

STATE OF ILLINOIS)
) SS.
COUNTY OF MCHENRY)

FILED
MCHENRY COUNTY, ILLINOIS

AUG 19 1986

IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT
MCHENRY COUNTY, ILLINOIS

Kenneth W. Lutz Jr.
Clerk of the Circuit Court

PEOPLE OF THE STATE OF ILLINOIS)

-vs-)

GAGNON, Carolyn, Alan & David)

No. 86 CF 484
485
487

ANSWER TO DEFENDANT'S MOTION FOR DISCOVERY

To: Mohr, Reilly, Prather, McNerney & Graham
Attorneys at Law
138 Cass Street
Woodstock, IL 60098

1. The following is a list of persons who may or may not be
called as witnesses at the trial of the above captioned matter:

Detective Pandre	)	
Detective Hay	)	
Deputy Salgado	)	McHenry County Sheriffs Dept.
Detective B. Hendle	)	Government Center
Detective Page	)	2200 North Seminary Avenue
Detective Monday	)	Woodstock, IL 60098
Sgt. Macheroux	)	
Detective Shirey	)	
Deputy Eisele	)	

Officer Anton Cundiff
Harvard Police Department
201 W. Front Street
Harvard, IL 60033

A copy of the police reports relative to the above captioned
matter are attached hereto and made a part of this Answer.

2. The State is unaware of any written statements made by the
defendant. The substance of any oral statements made by the
defendant are contained in the attached, witnessed by persons listed

above.

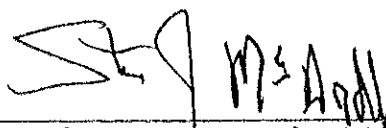
3. There are no Grand Jury minutes.

4. A copy of a laboratory reports will be forwarded upon receipt.

5. Any physical or tangible evidence may be examined by arranging a mutually convenient time for such inspection with the Office of The State's Attorney.

6. The State is unaware of any prior criminal convictions of any of the persons whom the State intends to call as witnesses.

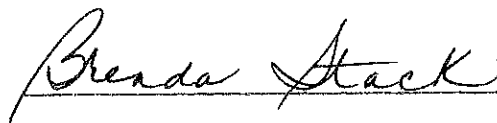
7. The State has no material or information within its possession or control, other than that contained in the attached, which would tend to negate the guilt of the accused or reduce his punishment therefore.



Assistant State's Attorney

STATE OF ILLINOIS)
) SS.
COUNTY OF McHENRY)

The undersigned states that she mailed a copy of the foregoing Answer to the attorney for the defendant in the United States Mail at Woodstock, Illinois, this 18th day of August, 1986.



Brenda Stack

Cleared

McHenry County Sheriff's Dept.

DATE AND TIME PHONED TO RECORDING CENTER		GENERAL CASE REPORT (Field)		3. DIST.		5. R.D. NUMBER	
1. OFFENSE		2. CLASSIFICATION		8. DATE & TIME POLICE ARRIVED		86-05776	
Unlawful Delivery of Cannabis		840		05/14/86 @ 2054 hours			
8. LOCATION		7. DATE & TIME OCCURRED		11. RESIDENCE PHONE		12. BUSINESS PHONE	
1016 W. Elder, McHenry		Wed 05/14/86 @ 2054 hours		N/A		N/A	
3. VICTIM'S NAME (FIRM NAME IF BUSINESS)		10. RESIDENCE ADDRESS		15. RESIDENCE PHONE		16. BUSINESS PHONE	
State of Illinois		N/A		N/A		N/A	
13. PERSON REPORTING CRIME TO POLICE		14. RESIDENCE ADDRESS		19. RESIDENCE PHONE		20. BUSINESS PHONE	
On view reporting officer (CONTROLLED BUY)		N/A		N/A		N/A	
17. PERSON WHO DISCOVERED CRIME		18. RESIDENCE ADDRESS		23. RESIDENCE PHONE		24. BUSINESS PHONE	
R/O and confidential informant		BULLETIN		N/A		N/A	
21. WITNESSES: NAME		22. RESIDENCE ADDRESS		27. EXACT LOCATION OF VICTIM OR PROPERTY			
(a) See narrative		N/A		Kitchen area of residence			
(b)		25. TYPE OF PREMISES WHERE OCCURRED		30. OBJECT OF ATTACK OR PROPERTY TAKEN			
NCSP controlled narcotics buy		private residence		31. METHOD USED TO COMMIT CRIME			
28. TOOL, WEAPON OR MEANS USED		29. METHOD USED TO COMMIT CRIME		32. TRADE MARK OR UNUSUAL EVENT			
Unlawful delivery of Cannabis		hand delivery, offender to C.I.		33. NUMBER OF OFFENDERS		34. NUMBER OF OFFENDERS	
31. VALUE OF PROPERTY		32. TRADE MARK OR UNUSUAL EVENT		35. VEHICLE USED BY OFFENDERS: MAKE		36. EXACTLY WHAT DID OFFENDERS SAY.	
\$ 125.00		Offender sold forty (40) grams of Cannabis to C.I. at offender's residence, 1016 W. Elder, McHenry		N/A		F/W/11-26-46	
33. VEHICLE FROM WHICH THEFT OCCURRED		34. NUMBER OF OFFENDERS		35. VEHICLE USED BY OFFENDERS: YEAR		36. EXACTLY WHAT DID OFFENDERS SAY.	
N/A		#1		N/A		See narrative	
37. KIND OF PROPERTY RECOVERED		38. PROPERTY INVENTORY NUMBERS		39. PROPERTY INVENTORY NUMBERS		40. NAME IN D.O. NOTIFIED	
Forty (40) grams of CANNABIS		\$ 125.00		listed under RD #86-05776		R/O	
41. Narrative:		Reconstruct crime, identify and describe physical evidence, show exactly where found and how disposed of, include statements of victim, witnesses and suspects, if suspect arrested give name, sex, race, age and state "In Custody". Indicate sobriety of victim if possible, and sobriety of witnesses and suspects. State exact location of witnesses at time of crime and distance from scene. Give complete description of suspects, including name if known, nick name, sex, race, age, height, weight, color eyes, hair, complexion, scars, marks, etc.					
This case involves the use of CONFIDENTIAL INFORMANT number three (3) and the narrative of report will refer to him as C.I. including any subsequent supplementary reports. Assisting in this ongoing narcotics investigation is Harvard Police Officer A. Cundiff, #306.							
On Wed 05/14/86 @ 2005 hours R/O and officer Cundiff arrived at the C.I.'s residence. After a brief conversation about his knowledge of suspect offender's residence, the C.I. was thoroughly searched by R/O to determine							
REPORTING OFFICER		STAR		SUPERVISOR APPROVING		STAR	
Chris Cundiff		125		Ayman		125	
see reverse							

