the missing information or inaccuracy does not prevent the defendant "from giving a knowing and intelligent waiver").

¶ 20 In *People v. Coleman*, for example, the trial court gave the defendant incorrect information regarding the minimum sentence for the offense charged. *People v. Coleman*, 129 Ill. 2d 321, 544 N.E.2d 330 (1989). Our supreme court found the admonishments to be sufficient and the defendant's waiver of the right to counsel to be knowing and intelligent because the defendant actually knew the correct sentencing range, refused the services of appointed counsel, and stated his reasons for wanting to represent himself. *Coleman*, 129 Ill. 2d at 340, 544 N.E.2d at 339.

¶ 21 Similarly, in *People v. Kidd*, the trial court admonished the defendant pursuant to Rule 401(a), but gave him incorrect information about both the charges and the potential sentences. *People v. Kidd*, 178 Ill. 2d 92, 109-10, 687 N.E.2d 945, 954 (1997). There, the defendant was charged with 10 counts of murder and 1 count of arson. He waived the right to counsel at his second trial on the charges after remand from an appeal. *Kidd*, 178 Ill. 2d at 98, 687 N.E.2d at 949. The trial court incorrectly advised the defendant that he was charged with aggravated arson. In addition, the court told the defendant that the minimum sentence for each of the murder charges was 20 years in prison; however, due to his previous murder convictions, the minimum sentence was natural life. *Kidd*, 178 Ill. 2d at 110, 687 N.E.2d at 954.

¶ 22 On appeal, the supreme court noted that the defendant's stated reason for choosing to represent himself was his belief that defense counsel had failed to challenge the false testimony of witnesses at his first trial. The court explained that in light of this stated reason, it was unlikely that the incorrect information in the admonishments influenced the defendant's decision to represent himself. The court also pointed out that it was clear that the defendant was aware that he could be sentenced to death for the 10 counts of murder. *Kidd*, 178 Ill. 2d at 114, 687 N.E.2d at 956. The court thus concluded that despite the incorrect admonishments, the record as a whole showed that the defendant's waiver was knowing and intelligent. *Kidd*, 178 Ill. 2d at 114-15, 687 N.E.2d at 956.

¶ 23 In *People v. Houston*, the defendant appeared in court for a preliminary hearing and told the court that he intended to retain counsel but had not yet done so. *Houston*, 174 Ill. App. 3d at 586, 529 N.E.2d at 294. The defendant agreed to stipulate that there was probable cause, waived a hearing on the matter, and entered a plea of not guilty. *Houston*, 174 Ill. App. 3d at 587, 529 N.E.2d at 294. Although the court discussed with the defendant the purpose and procedure involved in a preliminary hearing and determined that the defendant understood, there was no discussion at all regarding the defendant's waiver of counsel. *Houston*, 174 Ill. App. 3d at 586-87, 529 N.E.2d at 294.

¶ 24 On appeal, the defendant argued that his *pro se* waiver of the preliminary hearing was ineffective because he did not first properly waive his right to counsel. *Houston*, 174 Ill. App. 3d at 588, 529 N.E.2d at 296. In rejecting this claim, the Fourth District found that the "defendant's obvious legal sophistication and his conduct at the hearing" demonstrated that he waived his right to counsel knowingly and intelligently. *Houston*, 174 Ill. App. 3d at 589, 529 N.E.2d at 296. The court pointed out that the defendant worked as a paralegal and that he filed several *pro se* motions. In addition, the defendant's statements at the preliminary hearing showed that he understood the purpose and nature of the proceeding. *Houston*, 174

Ill. App. 3d at 589, 529 N.E.2d at 296.

¶ 25 Moreover, the fact that the defendant told the court he was in the process of attempting to retain counsel showed that he understood that he had the right to an attorney. *Houston*, 174 Ill. App. 3d at 589, 529 N.E.2d at 296. Based on these circumstances, the court found substantial compliance with Rule 401(a). *Houston*, 174 Ill. App. 3d at 589, 529 N.E.2d at 295. We note that the court reached this conclusion despite a lack of any actual admonitions. Implicit in this holding is the notion that a court can substantially comply with Rule 401(a) simply by determining that a defendant does in fact understand the relevant information. See also *Haynes*, 174 Ill. 2d at 241-42, 673 N.E.2d at 335 (finding that the "purpose of Rule 401(a) *** was not frustrated" where the trial judge who accepted the defendant's waiver of counsel was aware of admonitions given by a different judge earlier in the proceedings and therefore "had a sufficient basis for concluding that the defendant knew and understood his rights"); *Black*, 2011 IL App (5th) 080089, ¶ 22, 953 N.E.2d 958 (finding no compliance and explaining that two letters written by the defendant "do not display [the] knowledge that is supposed to be imparted by Rule 401").

