

No. 1-18-1335

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**IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT**

IN THE INTEREST OF J.A., a minor)	Appeal from the
)	Circuit Court of
(THE PEOPLE OF THE STATE OF ILLINOIS,)	Cook County.
)	
Petitioner-Appellee,)	
)	No. 18 JD 254
v.)	
)	
J.A., a minor,)	Honorable
)	Stuart Paul Katz,
Respondent-Appellant.))	Judge Presiding.

JUSTICE HARRIS delivered the judgment of the court.
Justices Cunningham and Connors concurred in the judgment.

ORDER

Held: The judgment of the circuit court is affirmed where the State’s witnesses were credible, and their testimony was sufficient to support the minor’s conviction beyond a reasonable doubt despite minor inconsistencies.

¶ 1 Respondent, J.A., appeals the juvenile court’s adjudication of her as delinquent of three counts of home invasion, aggravated battery with a firearm, aggravated discharge of a firearm, and aggravated unlawful restraint, and her sentence committing her to the Department of Juvenile Justice until her 21st birthday. On appeal, J.A. contends that her convictions should be

reversed where one of the eyewitnesses' testimony "was contrary to human experience," and the other eyewitness's testimony contradicted that of the first witness on significant facts of the case. For the following reasons, we affirm.

¶ 2 JURISDICTION

¶ 3 The juvenile court found J.A. delinquent and sentenced her on June 7, 2018. J.A. filed her notice of appeal that same day. Accordingly, this court has jurisdiction pursuant to Illinois Supreme Court Rules 606 (eff. July 1, 2017), and Rule 660 (eff. Oct. 1, 2001), governing appeals in cases arising under the Juvenile Court Act.

¶ 4 BACKGROUND

¶ 5 Keenan Logan, who was 26 years old, testified that on January 14, 2018, he drove to a CTA station on the Red Line to pick up J.A., who he identified in court. He drove her to his house at 12310 South Union Avenue in Chicago, Illinois, where he lived with his mother, Sherle Warren, and his brother. Keenan had met J.A. on Facebook and approximately two weeks before, J.A. had come to his house to hang out. Keenan acknowledged that his Facebook page contained pictures and videos of him holding fifty and twenty dollar bills to his ear.

¶ 6 Upon opening the front door to his house, the living room was on the left side and there was a hallway leading to an alcove on the right side. There were three doors in the alcove: the door on the right opened to Keenan's bedroom, the door straight ahead led to the bathroom, and his mother's bedroom was the door on the left. The front door could not be seen from Keenan's room. Another hallway from the living room led to the kitchen, basement stairs, and back porch.

¶ 7 Keenan and J.A. entered his house through the front door and Keenan then locked the door. He testified that only he, Ms. Warren, and his brother had keys to the house. Ms. Warren was at home, and Keenan and J.A. went into his bedroom and closed the door. He testified that

they smoked cannabis and played Playstation 4 for about four hours. J.A. then told him that she needed to use the bathroom, which was next to his room. She left but soon returned because Ms. Warren was in the bathroom. J.A. left the bedroom door open about 12 inches and Keenan then saw his mother leave the bathroom. He told J.A. that she could now use the bathroom and J.A. left the bedroom a second time, leaving the bedroom door open about 12 inches.

¶ 8 Keenan testified that he heard footsteps on his porch and approximately four or five seconds after J.A. left the bedroom, a man dressed in black and wearing a face mask came into the room with a gun. Keenan described the weapon as a silver handgun or semi-automatic. The man pointed at Keenan and asked, “Where that s**t at?” He began to hit Keenan on his head and face with the gun, and the man hit him too many times to count. Keenan got up off his bed and punched the man. He grabbed him and threw him into the wall which made a hole. Keenan identified a photo showing the hole in the wall, which was People’s Exhibit No. 2.