that he had no contraband or U.S.C. on his person, this occurring at approx 2020 hours this date. A specific amount of U.S.C. was then turned over to the C.I. (with officer Cumdiff) for the purpose of purchasing CANNABIS from the suspect offender(s) located at 1016 W.Elder, McHenry. R/O at this time lost eye contact with the C.I.; but officer Cumdiff was with the C.I. at all times, including the drive to and back from the suspect(s) residence.

At approx 2125 hours this date, R/O met the C.I. & officers Cumdiff across from Johnsbury High School where the suspect CANNABIS was recovered and secured by R/O. The C.I. paid \$125.00 for forty (40) grams of CANNABIS packaged in a clear plastic bag. It should be noted that initially the C.I. stated that he bought the CANNABIS from Dave Gagnon but subsequently related that he in fact bought it from Dave's mom, referring to Carolyn Gagnon. When asked why he did not tell the truth initially, he stated that he likes Mrs Gagnon and she trusts him but he knew that he would have to tell the truth about the person who sold it.

Officer Cumdiff related that he and the C.I. arrived at 1016 W.Elder at approx 2045 hours this date where the C.I. entered but returned moments later. He asked officer Cumdiff if the brown stuff was O.K. (2046 hours) and returned to the same residence where the purchase was made and he returned to the auto at 2054 hours. They then met R/O at 2125 hours. As noted above, after the suspect CANNABIS was secured by R/O the C.I. again was checked for additional contraband or U.S.C. (except for change from controlled buy). The C.I. returned to his residence at approx 2135 hours, with R/O and officer Cumdiff proceeding to the MCSP detective division. The suspect CANNABIS was field tested using the NIK, Narcotics Identification System and tested positive for the presence of CANNABIS at 2200 hours. The total weight, including the clear plastic bag container is forty and half (40½) grams.

Offender : Gagnon, Carolyn J. F/W/11-26-46, 1016 W.Elder, McHenry

Witness : Officer A. Cumdiff #306, Harvard Police Department

Evidence : All property recovered in this case will be inventoried under RD #86-05776

INVESTIGATION TO CONTINUE

CLEARED
INDEXED

6-4-80

McHenry County Sheriff's Dept.

DATE AND TIME PHONED TO RECORDING CENTER		SUPPLEMENTARY REPORT (Field)	
1. OFFENSE OR INCIDENT	2. CLASSIFICATION	3. DIST.	5. R.O. NUMBER
Narcotics Investigation		8-H-2	86-5776
6. ORIGINALLY CLASSIFIED AS	7. VICTIM'S NAME	8. ADDRESS	
COPIES TO	Gagnon, David, Alan, Carolyn	1016 W. Elder, McHenry	
9. Record here all developments in the case subsequent to the submission of the last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested. If offense classification is changed explain why. Indicate clearly disposition of property recovered and show property inventory number if in police possession.			
Narrative:			
05-30-86 @ 1905 hrs. R/O arrived at 1016 W. Elder, McHenry, pursuant to a search warrant.			
05-30-86 @ 1913 hrs. R/O and Det. Hay interviewed Donna J. Gagnon, age 15, in David Gagnon's room at 1016 W. Elder, McHenry. R/O read Donna her rights under Miranda and she stated that she understood and would talk with us. Donna said that she did not know anything about what was going on in the house and that she was not directly involved with anything to do with narcotics or marijuana and she assumed that her brother David was the only one with any knowledge of that. She said that those types of things were hidden from her and she assumed that was because he might be afraid that she would use them if she knew where they were. Donna said that she is going to go to work with her 20 year old sister, Diane Gagnon, at the Bucket Brigade, McHenry, part-time doing cleaning, etc., this summer.			
At 1935 hrs. Donna was searched in the bathroom of the residence prior to her using the facilities. She was returned to another part of the house pending disposition and at 2145 hrs. she was released with her mother's permission into Diane Gagnon's custody and left the house. Prior to her leaving the house, R/O checked her purse and found a clear plastic bag containing green leafy plant material, a small pipe, and a driver's license belonging to Wendy L. Carter, DOB 11-30-63. She said that the things were hers but refused to say where she got them and that the driver's license was found. She			
10. STATUS (CHECK ONE)	CLEARED BY ARREST ☒	NOT CLEARED ☐	UNFOUNDED ☐
11. FURTHER POLICE ACTION AND REPORT REQUIRED (CHECK ONE)			
REPORTING OFFICER	STAR	REPORTING OFFICER	STAR
Det. Beverly S. Penelle	1 No was	T. Hay. Det.	Det. Penelle

then left the house with Diane Gagnon. The contraband was taken into custody.

05-30-86 @ 1940 hrs. R/O and Det. Hay interviewed Carolyn J. Gagnon in David Gagnon's room at 1016 Elder, McHenry. R/O read Carolyn her rights under Miranda and she stated that she understood and would talk with us. Carolyn said that she is employed at Baxter-Travenol in Round Lake and has been employed there for about 8 years and earns eight dollars and something an hour working as a technician.

