

No. 1-13-1756

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,)	Appeal from the
)	Circuit Court of
Plaintiff-Appellee,)	Cook County.
)	
v.)	Nos. 08 CR 17873
)	08 CR 5210
)	
WILLIAM JOHNSON,)	Honorable
)	James M. Obbish,
Defendant-Appellant.)	Judge Presiding.

JUSTICE McBRIDE delivered the judgment of the court.
Justices Gordon and Reyes concurred in the judgment.

S U M M A R Y O R D E R

¶ 1 Defendant William Johnson appeals from the circuit court's summary dismissal of his *pro se* petition for relief under the Post-Conviction Hearing Act (Act) (725 ILCS 5/122-1 *et seq.* (West 2012)).

¶ 2 Following a consolidated bench trial, defendant was found guilty of aggravated battery with a firearm and unlawful use of a weapon by a felon in case number 08 CR 17873, and guilty of unlawful use of a weapon by a felon in case number 08 CR 5210. He was sentenced to 13

years in prison for aggravated battery with a firearm, and to two 7-year prison terms for unlawful use of a weapon by a felon. All sentences were to be served concurrently. This judgment was affirmed on appeal. See *People v. Johnson*, 2011 IL App (1st) 092856-U.

¶ 3 In January 2013, defendant filed the instant *pro se* postconviction petition alleging, *inter alia*, that he was denied the effective assistance of appellate counsel by counsel's failure to raise, on direct appeal, trial counsel's ineffectiveness and the trial court's failure to admonish defendant about the term of mandatory supervised release he must serve upon his release from prison. The circuit court summarily dismissed the petition as frivolous and patently without merit in a written order. It is from this judgment that defendant appeals.

¶ 4 The State Appellate Defender, who represents defendant on appeal, has filed a motion for leave to withdraw as appellate counsel. A memorandum in support of the motion has been submitted pursuant to *Pennsylvania v. Finley*, 481 U.S. 551 (1987), in which counsel concludes that no issues of merit exist warranting argument on appeal. Copies of the motion and memorandum were sent to defendant and he was advised that he might submit any points in support of his appeal. Defendant has not filed a response.

¶ 5 We have carefully reviewed the record in this case and the aforesaid memorandum, and find no issues of arguable merit. Therefore, the motion of the State Appellate Defender for leave to withdraw as counsel is granted, and the judgment of the circuit court of Cook County is affirmed.

¶ 6 This order is entered in accordance with Illinois Supreme Court Rule 23(c)(2) (eff. July 1, 2011).

¶ 7 Affirmed.