¶ 26 When a defendant waives the right to counsel at the sentencing hearing or later, as the defendant here did, similar considerations apply. Generally, trial courts must admonish a defendant who waives counsel later in the proceedings after previously being represented by counsel. *Meeks*, 249 Ill. App. 3d at 171, 618 N.E.2d at 1013 (citing *People v. Langley*, 226 Ill. App. 3d 742, 748-49, 589 N.E.2d 824, 829 (1992)). However, if the record shows that the defendant's waiver was made knowingly and intelligently, admonishments earlier in the proceedings may be sufficient to constitute substantial compliance.

¶ 27 In *People v. Meeks*, the defendant filed a *pro se* motion alleging ineffective assistance of counsel and requesting that defense counsel be discharged. The motion was filed after trial but before sentencing. The trial court granted the motion and allowed the defendant to

represent himself at his sentencing hearing. *Meeks*, 249 Ill. App. 3d at 159, 618 N.E.2d at 1004. On appeal, the First District found the trial court's earlier admonitions sufficient because it was "clear from the record that [the] defendant's waiver of counsel at sentencing was knowing and intelligent." *Meeks*, 249 Ill. App. 3d at 172, 618 N.E.2d at 1013. In reaching this conclusion, the court noted that the defendant filed numerous *pro se* motions citing "extensive case law" and was "obviously very sophisticated in the legal process." *Meeks*, 249 Ill. App. 3d at 172, 618 N.E.2d at 1013. The court also pointed out that the defendant had "substantial experience with the legal system" due to previous convictions. *Meeks*, 249 Ill. App. 3d at 172, 618 N.E.2d at 1013.

¶ 28 Similarly, in *People v. Young*, the defendant told the trial court that he did not want the public defender to continue to represent him at a hearing on his posttrial motions. *People v. Young*, 341 Ill. App. 3d 379, 386-87, 792 N.E.2d 468, 475 (2003). The court made it clear to the defendant that it would not appoint a new attorney to represent him, thereby giving the defendant a choice between accepting the representation of the public defender and proceeding *pro se*. He opted to proceed *pro se*. *Young*, 341 Ill. App. 3d at 387, 792 N.E.2d at 475. On appeal, the Fourth District pointed to this discussion in finding that the defendant "clearly understood that he had the right to continued representation by the public defender." *Young*, 341 Ill. App. 3d at 387, 792 N.E.2d at 475.

¶ 29 The *Young* court then emphasized the fact that the defendant had already been convicted and sentenced. The court explained that, under the circumstances, "[i]t would have been useless for the trial court to inform Young of the nature of a charge and the possible sentencing" range. *Young*, 341 Ill. App. 3d at 387, 792 N.E.2d at 475. The court concluded that the defendant "already knew everything a Rule 401(a) admonishment would have told him." *Young*, 341 Ill. App. 3d at 387, 792 N.E.2d at 475.

¶ 30 We note that the *Young* court also found that Rule 401 is not applicable at all where

a defendant discharges his attorney late in the proceedings. *Young*, 341 Ill. App. 3d at 387, 792 N.E.2d at 475. This holding is at odds with other Illinois cases that have considered waiver of counsel at sentencing hearings and in posttrial and postplea proceedings, including the Fourth District's own prior decision in *People v. Langley*. See, e.g., *People v. Thomas*, 335 Ill. App. 3d 261, 263-64, 780 N.E.2d 838, 840 (2002); *Meeks*, 249 Ill. App. 3d at 171, 618 N.E.2d at 1013; *People v. Hovenec*, 232 Ill. App. 3d 57, 61-62, 596 N.E.2d 749, 753 (1992); *Langley*, 226 Ill. App. 3d at 749, 589 N.E.2d at 829. Nevertheless, we find persuasive the court's conclusion that a waiver is knowing and intelligent if the record demonstrates that the defendant knows all of the information that Rule 401 admonishments are intended to convey. As we will next explain, we find that to be true in this case.