She said that they have had marijuana in the house on and off and that her son, David, is the one who mostly sells it. She said that she and her ex-husband, Alan, have also sold it on occasion but she was mainly selling it to people that had been at the house before and thought she was doing her son, David, a favor when he wasn't home. She said that Alan has been living out of state for quite a while since they have been divorced and that Alan and David went somewhere the other night and got some marijuana and brought it back to the house. When there is marijuana in the house, it is mainly kept in the basement near the work bench. She stated that as far as she knows, there has never been anything but marijuana in the house and has never been any narcotics of any other type. Carolyn said that Alan has sold some marijuana, also, but that none of the three ever went out selling it and that people came to them.

At 2010 hrs. R/O searched Carolyn and she then wrote out a brief statement.

05-30-86 @ 2045 hrs. R/O and Det. Hay interviewed Alan A. Gagnon in David Gagnon's room at 1016 Elder, McHenry. R/O read him his rights under Miranda and he stated that he understood and would talk with us. Alan said that he is unemployed at the present time and is an engineer. Alan said that there has not been anything in the Gagnon house but marijuana and that he has been out of state for a while and since he's been back in the last month or two, he has been trying to get David to quit having anything to do with selling marijuana because of the likely consequences. He took David on a trip to California recently and he believes that he has David convinced to get

CONTINUATION SHEET (Field)

McHenry County Sheriff's Dept.

PAGE NUMBER 2	KIND OF REPORT CONTINUED Supplement	OFFENSE - CHARGE OR INCIDENT Narcotics Investigation	NAME OF VICTIM OR ARRESTEE Gagnon	ARREST OR R.O. NUMBER 86-5776
------------------	--	---	--------------------------------------	----------------------------------

out of the business of dealing with marijuana. Alan said that he had rarely sold anyone marijuana but that he had on occasion done so but had not gone out on the street to sell it to anyone and that people had come to the house. He said that he knew that Carolyn had also done so in the past but that it was mainly David who sold the marijuana. He also said that he used marijuana sometimes. Alan said that the marijuana that was most recently purchased was bought by David and brought into the house the night before last.

Alan said that the charge on the criminal complaint was not true and that he had not sold anything to anyone on May 29, 1986. Alan said that he wanted to talk to someone to get out of jail tonight and that if allowed to do so, he could do something with a supplier from Rockford. Alan said that the marijuana he had in his pocket earlier in the evening was for his personal use and not intended to sell.

He said that he told David that something like this would happen if he didn't quit and he said that the marijuana David had now was going to be the last. Alan said the only stuff in the house was in David's closet and Det. Hay looked and saw a brown paper bag containing several clear plastic bags with green leafy material and some U.S.C. and Alan said that was all that was in the house.

05-30-86 @ 2120 hrs. R/O and Det. Hay interviewed Diane Gagnon in David Gagnon's room at 1016 Elder, McHenry. R/O had earlier searched Diane after she had been found on the street in possession of contraband. R/O read Diane her rights under Miranda and she stated that she understood and would talk with us. Diane said that she did not have anything to do with any of the marijuana in the house and did not use or sell any of it. She said that her mother, father, and brother David were the ones who handled it. Diane also said that she thought the last time there was any marijuana in the house was about a month ago.

Diane said that people who purchase marijuana from her brother are Joe Choyinski, Peter Dubin, Dante Garcia, Tim Kinsland, and Glenn Sabaj. Diane and Donna Gagnon left the residence at 2145 hrs.

05-30-86 @ 2150 hrs. R/O and Det. Hay interviewed David Gagnon in his room at 1016 Elder, McHenry.

R/O read David his rights under Miranda and he stated that he understood and would talk with us.

David said that he attends the College of Lake County and works at the Lakeland Auto Body shop in Volo, earning five or six dollars an hour. He works on weekends and works about 20 hours a week. He also is supposed to be graduating from high school this year.

David said that he has been selling marijuana since he was about 17 years old and that he only dealt in marijuana and nothing else. He said that a guy was at his house earlier tonight and he sold him koz. of marijuana and he doesn't know the guy's name but he drives a Monza with no hood.

David said that his mother, Carolyn Gagnon, has sold marijuana a few times and he told her not to do it and he thinks that she hasn't done it in about six months. At 2210 hrs. David reached into his headboard of his bed and brought out a plastic bag containing green leafy plant material. David said that he would like to talk with somebody about helping with information that would help himself and his mother.

05-30-86 @ 2230 hrs. R/O and Det. Hay talked with Martin W. Siddons, Jr., in R/O's squad car parked outside of the Gagnon residence at 1016 Elder, McHenry. R/O read Martin his rights under Miranda and he stated that he understood and would talk with us. Martin said that he is a friend of Diane Gagnon and that he has heard that Joe Choyinski, John Flura (sp.?) and Peter Dubin buy marijuana from David Gagnon. He had earlier been brought to the Gagnon residence by Diane and at 2240 hrs. he walked home.

05-30-86 @ 2250 hrs. R/O and Det. Hay talked with Joseph H. Choyinski in David Gagnon's room at

CONTINUATION SHEET (Field)

McHenry County Sheriff's Dept.

PAGE NUMBER	KIND OF REPORT CONTINUED	OFFENSE - CHARGE OR INCIDENT	NAME OF VICTIM OR ARRESTEE	ARREST OR R.O. NUMBER
3	Supplement	Narcotics Investigation	Gagnon	86-5776
1016 Elder, McHenry. R/O read Joe Choyinski his rights under Miranda and he stated that he understood and would talk with us. Joe said that he is at the Gagnon residence a lot since he just lives a short distance away. He at first denied buying any marijuana from David Gagnon but then said that he had bought from David in the past but that he hasn't done so since about the last six months. He said that the last marijuana he bought from David was purchased in gram quantity. R/O called his mother, Carlie Choyinski, by telephone and requested that she come to the Gagnon residence and pick up Joseph. At 2315 hrs. Joseph was turned over to his parents and told the possibility of criminal charges. 05-30-86 @ 2315 hrs. R/O and Det. Hay talked with Steven A. Heide, age 18, in David Gagnon's room at 1016 Elder, McHenry. R/O read Steven his rights under Miranda and he stated that he understood and would talk with us. Steven said that he lived over in Mineral Springs and had not been to the Gagnon house in a long time and came over tonight to play pool. He denied coming over to purchase any marijuana and said that he knew nothing about the activities in the Gagnon house. 05-30-86 @ 2325 hrs. R/O and Det. Hay met with Timothy P. Kinsland in David Gagnon's room at 1016 Elder, McHenry, and after R/O read Timothy his rights under Miranda, he stated that he understood and would talk with us. Timothy said that he purchased marijuana from David Gagnon about 2 months ago and bought 1/8 oz. for \$15.00. He said that he did not come over to the Gagnon residence tonight to buy marijuana, however. 05-30-86 @ 2335 hrs. R/O and Det. Hay met with Peter W. Dubin in David Gagnon's room at 1016 Elder, McHenry, and after R/O read Timothy his rights under Miranda, he stated that he understood and would talk with us. Peter said that he bought 1/8 oz. of marijuana from David Gagnon about 6 weeks ago for \$15.00 but that he didn't come over to the Gagnon residence tonight to buy anything.				