¶ 9 As they continued fighting, the man called for help and a second offender entered Keenan’s bedroom with Ms. Warren. The second man also wore a face mask and he held a silver and black gun to Ms. Warren’s head. Keenan pulled the face mask off of the offender he was fighting, but he did not know the person. The second offender joined in fighting Keenan and at this point, Keenan did not know the location of J.A. except that she was not in the bedroom. As he was fighting the offenders, Keenan rushed at the second offender and bumped his bedroom door. J.A. then came from the living room, stood in the doorway of the bedroom, and sprayed Keenan with pepper spray from a distance of about two feet. The offenders were near him by the doorway, but J.A. did not spray either of them.

¶ 10 After spraying him, J.A. tried to run out the front door but Keenan chased her. He closed the front door, grabbed her by the hair and she fell into a laundry bin by the door. The first man

then began fighting Keenan again and then said, “Just pop him, folks, pop him.” The second man pointed his gun at Keenan, and Keenan rushed at him. Keenan began to jump up and down trying to dodge a bullet, but the second man pulled the trigger and shot him in the back of his left thigh. The bullet exited Keenan’s body. After the shooting, J.A. and the two offenders left the house together and Keenan heard a car speeding away. He ran outside but could not see a car or people in the area. He went back into his house and his mother was calling the police. The police soon arrived and an ambulance took him to the hospital where he remained for four days. At the hospital, Keenan noticed his eyes and skin burning from the pepper spray.

¶ 11 Keenan spoke with a detective at the hospital and gave him J.A.’s name. He tried to look at her Facebook page, but he could no longer access it from his Facebook account. He was later able to access her page from another person’s Facebook account. Keenan testified that J.A. told him she was 22 years old when they met. He stated that the second man shot him from about a yard away, and that J.A. was at the front door approximately two yards from Keenan. He testified that while he was fighting both offenders prior to being shot, J.A. remained at the front door most of the time.

¶ 12 Keenan identified J.A. from a photo array and in court identified J.A. as the person who let the two offenders into his house. After the incident, J.A. never called Keenan or visited him in the hospital, and she never contacted him on Facebook again.

¶ 13 On cross-examination, Keenan stated that while he and J.A. were playing video games in his room, he left once to get a tuna salad sandwich and J.A. stayed in the room. At approximately 6 p.m., J.A. left the room to use the bathroom, but Ms. Warren was using it so she returned. When Ms. Warren left the bathroom, J.A. left the bedroom again and approximately two seconds later, he heard the front door open. A couple of seconds after that, an armed masked man entered

his bedroom and started to fight him. Keenan did not know where J.A. was at this time. Keenan stated that his bedroom door was open the entire time he was fighting the offenders. Although he did not see J.A. open the front door, he knew that “[J.A.] did.”

¶ 14 Ms. Warren testified that on January 14, 2018, she was in her house where she lived with Keenan and another son, Kenneth. Kenneth was out of town that day. Keenan returned to the house around 2:30 or 3 p.m. that afternoon with J.A., whom Ms. Warren identified in court. She greeted J.A. and Keenan and J.A. went into Keenan’s bedroom. They remained there for about two or three hours. At approximately 6 p.m., Ms. Warren was in the bathroom when J.A. came in. J.A. left, as Ms. Warren was still using the bathroom. When she finished, Ms. Warren left the bathroom and went into her bedroom for a couple minutes. She then started to go to the basement for her laundry when a masked man came up from behind. He held a black gun which he pointed at her face. He took her to the living room and ordered her to lie on the couch. He put a pillow on her face but she could feel the gun through the pillow. The man told Ms. Warren not to move or do anything or he would shoot her.