¶ 31 Here, there is no dispute that the trial court did not strictly comply with the requirements of Rule 401. The court did not admonish the defendant at the time it accepted his waiver of counsel. We find, however, that the court substantially complied. The court fully admonished the defendant regarding the charge against him and the sentencing range at both plea hearings. At the end of the first plea hearing, the court advised the defendant that he had the right to the assistance of counsel on any postplea motions he might wish to file. When the defendant pled guilty a second time, the court again advised him that he had the right to counsel, including the right to have counsel appointed. Thus, the court substantially complied with Rule 401(a) by providing the defendant with all of the information the rule was intended to convey.

¶ 32 Under the circumstances present here, we find substantial compliance sufficient to effectuate a knowing and intelligent waiver of the right to counsel. First, the record shows that the defendant is legally sophisticated. The defendant successfully defended against the State's motion to strike his motion for sentence reduction as untimely by providing the court with concrete evidence to prove that he attempted to file the motion within the proper time.

In addition, the defendant stated in the letter he sent to the court with his motion that he understood that he had to file the motion within 30 days and that filing the motion was a prerequisite to filing an appeal. Similarly, in his *pro se* motion to withdraw his initial plea, he indicated that he knew that he could not challenge his sentence without withdrawing the negotiated plea. These facts showed that, like the defendant in *Houston*, the defendant here understood the nature and purpose of the proceedings at which he waived the right to counsel.

¶ 33 Moreover, the record also demonstrates that the defendant's waiver was knowing and intelligent. As previously discussed, this consideration is the most important. The determination of whether a defendant's waiver is knowing and intelligent depends on the particular facts and circumstances of the case. Relevant circumstances include the defendant's background and experience and the defendant's conduct during the proceedings. *Kidd*, 178 Ill. 2d at 105, 687 N.E.2d at 952. In the letter accompanying his motion for sentence reduction, the defendant noted that his offense carried a possible sentence of 9 to 80 years. In the motion itself, the defendant noted that he pled guilty to participation in methamphetamine manufacturing. It was thus clear that he understood the nature of the offense and the sentencing range.

¶ 34 The record also shows that the defendant understood that he had the right to counsel. As previously discussed, the trial court informed him earlier in the proceedings that he had the right to counsel, and the defendant in fact took advantage of this right. By filing a *pro se* motion alleging ineffective assistance of counsel, the defendant refused the services of his third appointed public defender. See *Young*, 341 Ill. App. 3d at 386-87, 792 N.E.2d at 475 (finding that the defendant effectively elected to proceed *pro se* when he refused the services of his public defender); *People v. Vaughn*, 116 Ill. App. 3d 193, 197, 451 N.E.2d 898, 901 (1983) (finding that a "defendant's refusal to cooperate with his fifth appointed counsel was

tantamount to an election to proceed *pro se*"). The trial court was not required to appoint a fourth attorney for the defendant. See *People v. Myles*, 86 Ill. 2d 260, 268, 427 N.E.2d 59, 62-63 (1981) (stating that "the right to counsel of a defendant's own choosing may not be employed as a weapon to indefinitely thwart the administration of justice").

¶ 35 However, the defendant's third attorney was present and available when the defendant's motion was first called for a status hearing. The court asked the defendant several times if he wanted to represent himself. Thus, even after the defendant refused the services of his public defender and told the court that he wanted to represent himself, the court gave the defendant multiple opportunities to change his mind. In light of these circumstances, we cannot find that the court's failure to repeat the information in the Rule 401 admonishments rendered the defendant's waiver ineffective.

¶ 36 The defendant, however, contends that the instant case is analogous to *People v. Thomas*, 335 Ill. App. 3d 261, 780 N.E.2d 838 (2002), a case in which the appellate court found the trial court's earlier admonishments were insufficient to support a knowing and intelligent waiver of counsel. We are not persuaded.