Heide, Dubin and Kinsland were also told of the possibility of criminal charges.

The following list is the people interviewed:

GAGNON, DONNA J. F/W

GAGNON, CAROLYN J. F/W

DOB 07-25-70

DOB 11-26-46

1016 W. Elder

1016 W. Elder

McHenry, Ill. 60050

McHenry, Ill. 60050

815-344-4274

815-344-4274

10th grade, Johnsburg H.S.

Employed Baxter-Travenol, Round Lake

Parents: Alan & Carolyn Gagnon

312-546-6311

GAGNON, ALAN A. M/W

GAGNON, DIANE D. F/W

DOB 05-09-46

DOB 03-31-66

1016 W. Elder

1016 W. Elder

McHenry, Ill. 60050

McHenry, Ill. 60050

815-344-4274

815-344-4274

Unemployed

Employed Bucket Brigade, McHenry, 815-344-0443

McHenry County Sheriff's Dept.

PAGE NUMBER	KIND OF REPORT CONTINUED	OFFENSE - CHARGE OR INCIDENT	NAME OF VICTIM OR ARRESTEE	ARREST OR R.D. NUMBER
4	Supplement	Narcotics Investigation	Gagnon	86-5776
GAGNON, DAVID A. M/W				
DOB 04-03-67				
1016 W. Elder				
McHenry, Ill. 60050				
815-344-4274				
Attends College of Lake Co.				
Employed Lakeland Auto Body, Volo				
815-344-1787				
CHOYINSKI, JOSEPH H. M/W				
DOB 03-07-70				
4502 N. Riverdale Dr.				
McHenry, Ill. 60050				
815-385-8483				
10th grade, Johnsburg High School				
Parents: John & Carlisle Choyinski				
Work phone for parents: 312-526-7250				

KINSLAND, TIMOTHY P. M/W

DOB 10-11-65

1015 Ringwood Rd.

McHenry, Ill. 60050

312-497-4122

Employed Premagnetics Corp., Johnsbury

DUBIN, PETER W. M/W

DOB 04-27-68

4508 N. Hickory Nut Dr.

McHenry, Ill. 60050

12th grade, Johnsbury High School

815-385-8010

DATE AND TIME PHONED TO RECORDING CENTER

SUPPLEMENTARY REPORT (Field)

McHenry County Sheriff's Dept.

1. OFFENSE OR INCIDENT

EXECUTION OF SEARCH AND ARREST WARRANT

6. ORIGINALLY CLASSIFIED AS

SAME

2. CLASSIFICATION

7. VICTIM'S NAME

STATE OF ILLINOIS

3. DIST.

8-H-2

8. ADDRESS

MOSP. WOODSTOCK, ILLINOIS

5. R.D. NUMBER

86-005776

9. Record here all developments in the case subsequent to the submission of the last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested. If offense classification is changed explain why. Indicate clearly disposition of property recovered and show property inventory number if in police possession.

Narrative:

ON FRIDAY 05/30/86 AT APPROXIMATELY 1900 HOURS, 16 AND OTHER MEMBERS OF THE MCHEMERY COUNTY SHERIFF'S OFFICE EXECUTED SEARCH AND ARREST WARRANTS AT 1016 ELMER STREET, BARKHURST. THE SUBJECTS TO BE ARRESTED WERE DAVID CHURCHMAN AND ALAN CAGNON, AND TWO ITEMS TO BE SEIZED INCLUDED SUSPECT CHURCHMAN'S CONTROLLED SUBSTANCE, AND ALL DRUG PARAPHERNALIA.

WHEN PRESENT AT THE ABOVE MENTIONED THE THREE WARRANTED SUBJECTS, DAVID CHURCHMAN, ALAN CAGNON, WERE MENTIONED AND ARRESTED, AND A SYSTEMATIC SEARCH OF THE PARAPHERNALIA WAS INITIATED. EXAMINATION OF THE SEARCH WARRANT CONCLUDED AT APPROXIMATELY 2200 HOURS ON 05/31/86, WITH A COPY OF THE SEARCH WARRANT LEFT IN A CONSPICUOUS LOCATION OF THE TOWN, (ATTACHED TO A WINDOW DOOR), AND ALL DOORS AND WINDOWS WERE LOCKED AND SURVEILLED.

THE ARRESTED SUBJECTS WERE TRANSPORTED TO THE MCHEMERY COUNTY JAIL FACILITY FOR BOOKING OR CONFINEMENT WITH A COURT DATE OF 06/06/86. ALL SEIZED ITEMS WERE PROVIDED AND SUMMED BY DETECTIVE HAY, SEE DETECTIVE TOWN HAY'S SUPPLEMENT REPORT FOR THE INDICATED EVIDENCE (80 86-005776)

SEE BARKHURST

10. STATUS (CHECK ONE)

Cleared by Arrest ☒NOT CLEARED ☐UNFOUNDED ☐

11. FURTHER POLICE ACTION AND REPORT REQUIRED

(CHECK ONE)

YES ☐NO ☐

REPORTING OFFICER

Kerrick - J. J. J. J.