¶ 15 Another man then called out and the man holding the gun to her face went to Keenan’s bedroom. Ms. Warren followed to see what was happening. She saw another man fighting Keenan and the man who pointed a gun at her went to help with the fight. He pointed his gun at Ms. Warren, who stood at the doorway, and told her to move back. She noticed the bathroom door open but no one was in there. Ms. Warren dropped on the floor and crawled to her bedroom, closing the door. She called 911. While they were fighting, Ms. Warren testified that J.A. was standing in the living room, but they never touched or yelled at her. J.A. was still in the living room when Ms. Warren crawled to her bedroom. While in her room, Ms. Warren heard shouting from the living room and then a gunshot. Keenan yelled that they shot him, and she

called the police and an ambulance from her bedroom. When she no longer heard noises, she came out of her room to check on Keenan. J.A. and the offenders were not in the house. Ms. Warren stayed with Keenan at the hospital where she spoke with the police.

¶ 16 On cross-examination, Ms. Warren stated that after Keenan and J.A. went into his bedroom, she did not see them until 5 p.m. when Keenan went to the kitchen to get something to eat and J.A. went to the bathroom when Ms. Warren was in there. J.A. left but Ms. Warren did not know where she went. Ms. Warren then left the bathroom and went to her bedroom for about a minute, came out and walked past the living room. As she walked down the hallway towards the basement stairs, Keenan passed her as he returned to his room. Ms. Warren stated that she thought she saw J.A. in the hallway for a few minutes when Keenan was in the hallway. As she approached the basement stairs, a man came up behind her and took her back to the living room. As she entered the living room, she saw J.A. standing in the alcove hallway leading from the living room to the bedrooms and bathroom. She did not recall telling Detective King that she was unsure where J.A. was during the incident. Ms. Warren repeated that she saw J.A. standing in the living room/alcove hallway as she entered the living room.

¶ 17 Detective Lavar King testified that on January 14, 2018, he responded to a call of a person shot at 12310 South Union. When he arrived at the house, he observed that the interior was in disarray and noted several pieces of evidence on the living room floor and in one of the bedrooms. He saw an expended shell casing from a semi-automatic firearm, and a bullet fragment was later recovered. He also saw an iPhone with a pink, beveled case, earbuds, a strand of hair that appeared to be from a weave, a strand of dreadlock hair, and a black ski mask. This evidence was recovered, inventoried and photographed by an evidence technician.

¶ 18 On cross-examination, Detective King stated that he interviewed Ms. Warren at the house and she told him that “[d]uring some part of the incident, she didn’t see – know where [J.A.] was ***.” She told him that she did not know where J.A. was when she was taken into the living room. After Detective King’s testimony, the State rested. J.A. then moved for a directed finding which the court denied.

¶ 19 Latavia Bell testified for the defense. She stated that on January 14, 2018, at approximately 6:20 p.m., she received a phone call from a number she did not recognize. Her sister, J.A., was calling to ask Bell to pick her up at a BP gas station at 127th Street and Wentworth Avenue. Bell arrived at the gas station around 6:50 p.m. and saw J.A. sitting in the back seat of a car with two females who sat in front. J.A. got into Bell’s car and they drove away. On cross-examination, Bell stated that J.A. did not tell her what was going on, and Bell did not know the other women in the car with J.A. at the gas station. J.A. did not ask to use Bell’s phone, nor did she call the police. Bell also did not call the police because J.A. never told her what had happened.

¶ 20 J.A. testified that she was 17 years old at the time of trial and lived with her mother, brother, and little sister in Calumet City. She stated that she knew Keenan through Facebook and that they started messaging when Keenan messaged her first. They made plans to meet and a few days before New Year’s Eve in 2017, Keenan picked her up brought her to his house. They spent about three hours there, smoking cannabis and listening to music, before Keenan drove J.A. home. They made plans to meet again on January 14, 2018. After Keenan picked her up, they stopped and a person came up to the car and handed Keenan some money. Keenan handed that person some cannabis through his car window. Keenan then drove to his house and when they

entered, J.A. spoke with Ms. Warren who was in the living room. Keenan and J.A. went into Keenan's bedroom where they smoked cannabis, listened to music, and played Playstation 4.

