2018 IL App (5th) 150036-U

NO. 5-15-0036

IN THE

APPELLATE COURT OF ILLINOIS

FIFTH DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellee,	)	Saline County.
	)	
v.	)	No. 14-CF-130
	)	
EDWARD M. HOPKINS,	)	Honorable
	)	Walden E. Morris,
Defendant-Appellant.	)	Judge, presiding.

JUSTICE OVERSTREET delivered the judgment of the court.
Justices Welch and Moore concurred in the judgment.

ORDER

¶ 1 *Held*: A remand for further proceedings was unnecessary where the trial court sufficiently inquired into the defendant's *pro se* posttrial ineffective-assistance-of-counsel claims, and none of the defendant's allegations demonstrated possible neglect.

¶ 2 On appeal from his convictions for residential burglary and criminal damage to property, the defendant, Edward M. Hopkins, argues that the trial court failed to conduct an adequate inquiry into his *pro se* posttrial ineffective-assistance-of-counsel claims. For the reasons that follow, we disagree and deny his request for a remand.

¶ 3 BACKGROUND

¶ 4 In June 2014, after breaking into the home of Vernon Bond of Harrisburg, the defendant was arrested and charged with residential burglary (720 ILCS 5/19-3 (West 2014)) and criminal damage to property (*id.* § 21-1). At the defendant's first appearance, he was advised that residential burglary is a Class 1 felony with a sentencing range of 4 to 15 years. See *id.* § 19-3(b); 730 ILCS 5/5-4.5-30(a) (West 2014).

¶ 5 On September 24, 2014, the cause proceeded to a jury trial. At the final pretrial hearing held the week before, the State indicated that it had "to do some further checking," but it believed that the defendant would "be required to be sentenced as a Class X offender due to his previous criminal history." See 730 ILCS 5/5-4.5-95(b) (West 2014). The State also noted that the defendant was on felony probation when the present offenses were committed. The court subsequently admonished the defendant that if the State's belief about his criminal history proved correct, he would be facing a 6- to 30-year sentence on the residential burglary charge. See *id.* § 5-4.5-25(a). When the court inquired whether there had been any plea negotiations or offers, appointed counsel confirmed that there had been, and the defendant confirmed that counsel had "informed [him] about them."

¶ 6 During the *voir dire*, the prospective jurors were advised that Bond was listed as a potential witness for the State. When questioned by the court, none of the jurors indicated that they knew Bond.

¶ 7 During opening statements, the State told the jurors that Bond and the defendant were acquaintances, but Bond had not given the defendant permission to enter or damage

his home on the morning of June 1, 2014. The State also noted that Bond was 63 years old. In the defense's opening statement, counsel asked the jurors to reserve making any judgments until they had heard all of the evidence, "because, oftentimes, things aren't what they seem."

¶ 8 Bond testified that on June 1, 2014, at approximately 2:50 a.m., he was asleep in bed at his home on Granger Street in Harrisburg, when he heard a noise outside. He then heard "a large kaboom or bang in [his] back room," and his burglar alarm started sounding. The defendant, whom Bond recognized, then entered Bond's bedroom, asking for money. Bond informed the defendant that he did not have any money and repeatedly told him to leave. As Bond remained in bed, the defendant grabbed Bond's pants from a nearby table, rifled through the pockets, and removed Bond's wallet. When Bond heard the police outside responding to the burglar alarm, he raised his voice hoping that they would hear him. Using a pillow to shield himself, Bond subsequently made his way out of the bedroom and attempted to shut off the alarm. Bond testified that he had shielded himself with the pillow because he had feared that the defendant "might hit [him] or push [him] or something." Meanwhile, the defendant had exited the house out the back door. When the police called out to Bond, he proceeded outside and saw that the back door's hasp lock had been forced off the jamb casing. At one point during his testimony, Bond described the door as "knocked down," and he claimed that it was "laying inside the room." Bond testified that he had not given the defendant permission to enter his home, damage his door, or possess his wallet.

¶ 9 When cross-examined, Bond acknowledged that the defendant had not taken any money and had left soon after hearing the police outside. Bond further acknowledged that he had allowed the defendant to enter his home about "a week or so" before. Bond indicated that he had not told the defendant "not to come back."