STAR

REPORTING OFFICER

STAR

SUPERVISOR APPROVING

STAR

STAR

ARRESTED SUBJECTS AND CHARGES

NO. 1: GAGNON, DAVID A. CHARGES: UNLAWFUL DELIVERY OF CANNABIS
1016 ALVINE CHARGE 56 1/2 SECTION 705 (D) \$20,000 BOND

PRINCEY, ILL 60050 UNLAWFUL DELIVERY OF CANNABIS
DOB - 04-03-62 CHARGE 56 1/2 SECTION 705 (D) \$20,000 BOND

TX - 344-4274

NO. 2: GAGNON, CHARLIZE T. UNLAWFUL DELIVERY OF CANNABIS
1016 ALVINE CHARGE 56 1/2 SECTION 705 (D) \$20,000 BOND

PRINCEY, ILL 60050 UNLAWFUL DELIVERY OF CANNABIS
DOB 11-26-46 CHARGE 56 1/2 SECTION 707 (D) \$50,000 BOND
TX - 344-4274

NO. 3: GAGNON, RANN A. UNLAWFUL DELIVERY OF CANNABIS
1016 ALVINE CHARGE 56 1/2 SECTION 705 (D) \$20,000 BOND

PRINCEY, ILL 60050

DOB 05-09-46

TX 344-4274

NOTED

JULIEN

6-10-86

JUVENILE

CLEARED

McHenry County Sheriff's Dept.

DATE AND TIME PHONED TO RECORDING CENTER

SUPPLEMENTARY REPORT (Field)

1. OFFENSE OR INCIDENT	2. CLASSIFICATION	3. DIST.	5. R.D. NUMBER
Narcotics Investigation		8-H-2	86-5776
6. ORIGINALLY CLASSIFIED AS	7. VICTIM'S NAME	8. ADDRESS	
	Gagnon, David, Alan, Carolyn	1016 W. Elder, McHenry	

9. Record here all developments in the case subsequent to the submission of the last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested. If offense classification is changed explain why. Indicate clearly disposition of property recovered and show property inventory number if in police possession.

06-04-86 @ 1630 hrs. R/O met with Donna J. Gagnon and her mother, Carolyn Gagnon, in the Detective's room of the McHenry County Courthouse. R/O read Donna her rights under Miranda and she stated that she understood and would talk with R/O.

Donna said that she believed it was two or three months ago that a girl she knows as Lisa Pienschke met Donna at a friend's house and gave Donna a driver's license and told Donna she could use it for identification as Donna generally fit the physical of Wendy Carter. Donna did not wish to give the name of the friend's house that this conversation took place. Donna said that she did not attempt to use this driver's license as identification but she made no attempt to return it to the owner. See R.D. 86-6789.

With reference to the pipe and marijuana found in her purse on 05-30-86 at 2145 hrs., Donna said that she found the pipe by the beach near her house but that the marijuana was hers and she got it from a person she didn't want to name.

Donna was processed and released to her mother at 1700 hrs.

OFFENDER: GAGNON, DONNA J. F/W
 Employed: Bucket Brigade, 815-344-0443
 Mother: Carolyn Gagnon, same add. & phone
 DOB 07-25-70
 1016 W. Elder, McHenry, Ill. 60050
 815-344-4272
 see reverse

10. STATUS (CHECK ONE)	CLEARED BY ARREST ☒	NOT CLEARED ☐	UNFOUNDED ☐
11. FURTHER POLICE ACTION AND REPORT REQUIRED (CHECK ONE)			
YES ☐ NO ☒			
REPORTING OFFICER	STAR	REPORTING OFFICER	STAR
Det. Beverly D. Hendley		Det. [Signature]	
SUPERVISOR APPROVING		STAR	
[Signature]		[Signature]	

Charge: Unlawful Possession of Cannabis, Ch. 56½, 704 (b)

Also see R.D. 86-6789 and Fox Lake Police Department report #86-01525

DATE AND TIME PHONED TO RECORDING CENTER

SUPPLEMENTARY REPORT (Field)

McHenry County Sheriff's Dept.

1. OFFENSE OR INCIDENT

Unlawful Delivery Of Cannabis
6. ORIGINALLY CLASSIFIED AS

2. CLASSIFICATION

7. VICTIM'S NAME

State Of Illinois

3. DIST.

8-H-1

5. ADDRESS

MCSP, Woodstock, IL

5. R.D. NUMBER

86-05776

9. Record here all developments in the case subsequent to the submission of the last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested, if offense classification is changed explain why. Indicate clearly disposition of property recovered and show property inventory number if in police possession.

Narrative:

This case report involved the second Narcotics Controlled buy at 1016 W. Elder, McHenry. The same C.I. and officer Cundiff participated in this Unlawful Delivery Of Cannabis this date, 05/29/86.

R/O and officer Cundiff picked up the C.I. at his residence Thursday 05/29/85 @ 1820 hours. From the residence we proceeded to the parking lot of the Johnsbury Jr High School where the C.I. was thoroughly searched by R/O for contraband or U.S.C. on his person. After the search, approx 1830 hours, the C.I. (with officer Cundiff) was given U.S.C. for the purpose of purchasing CANNABIS from the residence located at 1016 W. Elder, McHenry. Officer Cundiff and the C.I. arrived at the said residence approx 1850 hours. The suspect, David Gagnon, met both the C.I. & Cundiff in the front yard of residence and stated that if they could front \$200.00, he could buy a pound of Cannabis because he already had \$900.00 saved up. The conversation continued in the residence where David's father, Alan Gagnon asked officer Cundiff if he wanted to play some pool. He further stated to officer Cundiff that he usually drives Dave to get the Cannabis but not tonight. The \$200.00 U.S.C. was given to David Gagnon inside the residence with an agreement that the two (2) lids of Cannabis (56 grams) could be picked up at about 2030 hours.