¶ 37 In *Thomas*, the defendant filed a *pro se* motion to withdraw his guilty plea, and the court appointed counsel to represent him on that motion. *Thomas*, 335 Ill. App. 3d at 262-63, 780 N.E.2d at 839. At a hearing, the defendant informed the court that he wanted to supplement the amended motion filed on his behalf by his attorney. The court explained to the defendant that he could either represent himself or be represented by counsel, but he could not file motions on his own behalf while at the same time being represented. *Thomas*, 335 Ill. App. 3d at 263, 780 N.E.2d at 839. Nine days later, the defendant filed a *pro se* motion. At the next hearing, the court asked the defendant if he wanted to represent himself, and the defendant said "yes." *Thomas*, 335 Ill. App. 3d at 263, 780 N.E.2d at 839.

¶ 38 On appeal, the court found that strict compliance with Rule 401 was required. In

reaching this conclusion, the court noted that the defendant had difficulty conveying even basic biographical information about himself, required special education classes in school, and never finished high school or obtained a G.E.D. The court further noted that the defendant suffered brain damage as a result of a gunshot wound. *Thomas*, 335 Ill. App. 3d at 264, 780 N.E.2d at 840. The court emphasized that "the test to determine whether strict compliance with Rule 401(a) is required explicitly references a defendant's 'sophistication.'" *Thomas*, 335 Ill. App. 3d at 265, 780 N.E.2d at 841. Because the defendant there lacked sophistication, the trial court was required to strictly comply with Rule 401 by providing "thorough admonishments." *Thomas*, 335 Ill. App. 3d at 265, 780 N.E.2d at 841.

¶ 39 The *Thomas* court acknowledged that the trial court gave the defendant essentially the same information included in the Rule 401 admonishments when he pled guilty. However, the court found this to be insufficient, partly due to the passage of six months between the plea hearing and the hearing at which the defendant waived his right to counsel. *Thomas*, 335 Ill. App. 3d at 264, 780 N.E.2d at 840. The defendant here emphasizes this point and argues that here, as in *Thomas*, several months passed between the defendant's second plea hearing and the postplea hearings at which he waived the right to counsel. Here, however, we have found that the defendant demonstrated a requisite level of sophistication to permit an effective waiver of counsel after substantial compliance with Rule 401. Thus, we find nothing in *Thomas* to alter our conclusion that the defendant's waiver in this case was effective.

¶ 40 The defendant next argues that the court failed to comply with the requirements of Rule 604(d). We disagree.

¶ 41 Rule 604 governs postplea proceedings and appeals from guilty pleas. Strict compliance with each of its provisions is mandatory. *People v. Janes*, 158 Ill. 2d 27, 32, 630 N.E.2d 790, 792 (1994). In relevant part, the rule provides that once a defendant files a

motion to reconsider his sentence or withdraw his plea, "[t]he trial court shall then determine whether the defendant is represented by counsel, and if the defendant is indigent and desires counsel, the trial court shall appoint counsel." Ill. S. Ct. R. 604(d) (eff. July 1, 2006). The court has an affirmative obligation to ask the defendant if he wants counsel to be appointed even if the defendant does not ask for the assistance of counsel. *People v. Griffin*, 305 Ill. App. 3d 326, 330, 713 N.E.2d 662, 664 (1999). If the defendant is indigent and wants counsel, the court must appoint an attorney to represent him. However, the court does not need to appoint counsel if the defendant makes a knowing and intelligent waiver of the right to counsel. *Griffin*, 305 Ill. App. 3d at 330, 713 N.E.2d at 664. In addition, where a defendant indicates that he wants to proceed *pro se*, it is "unnecessary for the trial court to inquire further." *People v. Cunningham*, 294 Ill. App. 3d 702, 705, 690 N.E.2d 1389, 1390 (1997). ¶ 42 Here, the court asked the defendant several times if he wanted to represent himself, and each time the defendant said that he did. The defendant acknowledges that the court asked him multiple times if he wished to represent himself, but he contends that the court failed to comply with Rule 604(d) because it was required to either appoint counsel for him or determine that he made a knowing and intelligent waiver of the right by complying with Rule 401(a). We have already concluded that the court substantially complied with Rule 401(a) and that the defendant's waiver was knowing and intelligent. Rule 604(d) does not require a court to appoint counsel for a defendant who has made a knowing and intelligent waiver of counsel. *Griffin*, 305 Ill. App. 3d at 330, 713 N.E.2d at 664. We therefore find that the court fully complied with Rule 604(d).

¶ 43 For the foregoing reasons, we affirm the judgment of the trial court.

¶ 44 Affirmed.