¶ 10 Sergeant James Johnson of the Harrisburg Police Department testified that he was the first officer to respond to the burglar alarm at Bond's home. Johnson testified that as he was walking around the house, he saw the defendant, whom he referred to as "Fast Eddie," walking through the yard. Johnson immediately detained the defendant and had him sit on Bond's front porch. When Officer Tom Leverett arrived at the scene, Leverett stayed with the defendant while Johnson spoke with Bond. Johnson testified that the lock securing the back door of Bond's home had been "torn from the door facing."

¶ 11 When cross-examined, Johnson acknowledged that the back door of Bond's home "was on its hinges and everything." Johnson further acknowledged that Bond had told him that "the alarm woke him up and, when he opened his eyes, that is when Eddie was standing over him." At the conclusion of the State's case, counsel made a motion for a directed verdict, which the trial court denied.

¶ 12 The defendant did not testify in his defense, and his sole witness was Bond. When counsel asked Bond why he walked with a cane, Bond testified that he had "a gout flare-up." When counsel asked Bond if the condition was in any way related to what had "allegedly happened on June the 1st," Bond stated that it was not. At the close of all the evidence, counsel made a renewed motion for a directed verdict, which the trial court denied.

¶ 13 In its closing argument to the jury, the State maintained that it had proven all of the elements of the charged offenses beyond a reasonable doubt. The State also noted that to find the defendant guilty of residential burglary, the jury did not have to find that he had taken any money from Bond.

¶ 14 In response, defense counsel attacked Bond's credibility. Counsel emphasized that although Bond had testified to hearing noises outside before seeing the defendant enter his bedroom, Bond told Sergeant Johnson that the burglar alarm had woken him up and that when he awoke, the defendant was standing over him. Counsel also emphasized that although Bond had indicated that the back door of his house had been "knocked down," Johnson testified that the door was still on its hinges. Referencing these inconsistencies, counsel argued that Bond was "not remembering correctly" and that he might have testified to other things that were "not true." Counsel also noted that the defendant had been in Bond's home a week before and had not been told to not come back. Counsel maintained that Bond's testimony left a reasonable doubt as to the defendant's guilt.

¶ 15 In rebuttal, the State suggested that it would have been unreasonable for the defendant to have assumed that having previously been allowed into Bond's home, it would have been acceptable to forcibly enter the house in the middle of the night to demand money from Bond.

¶ 16 The jury deliberated for approximately 25 minutes before finding the defendant guilty of residential burglary and criminal damage to property. After entering judgment on the jury's verdict, the trial court scheduled the defendant's sentencing hearing for

November 19, 2014. Defense counsel subsequently filed a motion for a transcript of the defendant's trial, citing "sentence hearing preparation."

¶ 17 On November 19, 2014, the parties appeared as scheduled. After advising the trial court that the defendant had not yet received a transcript of the trial, defense counsel requested that the sentencing hearing be continued. The defendant then asked if he could address the court, after which the following colloquy occurred:

"THE COURT: You may.

THE DEFENDANT: I've submitted a bunch of things to my attorney to submit to you, letters for you and everything else, and they have not got to you. They have not reached you. They're in his file. I mean, I've got ineffective efficient [*sic*] of counsel going on here. And, I mean, I'm blind to this law. I know I'm an educated idiot dealing with professional criminology here and, you know, I mean, I don't feel that I'm being—getting a fair shake out of this here. And I'd like to get granted for new counseling, you know, and a new trial, all of it, the whole ninety, because this is not—I mean, my defense—I mean, I was in the trial. You know, they called me Fast Eddie in trial with me being in the Disclosure and everything[,] and I didn't get an objection out of that or nothing. My defense is just—I mean—

THE COURT: You've given [counsel] letters that you want him to present?

THE DEFENDANT: Presented to you, I wanted letters presented to you dated, you know, I mean copies. There's a copy of one right here that's just never reached you.

THE COURT: Would those be appropriate at the sentencing hearing, [counsel]?

[COUNSEL]: Your Honor, I think it—I think your office gave me a copy of the letter he's talking about because it is addressed to you.

THE DEFENDANT: Excuse me, [Your Honor].

[COUNSEL]: Will you let me finish?

THE DEFENDANT: I gave that letter to you in the DUI room as you came to visit me at the county jail. Matt Wise—petty officer Matt Wise can vouch for that.

[COUNSEL]: It's dated September 27th[,] and I have it when I received it was September 29th. It's in my file.

THE DEFENDANT: I handed it to you personally in the DUI room. I mean, I'd like to file for a new attorney. No disrespect to you, [counsel], but I mean my defense—I mean, you cuss me out more than you know, you know, represent me. I mean, you know, you condemn me more than you represent me. I mean, no disrespect, but I just—I mean, I do have a life, and this is my life here.