¶ 21 Around 6 p.m., J.A. left the bedroom to use the bathroom, but she found Ms. Warren in there. J.A. went back to Keenan's room and waited for Ms. Warren to leave. When the bathroom was open, J.A. went in, closed the door, and used the toilet. While there, she heard thumping and bumping coming from Keenan's room. J.A. came out of the bathroom and, standing in the doorway to Keenan's room, she saw him fighting with a masked man who was dressed in black. The man was armed with a gun. J.A. grabbed her coat and purse from a stool in Keenan's room, intending to spray mace at the intruder so he would not approach her. Standing about six feet from the offender and Keenan, she pulled the mace out of her purse and sprayed in front of her. She then turned around and ran into the living room. She saw no one in there. As she ran towards the front door, J.A. tripped, got up, and ran out the door. She continued to run for about two or three blocks. She looked for her phone and realized that it was not in her purse. She ran a few more blocks when she stopped by a woman who was getting something out of her trunk. She asked the woman for some water and if she could use her phone. She called her sister and asked to be picked up at a nearby BP gas station. The woman and her female cousin drove J.A. to the gas station and J.A. thanked them before exiting and getting into Bell's car.

¶ 22 J.A. did not see the face of the person fighting Keenan, and she denied opening the front door of Keenan's house prior to running out. She stated that she did not call police because she was scared. The man saw her face and she had never been in this kind of situation before. J.A. denied knowing the men who entered Keenan's house. On cross-examination, J.A. stated that she had access to Keenan's Facebook page and that Keenan had photos and videos of him holding

large stacks of cash to his head like a phone. When he picked her up just before New Year's Eve, that was the first time she had been to Keenan's house. She never told him she was 16 years old.

¶ 23 She testified that she did not see anyone but the man who was fighting with Keenan in his bedroom, and the man wore a mask. She had her phone when she ran towards the front door but she did not call anyone because she was scared of the masked man who probably saw her after she sprayed the mace. The masked man never chased J.A., and she did not see or hear Ms. Warren at all. She stated that Keenan did not run after her or grab her, and that she ran out the front door by herself. She never saw Keenan or the intruder leave Keenan's bedroom. After leaving Keenan's house she did not call 911, nor did she hear a gunshot. J.A. ran past a lot of houses and she saw a woman taking things out of her car. She asked to use the woman's phone. J.A. did not tell the woman about the masked man with a gun, or that Keenan was being attacked by the man.

¶ 24 J.A. called Bell, and asked that she pick her up at the woman's house. The woman told her she was leaving so J.A. told Bell to pick her up at the gas station nearby. J.A. did not tell her sister that she was afraid of a masked man or that Keenan was being attacked. She felt safe once inside Bell's car, but she still did not tell her sister what had happened. J.A. never contacted Keenan after leaving his house, and she never called the police. J.A. explained that she dropped her phone in Keenan's house when she tripped on a laundry basket that was by the front door. She never made an effort to retrieve her phone from Keenan.

¶ 25 After closing arguments, the court adjudicated J.A. delinquent of three counts of home invasion, aggravated battery with a firearm, aggravated discharge of a firearm, and aggravated unlawful restraint. The trial court found Keenan to be a credible witness and had "absolutely no reason to disbelieve anything he said; he has no motive to lie; he has no motive to exaggerate or

make anything up. I think things happened pretty much the way he said he did. ***On the other hand, I think that [J.A.] has a whole lot of reasons to lie and to color what happened so that she doesn't come across as being guilty in this case." The court acknowledged the "small factual discrepancies" between the testimonies of Keenan and Ms. Warren, but they did not "change the overall nature of the case" or the court's decision. The court believed that J.A. went to Keenan's house and "she was there for these two men to come in. She had let them in; she's accountable for everything that happened after that." The court committed J.A. to the Department of Justice for an indeterminate period of time not to exceed her 21st birthday or 30 years. J.A. filed this timely appeal.

