

1 STATE OF ILLINOIS)
2) SS:
COUNTY OF KENDALL)

3 IN THE CIRCUIT COURT FOR THE 23RD JUDICIAL CIRCUIT
4 KENDALL COUNTY, ILLINOIS

5 PEOPLE OF THE STATE OF ILLINOIS,)
6 PLAINTIFF,)
7 VS.) NO. 18 CF 168
8 VITO SCAVO,)
9 DEFENDANT.)

10 REPORT OF PROCEEDINGS had at the hearing in
11 the above-entitled cause before the Honorable ROBERT P.
12 PILMER, Judge of said Court, on the 26th day of June,
13 A.D. 2018.

14 PRESENT:

15 MS. ANDREA BOYLE,
16 Assistant State's Attorney,
17 appeared for the People of the
State of Illinois.

18 MR. BOYD INGEMUNSON,
19 Attorney at Law,
20 appeared for the Defendant.

21
22 Vicki L. Cohen, CSR, RMR
23 Official Court Reporter
24 Kendall County Courthouse
Yorkville, Illinois 60560

1 THE COURT: For the record 18 CF 168 People
2 vs. Vito Scavo.

3 MR. INGEMUNSON: That's correct, judge. Boyd
4 Ingemunson on behalf of the defendant who is
5 present in open court.

6 MS. BOYLE: Andrea Boyle on behalf of the
7 People.

8 Your Honor, I have sent -- I'm sorry -- it
9 looks like the defendant is approaching the bench
10 at this time.

11 THE COURT: Good morning, Mr. Scavo.

12 MS. BOYLE: Your Honor, I have sent out
13 discovery to Mr. Ingemunson and it would include
14 the copy of the indictment, the three-count
15 indictment. I don't know if he received it. It
16 looks like it was just actually sent yesterday, so
17 he may not be in receipt of it yet. But we are
18 prepared to proceed to arraignment if defense is
19 prepared to proceed.

20 I believe he might have gotten the
21 three-count bill of indictment on the last court
22 date. Did you get a copy of it?

23 MR. INGEMUNSON: No, I didn't.

24 MS. BOYLE: Okay. Your Honor, I will tender

1 him a copy at this time. There are mandatory
2 minimums on the indictment.

3 THE COURT: Mr. Ingemunson, do you wish to
4 waive reading of the indictment?

5 MR. INGEMUNSON: We will waive formal reading
6 of the indictment, judge.

7 THE COURT: So, Mr. Scavo, the Grand Jury for
8 Kendall County returned a three-count bill of
9 indictment.

10 Count 1 alleges that you committed the
11 offense of Unlawful Possession of Weapons by a
12 Felon, which is a Class 3 felony. Is there any
13 mandatory minimum on this?

14 MS. BOYLE: Yes, your Honor. It is a
15 non-probationable Class 3, and it is a 2 to 10
16 year sentence in the Illinois Department of
17 Corrections, and it would also -- if the weapon
18 was confiscated, it would include confiscation of
19 the weapon.

20 THE COURT: All right. So on this
21 non-probationable offense, it could be punishable
22 upon conviction by a sentence in the Department of
23 Corrections of 2 to 10 years, a fine of up to
24 \$25,000 or both, and there is a one-year term of

1 mandatory supervised release following discharge
2 from the Department of Corrections, and if you are
3 convicted, result in the confiscation of the
4 weapons; is that correct?

5 MS. BOYLE: Yes, your Honor.

6 THE COURT: All right. Then Count 2 is
7 Possession of a Firearm Without the Requisite
8 Firearm Owners Identification Card. That is also
9 a Class 3 felony. Is there the same --

10 MS. BOYLE: Your Honor, it is a Class 3
11 felony, it is also non-probationable, but it is
12 the standard Class 3 felony on both Count 2 and
13 Count 3.

14 THE COURT: All right. So on Count 2, it's a
15 Class 3 felony, non-probationable.

16 Again, Count 3 is a charge of the same
17 offense, Possession of a Firearm Without Requisite
18 Firearm Owners Identification Card, a Class 3
19 felony as well, and is non-probationable.

20 Both Count 2 and Count 3, upon conviction,
21 could be -- or would be punishable by a sentence
22 to the Department of Corrections of up to 2 to 5
23 years, a fine of up to \$25,000 or both. There is
24 a one-year term of mandatory supervised release on

1 that offense.

2 You have a right to trial -- you have a right
3 to plead not guilty, you have a right to trial by
4 jury or before a judge. You have a right to be
5 represented by counsel and you are so represented.

6 If you are indigent and unable to afford an
7 attorney, one would be appointed to represent you
8 at no cost to you.

9 You have a right and an obligation to be
10 present on all of your court dates.

11 If you fail to appear, you could be deemed to
12 have waived that right which means you could be
13 tried, convicted, and sentenced without being
14 present.

15 You have a right to confront and cross
16 examine witnesses who may be called to testify
17 against you and to compel the appearance of
18 witnesses to testify on your behalf.

19 If you are not a citizen of the U.S., you are
20 advised that a conviction of the offense for which
21 you have been charged may have the consequences of
22 deportation, exclusion from admission to the U.S.,
23 or denial of naturalization under the laws of the
24 United States.

1 So do you understand all of these things?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Mr. Ingemunson, on behalf of your
4 client, what plea --

5 MR. INGEMUNSON: Not guilty, judge, stand on
6 the right to trial by jury.

7 THE COURT: All right. As far as a future
8 date?

9 MR. INGEMUNSON: How about July 31st?

10 THE COURT: That's fine.

11 MR. INGEMUNSON: Thank you, judge.

12 (Proceedings concluded.)

13

14

15

16

17

18

19

20

21

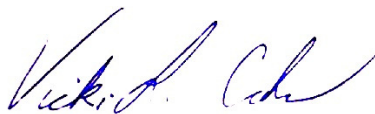
22

23

24

1 STATE OF ILLINOIS)
2 COUNTY OF KENDALL) SS:
3

4 I state that I reported in shorthand the
5 proceedings had at the hearing in the above-entitled
6 cause, and that the foregoing Report of Proceedings is a
7 transcript of my shorthand notes transcribed to the best
8 of my ability.
9

10
11 
12

13 Vicki L. Cohen, CSR, RMR
14 Official Court Reporter
15 23rd Judicial Circuit of Illinois
16 No. 084-002421.
17
18
19
20
21
22
23
24