THE COURT: All right. ***

THE DEFENDANT: If I could have knew [*sic*] then what I know now, I mean, I wouldn't even have proceeded like this, you know, because this is my life. I mean, this ain't something you just throw 30 years—

THE COURT: All right. Mr. Hopkins, are you telling the Court that you're not happy with [counsel] because he hadn't given the Court a letter?

THE DEFENDANT: I mean, no, not just because of that. Just the way he's represented me through the whole—through my whole trial. I mean, you know, he's throwing, I mean, words at me that's just, you know, beyond—

THE COURT: All right. Tell me what he has done that you think he should or should not have done.

THE DEFENDANT: I mean, coming in talking—he said 13, that you all offered me 13. Then I go back in here today and he said, oh, it's 18, you know, and all this. And I thought it was at your discretion to pass that judgment, you know. And I mean, it's just—I mean, he's telling me—we just don't have any—no kind of conversation. I mean, the vocabulary he uses at me is just unbearable, and I maintain my composure with it, you know, suck it up, you know, without lashing back out at him, you know.

THE COURT: Well, I don't know what kind of offers were made before the trial. We've had a trial. What the sentence is is not dependent upon [counsel] or [the State].

THE DEFENDANT: He come to me with 13.

THE COURT: I don't know what that means, but that's not up to [counsel]. [Counsel], have you told Mr. Hopkins that you and [the State] control this at this time?

[COUNSEL]: No, sir. I just told him what [the State's] offer was. I told him what I think you might do at a sentencing hearing is what I think Mr. —

THE COURT: Okay. What other complaints do you have about [counsel], Mr. Hopkins?

THE DEFENDANT: My defense at trial. I mean, I had no defense at the trial, none. You know, good morning to the jury, and that's it. And then when he was on a cane, my victim was on a cane, he had gout.

[Your Honor], I went into—I went into this with blinders. And I know I'm dealing with one of the best prosecutors there is because he represented me throughout all 12 of my felonies. [The assistant State's Attorney] is one of the—I mean, I know he is a good prosecutor, but I took a chance on the truth being a fair trial, which I don't feel that I had one.

THE COURT: Okay. The Court is going to grant the defendant's motion to continue this sentence hearing. We haven't got a date yet. The Court has considered Mr. Hopkins' oral motion for the appointment of additional attorney or a new attorney.

THE DEFENDANT: And I asked for a—because when we went to trial[,] one of the members of the trial, I felt that she was related to the victim. And I had asked a direct question did he check into that for me, and he said that he would. And he said that you was considering getting the money together to hire a PI maybe, because he wasn't going to do no PI work and that you guys were getting money together to hire a private investigator because—

THE COURT: All right. Defendant's oral motion for the appointment of a new attorney rather than [counsel] for the reasons stated and considered by the Court will be denied. Now, when can we get this set for a sentence hearing? ***

* * *

THE COURT: Now, [counsel], I'm going to ask that you get that transcript and get with [the defendant], go over any letters that he basically wishes to present at the sentence hearing.

[COUNSEL]: I'll check the court—I'll check the court file.

THE COURT: There's no—I can't find any letter in the court file.

THE DEFENDANT: [Your Honor]?

THE COURT: Yes, Mr. Hopkins.

THE DEFENDANT: Is there a reason how come I can't have new counsel, I mean?

THE COURT: Because you haven't demonstrated any prejudice that [counsel] may have created because of his representation. You've had a trial, you had a jury trial. You're going to have an opportunity to contest that if you wish, the trial. There's an appeal. But from what you've told me, I can't conclude that [counsel] has done anything improper in representing you. The fact that he hasn't —that he's got a letter, I don't know what the letter is. I don't—

THE DEFENDANT: It was to you.

THE COURT: It was September the 24th [*sic*], that was after the trial. You've got an ample opportunity to present that at the sentence hearing. So

[counsel] may not think it's appropriate to share that letter. I don't know what the letter is. But if he does—

THE DEFENDANT: It's right here.

THE COURT: If he does[,] then he will do that. I'm confident that [counsel] will present that at the sentencing hearing if, in fact, he thinks that's proper or germane. So those are the reasons. All right. Anything else in Mr. Hopkins' case today."