¶ 26

ANALYSIS

¶ 27 J.A.'s sole contention on appeal is that the incredible and inconsistent testimonies of the State's witnesses were insufficient to prove her guilty of the offenses beyond a reasonable doubt. In reviewing the sufficiency of the evidence, the relevant question is whether, after viewing the evidence in the light most favorable to the State, any rational factfinder could have found defendant guilty of committing the offense beyond a reasonable doubt. *People v. Jackson*, 232 Ill. 2d 246, 280 (2009). This standard applies to circumstantial as well as direct evidence, "and circumstantial evidence meeting this standard is sufficient to sustain a criminal conviction." *Id.* at 281. The trier of fact is responsible for resolving conflicts in testimony, weighing the evidence, and drawing reasonable inferences from that evidence. *Id.* This court will not substitute its judgment for that of the factfinder on issues of witness credibility, or on how to weigh the evidence. *Id.* at 280-81. A conviction will not be reversed "unless the proof is so improbable or unsatisfactory that a reasonable doubt exists about the defendant's guilt." *People v. Perez*, 189 Ill. 2d 254, 266 (2000).

¶ 28 Specifically, J.A. challenges her convictions that were based on a theory of accountability. To establish that J.A. was legally accountable for the conduct of others, the State must show that she (1) solicited, ordered, abetted, agreed, or attempted to aid another in the planning or commission of the crime; (2) participated before or during the crime's commission; and (3) had the concurrent intent to promote or facilitate the commission of the crime. *In re W.C.*, 167 Ill. 2d 307, 337 (1995). "In other words, [J.A.] must have both the mental state required for the offense, and before or during the offense [she] must aid in its commission." *Id.*

To prove intent to promote or facilitate a crime, the State may present evidence that the offenders acted pursuant to a common criminal design. *Id.* Any acts committed by one person in furtherance of a common criminal design are attributable to all parties in agreement of the criminal endeavor. *Id.* Proof of a common purpose or design "may be drawn from the circumstances surrounding the commission of an act by a group." *Id.* at 338

¶ 29 J.A. argues that reasonable doubt exists that J.A. promoted or facilitated the events at Keenan's house where the testimony of the witnesses implicating her was incredible and "wildly" divergent. J.A. points out that Keenan testified he was being constantly and aggressively attacked by the intruders, yet he seemed "unaffected" by the blows. In order to find his testimony credible, she contends that one must believe he is "virtually immune to injury." However, although Keenan fought hard against the intruders, he was not immune to injury. He testified that his eyes and face were burning from the spray when he arrived at the hospital, and he spent four days there recovering from his injuries. The entire incident happened relatively quickly, and perhaps adrenaline provided the strength Keenan needed to fight back for a short period of time. The court found Keenan to be a credible witness, stating that it had "absolutely no reason to disbelieve anything he said; he has no motive to lie; he has no motive to exaggerate

or make anything up. I think things happened pretty much the way he said he did. ***On the other hand, I think that [J.A.] has a whole lot of reasons to lie and to color what happened so that she doesn't come across as being guilty in this case." It is the trial court's duty as factfinder to assess the credibility of witnesses. *Jackson*, 232 Ill. 2d at 280-81. We do not find the trial court's determination here so unreasonable or improbable as to justify a reasonable doubt of guilt.

¶ 30 J.A. also contends that inconsistencies in Keenan's and Ms. Warren's testimony regarding the timing of events, and in particular J.A.'s location in the house during the incident, create reasonable doubt of her guilt. As support, J.A. cites to *People v. Johnson*, 2014 IL App (1st) 122459-B, *People v. Smith*, 185 Ill. 2d 532 (1999), and *People v. McCarthy*, 102 Ill. App. 3d 519 (1981). However, in each of these cases the court found the testimony supporting the defendants' guilt problematic for reasons that are not present here.