During the approx 90 minute wait for delivery, R/O, officer Cundiff and the C.I. went to a McHenry restaurant where the C.I. was kept under constant eye contact until the controlled buy was completed. The actual delivery of the

see reverse -----

10. STATUS
(CHECK ONE)

CLEARED BY ARREST ☐

NOT CLEARED ☐

UNFOUNDED ☐

11. FURTHER POLICE ACTION AND REPORT REQUIRED

(CHECK ONE)

YES ☐

NO ☐

REPORTING OFFICER

STAR

REPORTING OFFICER

STAR

SUPERVISOR APPROVING

STAR

Cannabis took place at approx 2210 hours in the basement, 1016 W.Elder, McHenry. Both the C.I. and officer Cundiff went to the basement area where Dave Gagnon and Alan Gagnon stood next to the work bench in the S/E section of basement. The two (2) clear plastic bags, containing the Cannabis, were on top of the work bench. The C.I. took the Cannabis and Mr Alan Gagnon stated would you like to weigh it. The C.I.'s response was, "No, thats O.K., we trust You". The C.I. and Cundiff left the residence and proceeded to R/O's location across from Johnsbury High School where the Cannabis was turned over to R/O as evidence. Dave Gagnon and Alan Gagnon claimed that Cannabis purchased this date was the better quality green stuff and was two (2) lids, #56 grams total. The C.I. was checked for any additional contraband or U.S.C. (except change from controlled buy). Suspect Cannabis secured at 2220 hours this date by R/O, controlled buy completed. The CI returned to his residence, R/O & officer Cundiff returning to the MCSF detective division office. The suspect Cannabis was field tested using the NIK, Narcotics Identification System and tested positive for the presence of Cannabis. Total weight including the clear plastic bags, #56 grams. Amount paid by the C.I., \$200.00. Field test performed 2345 hours this date.

Offenders : #1 Gagnon, David A. M/W/ 04-03-67 1016 W.Elder, McHenry

#2 Gagnon, Alan A. M/W/ 05-09-46 1016 W.Elder, McHenry

Witness : Officer A.Cundiff #306, Harvard Police Department

Evidence : All property recovered in this case will be inventoried under RD #86-05776

INVESTIGATION TO CONTINUE

CLEARED JUVENILE

McHenry County Sheriff's Dept.

SUPPLEMENTARY REPORT (Field)

DATE AND TIME PHONED TO RECORDING CENTER
INDEXED
1. OFFENSE OR INCIDENT
Unlawful Delivery of Cannabis
2. ORIGINALLY CLASSIFIED AS
Unlawful Delivery of Cannabis
3. Record here all developments in the case subsequent to the submission of the last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested. If offense classification is changed explain why. Indicate clearly disposition of property recovered and show property inventory number if in police possession.

2. CLASSIFICATION
3. DIST.
8-H-1
8. ADDRESS
M.C.S.P.
7. VICTIM'S NAME
State of Illinois

On 05-30-86 @ 1905 hours R/O arrived at 1016 W. Elder Street in McHenry pursuant to a search warrant.

At 1913 hours R/O and Detective Beverly Hendle began interviewing those individuals who were found in the residence at the time of the execution of the search warrant. For details of these interviews, see Detective Beverly Hendle's supplement to this R.D.

At 2315 hours, a search of the residence was started with the following officers involved in the search, Detective Ronald Page, Detective Beverly Hendle, Detective Thomas Monday, Detective George Shirey, Deputy Ron Salgado and additional searchers which joined later were Sergeant Larry Macheroux, Detective Chris Pandre, Detective Keith Grabowski and Deputy Joe Eisele.

The following is a list of the items recovered during the search warrant, the location they were found, the officer who found them and the time that officer turned those items over to R/O:

- Item #1 found in Alan Gagnon's rear pocket by Sergeant Glen Olson and turned over to R/O at 2330 hours.
- Item #2 found on the person of a female subject at the residence by Sergeant Olson and turned over to R/O at 2330 hours.
- Item #3 found in Donna Gagnon's purse by Detective Beverly Hendle and turned over to R/O

10. STATUS (CHECK ONE)
CLEARED BY ARREST ☒ NOT CLEARED ☐ UNFOUNDED ☐
11. FURTHER POLICE ACTION AND REPORT REQUIRED (CHECK ONE) YES ☐ NO ☒

REPORTING OFFICER
Det. Thomas T. Hay
STAR
SUPERVISOR APPROVING
STAR

at 2350 hours.

Item #4 found in Donna Gagnon's purse by Detective Beverly Hendle and turned over to R/O at 2350 hours.

Item #5 found in Donna Gagnon's purse by Detective Beverly Hendle and turned over to R/O at 2350 hours.

Item #6 found in David Gagnon's headboard given to Detective Beverly Hendle by David Gagnon and turned over to R/O at 2355 hours.

Item #7 found in David's closet on the floor previously pointed out to R/O and Detective Beverly Hendle by Alan Gagnon and David Gagnon during the interviews and turned over to R/O by Detective Beverly Hendle at 2355 hours.

Item #8 found in David Gagnon's closet shelf by Detective Ronald Page and turned over to R/O at 2400 hours.

Item #9 found in David Gagnon's closet by Detective Ronald Page and turned over to R/O at 0005 hours.

Item #10 found in David Gagnon's room in the second drawer of a jewelry type box by

Detective Beverly Hendle and turned over to R/O at 0005 hours.

Item #11 found in the David Gagnon's bedroom in the second drawer of a jewelry type box by Detective Beverly Hendle and turned over to R/O at 0005 hours.

Item #12 found in David Gagnon's room in a second drawer of a jewelry type box by Detective Beverly Hendle and turned over to R/O at 0005 hours.

Item #13 found in David Gagnon's room in the third drawer of a jewelry type box by

Detective Beverly Hendle and turned over to R/O at 0005 hours.

Item #14 found in David Gagnon's room in a third drawer to a jewelry type box by Detective

at 0005 hours.