¶ 18 On November 24, 2014, the cause proceeded to a sentencing hearing. At the outset, counsel advised the court that the defendant had still not received a transcript of the trial but was nevertheless ready to proceed. Counsel further indicated that the defendant had reviewed the presentence investigation report (PSI).

¶ 19 When the trial court inquired about the letter that had been discussed at the prior proceeding, counsel indicated that it had been given to "Ms. Moore" to "put in the court file." We note that the letter is not included in the record on appeal. The court then stated that it had read the letter and that its "substance" was that the defendant wished to speak with the court and the assistant State's Attorney. When asked by the court, the defendant confirmed that that was "what the letter was about." After indicating that it would be improper for the court to speak with the defendant, the court stated that the defendant could speak with the assistant State's Attorney if the parties agreed to the conversation. After counsel and the State expressed no objections, the court took a brief recess, and the defendant and the assistant State's Attorney apparently talked. The record indicates that immediately following the conversation, the sentencing hearing resumed.

¶ 20 Referencing the defendant's PSI, the State noted that the defendant had 13 prior felony convictions, one of which was a Class 1 felony and one of which was a Class 2 felony. The State noted that the defendant was therefore required to be sentenced as a Class X offender on his current conviction for residential burglary. The State further noted that the defendant's criminal history dated back to 1979. Citing several statutory factors in aggravation (see 730 ILCS 5/5-5-3.2(a)(1), (3), (7), (8), (12) (West 2014)), the State argued that a 25-year sentence would be appropriate under the circumstances.

¶ 21 We note that the PSI that the court considered included a handwritten statement from the defendant, in which he set forth his version of the events in question. In the statement, the defendant claimed that he had gone to Bond's house to borrow a lawn mower and that when he knocked on the back door, the door had opened and the burglar alarm had sounded. The defendant yelled for Bond, and when he did not answer, the defendant decided to check on him. In the bedroom, the defendant tried to wake Bond to tell him that the alarm was going off. When Bond did not respond, the defendant thought that "something was seriously wrong." When Bond finally woke up, he was undressed, so he covered his waist with a pillow. The defendant then handed him his pants. The defendant claimed that he had subsequently gone outside to wait for the police. The defendant stated that he had not run away because Bond had invited him to the house.

¶ 22 When arguing for the imposition of the minimum sentence of six years, defense counsel asked the court to consider that no one was harmed as a result of the defendant's conduct, that the defendant was willing to pay restitution for damaging Bond's door, and that the defendant had six young children. See 730 ILCS 5/5-5-3.1(a)(1), (6), (11) (West

2014). Counsel also asked the court to consider that the defendant had a documented history of substance abuse.

¶ 23 In a statement in allocution, the defendant asked the court for leniency and mercy. The defendant explained that his family needed him and that he was a good person with the potential to be a productive citizen. The defendant apologized for the "undignified behavior" he had shown. The trial court ultimately imposed an 18-year sentence on the defendant's residential burglary conviction and a concurrent 3-month sentence on his conviction for criminal damage to property.

¶ 24 In December 2014, counsel filed a motion to reconsider sentence on the defendant's behalf. In January 2015, the defendant filed a *pro se* notice of appeal, which the trial court later struck as untimely. In February 2015, counsel filed a motion for a transcript of the defendant's sentencing hearing.

¶ 25 In March 2015, the trial court held a hearing on the defendant's motion to reconsider sentence. At the outset, counsel advised the court that the defendant wanted to present an ineffective-assistance-of-counsel claim. The defendant then stated, without elaboration, that "from the beginning," defense counsel had been "very unprofessional," had failed to communicate with him, and had cussed at him. The defendant further complained that counsel had been unprepared for trial and had failed to obtain a transcript of the trial. The defendant asked that the trial court appoint him a new attorney. The defendant also indicated that he wanted to negotiate a sentence reduction.

¶ 26 When the defendant finished, the trial court stated the following:

> "All right. The Court's going to find that [counsel] shall continue to represent Mr. Hopkins in this case, that there's been no basis shown for the Court's removal of [counsel] based upon the Court's review of the file, based upon the Court's recollection of the trial in this case."

Thereafter, counsel argued that the court had failed to adequately consider the mitigating factors that had been presented at the defendant's sentencing hearing. Counsel also stated that after discussing the matter with the defendant, the defense wanted to change its previous 6-year sentence recommendation to a 10-year recommendation. The court subsequently entered a docket order denying the defendant's motion to reconsider sentence, and the defendant filed a timely notice of appeal.