¶ 31 In *Johnson*, the State's evidence showing that the defendant participated in a plan that ended with a person being shot consisted primarily of the testimony of Nolan Swain. Swain, however, admitted that he did not observe the shooting and acknowledged that he was a drug addict who smoked so much marijuana that he would black out and not remember events. *Johnson*, 2014 IL App (1st) 122459-B, ¶¶ 8,136. He also testified at trial that he was stoned and drunk at the time of the shooting. *Id.* ¶ 8. Furthermore, the shooter, Sims, testified that the defendant did not know Sims intended to shoot the victim or that Sims was armed. He also stated that the defendant drove away during the shooting and left Sims at the scene. *Id.* ¶11. This court found that the State "failed to prove beyond a reasonable doubt that defendant intended to facilitate the murder either before or during the shooting." *Id.* ¶ 151.

¶ 32 In *Smith*, the only witness who identified the defendant as the shooter, Debrah Caraway, stated that she saw the shooting from across the street. *Smith*, 185 Ill. 2d at 539. However, two

other witnesses who were next to the victim when he was shot could not see the shooter's face because it was too dark. *Id.* at 537. Caraway's testimony also conflicted significantly with her pretrial statements to police, and her sister was dating one of the other possible suspects. Therefore, she had a motive to falsely implicate the defendant as the shooter. *Id.* at 544. This court determined that "no reasonable trier of fact could have found [Caraway's] testimony credible" and reversed defendant's conviction. *Id.* at 546.

¶ 33 In *McCarthy*, the witnesses were friends and relatives of the victim who spoke to one another about the case prior to trial. *McCarthy*, 102 Ill. App. 3d at 522. The victim also had a personal injury case pending against the shooter, and her earlier statements to police did not mention being hit in the face with a flagpole, even though that event "was the catalyst of the entire incident." *Id.* at 523. The victim's cousin and his son initially told police that the gun discharged when the defendant used it to bang on their car window. *Id.* At trial, both witnesses changed their story and stated that defendant deliberately shot into the car. *Id.* This court concluded that the testimony of these witnesses raised a reasonable doubt about the shooting. *Id.* at 524. It found "too many instances of witnesses changing their stories, too many details that are inconsistent, and too many details that are exactly the same," and the victim's testimony was too conflicting to be believed. *Id.* Therefore, the defendant's conviction was reversed. *Id.*

¶ 34 Here, Keenan and Ms. Warren were not serious drug addicts, nor did they have a motive to lie or implicate J.A., and they did not change their stories about how they were attacked. Also, unlike the witnesses in *Johnson*, *Smith*, and *McCarthy*, Keenan and Ms. Warren gave consistent, corroborative testimony on the key aspects of the incident. Although there were minor inconsistencies within and between Keenan's and Ms. Warren's testimonies, they affect only the weight of the evidence and do not automatically create a reasonable doubt of guilt. *People v.*

Adams, 109 Ill. 2d 102, 115 (1985). Testimony “need not be unimpeached, uncontradicted, or perfect to be clear and convincing.” *People v. Williams*, 223 Ill. App. 3d 692, 697 (1992). The trier of fact may accept or reject all or part of a witness’s testimony, (*People v. Logan*, 352 Ill. App. 3d 73, 81 (2004), and the testimony of a defendant does not carry a presumption of veracity nor is it entitled to greater deference than the testimony of any other witness. *People v. Barney*, 176 Ill. 2d 69, 74 (1997). Rather, it is sufficient that all of the evidence taken together satisfies the factfinder of the defendant’s guilt beyond a reasonable doubt. *Jackson*, 232 Ill. 2d at 281.

¶ 35 Taken together, the evidence showed that Keenan and J.A. met through Facebook. Keenan acknowledged that his Facebook page, which was open to the public, contained photos and videos of him holding a large number of \$20 and \$50 bills. They first met in person a few days before New Year’s Eve, smoking marijuana and listening to music at Keenan’s house. On January 14, 2018, they again made plans to spend time together at Keenan’s house. Before going to the house, Keenan stopped for a drug transaction and J.A. saw him hand marijuana to an unknown buyer, and receive an unknown amount of money in return. When they arrived at the house, Ms. Warren was there. Keenan locked the front door after they entered. Keenan and J.A. stayed in Keenan’s room and he left once to get a sandwich from the kitchen. Around 6 p.m., J.A. left the room to use the bathroom but returned because Ms. Warren was in there. When Ms. Warren left the bathroom, J.A. left Keenan’s room again to use the bathroom.

