

Appendix A

e.g., "Appendix A."



SUPREME COURT OF ILLINOIS

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November 24, 2021

In re: People State of Illinois, respondent, v. James E. Walker,
petitioner. Leave to appeal, Appellate Court, First District.
127573

The Supreme Court today DENIED the Petition for Leave to Appeal in the above entitled cause.

The mandate of this Court will issue to the Appellate Court on 12/29/2021.

Very truly yours,

Carolyn Taft Gossboll

Clerk of the Supreme Court

Appendix B

e.g., "Appendix B"

No. 1-19-1327
Order filed July 22, 2021

Fourth Division

IN THE
APPELLATE COURT OF ILLINOIS
FIRST DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,) Appeal from the
Plaintiff-Appellee,) Circuit Court of
v.) Cook County.
JAMES E. WALKER,)) No. 98 CR 27177
Defendant-Appellant.)) Honorable
) Ursula Walowski,
) Judge, presiding.

JUSTICE MARTIN delivered the judgment of the court.
Presiding Justice Gordon and Justice Reyes concurred in the judgment.

SUMMARY ORDER

¶ 1 Following a bench trial, defendant James E. Walker was found guilty of six counts of aggravated criminal sexual assault and one count each of aggravated kidnaping, unlawful restraint, aggravated battery, and armed violence, and sentenced to 54 years' imprisonment.¹

¶ 2 On direct appeal, we vacated Walker's convictions for armed violence and aggravated battery pursuant to the one-act, one-crime doctrine and otherwise affirmed. See *People v. Walker*

¹The report of proceedings from Walker's trial is not included in the record on appeal. Appellate counsel notes that these volumes were filed with Walker's direct appeal but has not moved to supplement the record with them.

No. 1-01-1510 (2003) (unpublished order under Illinois Supreme Court Rule 23). We subsequently affirmed the denial of Walker's multiple motions for DNA testing and unsuccessful collateral proceedings. See *People v. Walker*, 1-13-3200 (2015) (unpublished summary order under Illinois Supreme Court Rule 23(c)) (collecting appellate orders).

¶3 On February 4, 2019, Walker filed a *pro se* motion for leave to file an eighth successive petition for relief pursuant to the Post-Conviction Hearing Act (725 ILCS 5/122-1 *et seq.* (West 2018)). Walker alleged numerous instances of ineffective assistance of trial counsel, including the failure to investigate Walker's background and the apartment where the offenses occurred, present an "adequate presentence report," and object when the trial court did not "explain" the reasoning behind Walker's sentences. Walker further asserted that his sentences were excessive and his conviction for unlawful restraint should be vacated as a lesser-included offense of aggravated kidnaping and aggravated criminal sexual assault. Walker argued that he previously tried to raise these issues on appeal but was prevented by the withdrawal of his appellate counsels and his cognitive disabilities. On May 10, 2019, the circuit court denied Walker leave to file the successive petition.

¶4 The Office of the State Appellate Defender, which was appointed to represent Walker on appeal, has filed a motion for leave to withdraw as appellate counsel, citing *Pennsylvania v. Finley*, 481 U.S. 551 (1987). Counsel has submitted a memorandum in support of the motion, stating that he has reviewed the record and concluded that an appeal would be without arguable merit. Copies of the motion and memorandum were sent to Walker, who was advised that he may submit any points in support of his appeal. Walker has not filed a response.

¶ 5 After carefully reviewing the record in light of counsel's motion and memorandum, we agree with counsel's conclusion. Consequently, we grant the motion of the Office of the State Appellate Defender for leave to withdraw as counsel.

¶ 6 The judgment of the circuit court of Cook County is affirmed in accordance with Supreme Court Rule 23(c)(2) (eff. Jan. 1, 2021).

¶ 7 Affirmed.

**Additional material
from this filing is
available in the
Clerk's Office.**