¶ 27 DISCUSSION

¶ 28 The defendant argues that his cause should be remanded because the trial court failed to adequately inquire into his *pro se* ineffective-assistance-of-counsel claims as required by *People v. Krankel*, 102 Ill. 2d 181 (1984). The State counters that further inquiry is unnecessary because after sufficiently exploring the defendant's claims, the trial court correctly determined that they either lacked merit or pertained to matters of trial strategy. We agree and conclude that further inquiry is unnecessary under the circumstances.

¶ 29 Under *Krankel* and its progeny, the trial court is obligated to inquire into a defendant's *pro se* posttrial claims that he was denied the effective assistance of counsel. *People v. Ayres*, 2017 IL 120071, ¶ 11; *People v. Moore*, 207 Ill. 2d 68, 77-78 (2003). This inquiry, which is sometimes referred to as a "preliminary *Krankel* inquiry" (*People*

v. Jolly, 2014 IL 117142, ¶ 28), requires the trial court to ascertain the nature of the defendant's ineffective-assistance-of-counsel claims and evaluate their potential merits (*People v. Mays*, 2012 IL App (4th) 090840, ¶ 58). To understand the factual bases of the defendant's allegations, it is proper for the trial court to question both trial counsel and the defendant. *Ayres*, 2017 IL 120071, ¶ 12. If the defendant's allegations show that trial counsel may have neglected the defendant's case, the trial court should appoint new counsel and set the matter for a hearing. *Id.* ¶ 11; *Moore*, 207 Ill. 2d at 78. If the court determines that the claims lack merit or pertain only to matters of trial strategy, however, then no further action is required. *Id*. A preliminary *Krankel* inquiry "serves the narrow purpose of allowing the trial court to decide whether to appoint independent counsel to argue a defendant's *pro se* posttrial ineffective assistance claims." *People v. Patrick*, 2011 IL 111666, ¶ 39.

¶ 30 A defendant's *pro se* claim lacks merit if it is misleading, conclusory, or legally immaterial or fails to " 'bring to the trial court's attention a colorable claim of ineffective assistance of counsel.' " *People v. Cook*, 2018 IL App (1st) 142134, ¶ 104 (quoting *People v. Johnson*, 159 Ill. 2d 97, 126 (1994)). "The court may, of course, rely on its own legal knowledge of what does and does not constitute ineffective assistance." *Mays*, 2012 IL App (4th) 090840, ¶ 57. The court may also base its evaluation of the defendant's claims on its knowledge of counsel's performance at trial and "the insufficiency of the defendant's allegations on their face." *Moore*, 207 Ill. 2d at 79.

¶ 31 "The operative concern for the reviewing court is whether the trial court conducted an adequate inquiry into the defendant's *pro se* allegations of ineffective assistance of

counsel." *Id*. at 78. Whether the trial court properly conducted a preliminary *Krankel* inquiry is a legal question that we review *de novo*. *Jolly*, 2014 IL 117142, ¶ 28.

¶ 32 On appeal, the defendant argues that the trial court failed to adequately inquire into the "letters" that counsel allegedly failed to forward to the court. Although the defendant made initial references to "letters" that he wanted the court to review, the court's inquiry revealed that there was only one such letter, which counsel subsequently ensured made its way into the court file. After the trial court stated that it had read the letter, the defendant confirmed that the letter's substance was that he wished to speak with the court and the assistant State's Attorney. Thereafter, the defendant's request was partially granted. On appeal, the defendant suggests that there might have been additional letters that contained unaddressed ineffective-assistance-of-counsel claims, but this contention is unsupported by the record. Moreover, if there had been additional letters, the defendant had ample opportunities to bring them to the trial court's attention and failed to do so.

¶ 33 The defendant contends that the trial court should have further inquired into his allegations that counsel was unprepared for trial and presented no defense. These claims were stated as conclusions, however, and the court rightfully rejected them based on its first-hand knowledge of counsel's performance at trial. We also note that when the defendant elected not to testify, the court admonished him that the decision was his alone to make (see *People v. Patrick*, 233 Ill. 2d 62, 69 (2009)), and he indicated that he and counsel had discussed the matter.