CONTINUATION SHEET (Field)

GE NUMBER	KIND OF REPORT CONTINUED	OFFENSE - CHARGE OR INCIDENT	NAME OF VICTIM OR ARRESTEE	ARREST OR R.O. NUMBER
2	Supplementary Report	Unlawful Delivery	State of Illinois	86-05776
Item #15 found in the northwest corner bedroom, Donna Gagnon's room, by Detective George Shirey and turned over to R/O at 0015 hours.				
Item #16 found in David Gagnon's closet by Detective Ron Page and turned over to R/O at 0015 hours.				
Item #17 found in Carolyn Gagnon's bedroom underneath the bed by Deputy Ron Salgado and turned over to R/O at 0020 hours.				
Item #18 found in Donna Gagnon's bedroom in a box by Detective George Shirey and turned over to R/O at 0030 hours.				
Item #19 found in David Gagnon's headboard by Detective Ron Page and turned over to R/O at 0030 hours.				
Item #20 found in a tool box on the work bench in the basement by Deputy Joe Eisele and turned over to R/O at 0040 hours.				
Item #21 found in a tool box on the work bench by Deputy Joe Eisele and turned over to R/O at 0040 hours.				
Item #22 found in a tool box on the work bench in the basement by Deputy Joe Eisele and turned over to R/O at 0045 hours.				
Item #23, there is no item #23 due to R/O itemizing numbers from 22 to 24 and forgetting to list one as 23, no item was ever cataloged as item #23.				
Item #24 found on the tool bench in the basement by Deputy Joe Eisele and turned over to R/O at 0050 hours.				
Item #25 found in the drawers underneath David Gagnon's bed by Detective Ronald Page and				

Item #26 found in the drawers under David Gagnon's bed by Detective Ronald Page and turned over to R/O at 0055 hours.

Item #27 found in Carolyn Gagnon's right middle dresser drawer by Deputy Ron Salgado and turned over to R/O at 0055 hours.

Item #28 found in Carolyn Gagnon's bedroom right middle dresser drawer by Deputy Ron Salgado and turned over to R/O at 0055 hours.

Item #29 found on the work bench in the basement by Detective Chris Pandre and turned over to R/O at 0055 hours.

Item #30 found in the basement on a shelf in the southeast corner by Deputy Joe Eisele and turned over to R/O at 0100 hours.

Item #31 found under the work bench in the basement by Deputy Joe Eisele and turned over to R/O at 0100 hours.

Item #32 found on the work bench in the basement by Detective Chris Pandre and turned over to R/O at 0105 hours.

Item #33 found in the living room closet by Detective Ronald Page and turned over to R/O at 0110 hours.

Item #34 found under the kitchen sink by Detective George Shirey and turned over to R/O at 0115 hours.

Item #35 found on the living room coffee table by Deputy Ron Salgado and turned over to R/O at 0130 hours.

Additional items were recovered by Detective Chris Pandre at a later date, that being U.S.C. found on the person of David Gagnon, Alan Gagnon, and Carolyn Gagnon. These items were inventoried by Detective Pandre.

(OVER)

CONTINUATION SHEET (Field)

McHenry County Sheriff's Dept.

PAGE NUMBER 3	KIND OF REPORT CONTINUED Supplementary Report	OFFENSE - CHARGE OR INCIDENT Unlawful Delivery	NAME OF VICTIM OR ARRESTEE State of Illinois	ARREST OR R.O. NUMBER 86-05776
------------------	--	---	---	-----------------------------------

The above items were then packaged and sealed and initialed by R/O with the name of the officer who turned them over to R/O-listed on the sticker on the bag. These items were then placed into evidence by R/O.

Item #7 in the initial discovery had contained \$25 in U.S.C. This \$25.00 was later removed from Item #7 and placed with other U.S.C. in Item #39. So that Item #7 could be sent to the Illinois State Crime Lab for analysis.

Item #7 had been field tested by Detective Pandre on 05-31-86 @ 0300 hours and proved positive for containing cannabis. Detective Pandre also weighed the substance in Item #7 and its weight came to be 230 grams.

This case had been previously cleared by arrest.....

DATE AND TIME PHONED TO RECORDING CENTER

SUPPLEMENTARY REPORT (Field)

McHenry County Sheriff's Dept.

1. OFFENSE OR INCIDENT	2. CLASSIFICATION	3. DIST.	5. R.D. NUMBER
Narcotics Violation		8-H-2	86-005776
6. ORIGINALLY CLASSIFIED AS	7. VICTIM'S NAME	8. ADDRESS	
Narcotics Violation	Gagnon, David	1016 Elder	McHenry
9. Record here all developments in the case subsequent to the submission of the last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested. If offense classification is changed explain why. Indicate clearly disposition of property recovered and show property inventory number if in police possession.			

On May 30, 1986 @ approximately 1915 hours, while executing a search warrant at the Gagnon residence, 1016 Elder, McHenry. I was requested by Under Sheriff Hendle to interview a subject later identified as Jeffery A. Callahan (M/W, DOB 08-10-69). I was advised by Under Sheriff Hendle that this subject had come to the residence looking for a subject taken into custody David A. Gagnon.

I then took Callahan to a bedroom located at the northwest corner of the home and interviewed him. Prior to the interview, I conducted a pat down search of Callahan and located a silver colored pipe containing a small amount of residue in Callahan's right front jean pocket. I removed the pipe from the pocket then questioned Callahan as to the reason he was at the Gagnon residence. Callahan stated that he had come to the residence to visit David Gagnon as they had been friends for a long time. It was also learned that Callahan has purchased small quantities of marijuana from Gagnon in the past. Callahan stated that approximately one month ago he purchased one gram of marijuana from Gagnon for an unknown amount of money. I advised Callahan that I would be seizing the pipe found in his pocket and entering it in evidence. Callahan was then released.