¶ 36 Shortly thereafter, a masked intruder entered Keenan’s room and asked, “Where that s**t at?” He began to hit Keenan on his head and face with the gun and Keenan fought back. He grabbed the man and threw him into the wall which made a hole. The man called for help and a second masked offender entered Keenan’s bedroom with Ms. Warren. He held a silver and black gun to Ms. Warren’s head. As he was fighting the offenders, Keenan rushed at the second

offender and bumped his bedroom door. J.A. then came from the living room, stood in the doorway of the bedroom, and sprayed Keenan with pepper spray from a distance of about two feet. J.A. did not spray the offenders.

¶ 37 Keenan chased J.A. as she tried to run out the front door. He closed the front door, grabbed her by the hair and she fell into a laundry bin by the door. The first man began fighting Keenan again and said, “Just pop him, folks, pop him.” The second man pointed his gun at Keenan, and Keenan began to jump up and down trying to dodge a bullet. The second man pulled the trigger and shot him in the back of his left thigh. After the shooting, J.A. and the two offenders left the house together and Keenan heard a car speeding away. The police and an ambulance arrived to take him to the hospital. At the hospital, Keenan noticed his eyes and skin burning from the pepper spray.

¶ 38 This evidence was corroborated by the testimony of Ms. Warren. She stated that on January 14, 2018, she was in her house when Keenan returned around 2:30 or 3 p.m. with J.A. At approximately 6 p.m., Ms. Warren was in the bathroom when J.A. came in and then left. When she finished, Ms. Warren left the bathroom and went into her bedroom for a couple minutes. When she started to go to the basement for her laundry, a masked man came up from behind. He held a black gun which he pointed at her face. He took her to the living room and put a pillow on her face but she could feel the gun through the pillow. He told her not to move or do anything or he would shoot her.

¶ 39 Another man then called out and the man holding the gun to her face went to Keenan’s bedroom. Ms. Warren followed and saw the other man fighting Keenan. Ms. Warren dropped on the floor and crawled to her bedroom, closing the door. While Keenan was fighting the men, J.A. was standing in the living room, but they never touched or yelled at her. J.A. was still in the

living room when Ms. Warren crawled to her bedroom. While in her room, Ms. Warren heard shouting from the living room and then a gunshot. Keenan yelled that they shot him, and she called the police and an ambulance from her bedroom. When she no longer heard noises, she came out of her room to check on Keenan. J.A. and the offenders were not in the house.

¶ 40 A trier of fact may reasonably infer from this evidence that J.A. participated in a common design to commit offenses against Keenan and Ms. Warren. Furthermore, this inference does not depend upon J.A.'s exact location in Keenan's house during the attack, which is the focus of J.A.'s inconsistent testimony argument on appeal. The uncontroverted evidence shows that the two intruders specifically targeted Keenan and Ms. Warren, as if they already knew who was in the house and their approximate locations. J.A., who was the only other person in the house at that time, would have had this information prior to the attack. Although the men fought with Keenan and threatened Ms. Warren with a gun, it is undisputed that they did not fight or threaten J.A. who was also in the house. Keenan and J.A. had become friendly through Facebook and spent time together, yet after the incident J.A. never contacted Keenan again or attempted to retrieve her iPhone, which she had left at his house. "Accountability may be established through a person's knowledge of and participation in the criminal scheme, even though there is no evidence that [she] directly participated in the criminal act itself." *In re W.C.*, 167 Ill. 2d at 338.

¶ 41 For the foregoing reasons, we affirm.