¶ 34 The defendant maintains that the trial court should have further inquired into his complaints that counsel had been unprofessional and had failed to communicate with him. When the court specifically asked the defendant what he believed counsel should have done differently, however, the defendant referenced counsel's failure to investigate whether one of the jurors might have been related to the victim, the defense that had been presented at trial, a 13-year plea offer he apparently rejected, counsel's statement that "today *** it's 18," counsel's abusive "vocabulary," counsel's alleged lack of "conversation," and counsel's alleged refusal to do "PI work." On appeal, the defendant suggests that further inquiry was necessary because he might have been "confused that [the State's offer] would be 18 years after the trial." Counsel indicated, however, that the defendant's reference to 18 years referred to counsel's stated estimate as to what sentence the court might impose at the sentencing hearing. Notably, the defendant did not subsequently challenge counsel's explanation, nor did he ever express confusion regarding the sentence that he was eligible to receive if convicted. The defendant's statements also followed his remarks about "30 years" and having "proceeded like this." We also note that the defendant is no stranger to the criminal justice system and that the record indicates that from May 1980 through January 2013, he entered guilty pleas in no fewer than 14 cases.

¶ 35 Under circumstances where a defendant's "rambling" complaints can fairly be read as indicating regret about not having accepted a plea offer rather than confusion as to what sentence he possibly faced if found guilty at trial, no further inquiry is required. See *People v. Taylor*, 237 Ill. 2d 68, 77 (2010). Moreover, the trial court is not required

to "somehow glean an ineffective-assistance-of-counsel claim from every obscure complaint or comment made by a defendant" (*People v. Thomas*, 2017 IL App (4th) 150815, ¶ 30) and is in the best position to assess a defendant's credibility (*People v. Payne*, 294 Ill. App. 3d 254, 259 (1998)).

¶ 36 On appeal, the defendant cites additional complaints that he lodged during his exchanges with the trial court, but none of the allegations required further inquiry or suggested neglectful representation.

¶ 37 The defendant references his claim that he thought one of the jurors was related to the victim and that counsel had failed to investigate the possible relation. During the *voir dire*, however, the trial court personally questioned the jurors, and none of them indicated that they knew Mr. Bond.

¶ 38 The defendant blamed counsel for the absence of a transcript of the trial, but as the trial court explained to him below, counsel's request for a transcript had been granted, and the transcript had been ordered. Moreover, counsel requested the transcript for "sentence hearing preparation" and was able to competently represent the defendant at the sentencing hearing without it. We note that counsel also filed a motion requesting a transcript of the sentencing hearing.

¶ 39 The defendant suggested that counsel should have objected at trial when Johnson referred to him as "Fast Eddie," but "[w]hen to object, of course, is solely a matter of trial strategy." *People v. Austin M.*, 2012 IL 111194, ¶ 137. The defendant repeatedly complained that counsel had cussed at him, but as the State notes on appeal, counsel's "temperament" is not "reflective of any neglect."

¶ 40 Lastly, the defendant argues that by stating that he had not "demonstrated any prejudice," the trial court applied the wrong standard and failed to consider whether the defendant had established possible neglect of the case. "[T]he trial court is presumed to know the law and apply it properly," however, and the court's isolated comment is hardly "strong affirmative evidence to the contrary." *People v. Howery*, 178 Ill. 2d 1, 32 (1997).

¶ 41 CONCLUSION

¶ 42 "[T]he primary purpose of the preliminary inquiry is to give the defendant an opportunity to flesh out his claim of ineffective assistance so the court can determine whether appointment of new counsel is necessary." *Ayres*, 2017 IL 120071, ¶ 20. Here, viewing the defendant's ineffective-assistance-of-counsel allegations in the context of the entire record on appeal, we conclude that the trial court's preliminary *Krankel* inquiry was sufficiently thorough and supported the court's determination that the appointment of new counsel was not necessary. Compare *People v. Munson*, 171 Ill. 2d 158, 201 (1996) (noting that while the trial court "made every effort to ascertain the nature and substance of [the] defendant's ineffectiveness claim," the defendant "provided neither a basis nor facts from which the court could infer a basis in support of such claim"), with *People v. McLaurin*, 2012 IL App (1st) 102943, ¶¶ 34, 39, 50-53 (remanding for further proceedings where the trial court failed to adequately inquire into the defendant's *pro se* complaint that counsel was ineffective for not securing the attendance of a named eyewitness whose testimony might have exonerated the defendant), and *People v. Vargas*, 409 Ill. App. 3d 790, 800-03 (2011) (remanding for a preliminary *Krankel* inquiry where the trial court conducted no inquiry at all into the defendant's specific

allegations that counsel had neglected his case). We accordingly affirm the trial court's judgment and deny the defendant's request that the cause be remanded for further proceedings.

¶ 43 Affirmed.