At approximately 2027 hours, Detective Lockhart requested I assist him with a black over gold older model Chevrolet Nova (IL 86 RYJ 758) which he had stopped on the roadway approximately two houses east of the Gagnon residence. Detective Lockhart advised me that he had questioned these

10. STATUS (CHECK ONE)	CLEARED ☒	NOT CLEARED ☐	UNFOUNDED ☐
------------------------	---	--------------------------------------	------------------------------------

11. FURTHER POLICE ACTION AND REPORT REQUIRED	
(CHECK ONE)	YES ☐ NO ☒
REPORTING OFFICER	STAR SUPERVISOR APPROVING
<i>David A. Gagnon</i>	<i>David A. Gagnon</i>

subjects, then searched their vehicle obtaining several items which could be used for "snorting" cocaine. Upon arrival, I was advised by Detective Lockhart that he had located a mirror, partially smoked hand rolled cigarette, a "Stanley knife" knife blade, a piece of white rolled plastic, a wire clip and a package of Zig Zag Kutcorners rolling papers. These items were sitting on top of the right side of the roof of the vehicle. I then questioned the driver of the vehicle, a David K. Hopp (M/W, DOB 09-11-69) and learned the following: On the evening of May 29, another subject in the vehicle a Rob Ridge had purchased a quarter gram of cocaine from the Wright residence on Coolidge Drive, McHenry for \$25.00. Prior to being stopped, Hopp, his cousin Michael S. Hopp (M/W, DOB 05-22-69) and Rich had taken the cocaine to a beach somewhere along the river in the Sunnyside area and snorted the cocaine. Through further questioning, it was learned that at the time of the stop, they were enroute to the Gagnon residence to purchase marijuana. I then requested and Hopp agreed to make a written statement reference the incident. Copy of statement attached to this supplement.

At approximately 2050 hours, I interviewed Michael S. Hopp (M/W, DOB 05-22-69) reference the incident. It was learned that Michael Hopp was a passenger in the vehicle and Hopp agreed to make a statement reference the incident. Hopp stated that he has been dealing with David Gagnon but not for the past four or five months. He stated that on May 29, he bought a quarter gram of cocaine from Gagnon and that the week before on what he believed to be Thursday, May 22, he bought a gram of marijuana from Gagnon. Hopp stated that he has purchased marijuana from Gagnon on nine or ten occasions and that they were enroute to Gagnon's residence to purchase marijuana when they were stopped by Detective Lockhart. Michael Hopp stated that he has purchased marijuana from Gagnon in his bedroom where Gagnon normally keeps it in his roll top desk and another time it was sold to him by David Gagnon in the kitchen of the home. Michael Hopp also agreed to make a written statement reference the incident which was completed at 2058 hours. Copy of statement attached to this report.

Investigation conducted by Detective Lockhart within David Hopp's vehicle was seized

CONTINUATION SHEET (Field)

McHenry County Sheriff's Dept.

PAGE NUMBER	KIND OF REPORT CONTINUED	OFFENSE - CHARGE OR INCIDENT	NAME OF VICTIM OR ARRESTEE	ARREST OR R.D. NUMBER
2	Supplementary Report	Narcotics Violation	Gagnon, David	86-005776

by me and entered into evidence for destruction only as was the silver colored pipe with black residue which was seized from Callahan.

No further action taken at this time. For further information see supplements by Detectives Hay and Pandre.

Subjects Interviewed: #1 Callahan, Jeffery A. DOB 08-10-69

4403 Maple Leaf, McHenry

TX: 815-385-0866

#2 Hopp, David K. DOB 09-11-69

3602 N. Fairview, McHenry

TX: 815-385-4464

Work TX: 815-385-1430

#3 Hopp, Michael S. DOB 05-22-69

2013 Sunnyside Beach Drive, McHenry

TX: 815-385-8258

PROPERTY INVENTORY

1. Offense <u>Pos Controlled Substance</u>	2. Date and Time <u>5/30/86 10:45PM</u>	3. R.D. Number <u>86-005776</u>
4. Location <u></u>	5. Found ☐ Recovered ☐ Evidence ☐ Confiscated ☐ Safekeeping ☒ Confiscated For Destruction Only ☐	6. Where Property Secured EVIDENCE VAULT
7. Received From <u>DAVID GAGNON, 1016 ELDER, McHENRY, IL</u>	TX No.: <u></u>	9. Location in Property Room <u>Large Safe #5</u>
8. Subject Arrested <u></u>	Address <u></u>	

10. Item	11. Quantity	12. Description (Size, Make, Color, Model No., Serial No. etc.)	DEPT. RECEIPT	Received From	Items No.	as shown on Property Inv.	Sig.	Date
1	1	\$2.00 BILL S# A46939506A 1953-A						
2	1	\$20.00 BILL S# G22205764A						
3	1	\$1.00 BILL S# H63222515A						
4	2	PEACE DOLLARS (1922 1922)						
5	1	1922 PROOF SET						
6	1	1935 WALKING LIBERTY .50c						
7	1	KENNEDY 1964 .50c						
8	1	1959 B. FRANKLIN .50c						
9	1	1962 QUARTER 1 1966 PENNY						
10	1	COIN BOOK CONT 1946 THRU 1955D + 1956 THRU 1969D + 1970D, 1974, 1994D						
		TOTAL: 57 DIMES -						
11	1	Plastic Bag containing 4 Dime Dollars + 1.50c						
12. Reporting Officer <u>H. B. Smith</u>	14. Supervisor <u>H. B. Smith</u>	15. Property Officer <u>H. B. Smith</u>	Date/Time <u>5/30/86</u>	Locker <u>2300</u>				

CLEARED

SUPPLEMENTARY REPORT (Field)

McHenry County Sheriff's Dept.

DATE AND TIME PHONED TO RECORDING CENTER

1. OFFENSE OR INCIDENT	2. CLASSIFICATION	3. DIST.	5. R.O. NUMBER
Unlawful Delivery of Cannabis 6. ORIGINALLY CLASSIFIED UPON TO	7. VICTIM'S NAME	8. ADDRESS	86905776
Unlawful Delivery of Cannabis	State of Illinois	MCSO	
3. Record here all developments in the case subsequent to the submission of the last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested. If offense classification is changed explain why. Indicate clearly disposition of property recovered and show property inventory number if in police possession.			

06/16/86 it was noticed that there were two evidence inventory numbers 1-13. One issued by

Det. ctive Donald Lockhart and one issued by R/O.

Items 1-13 by Det. Lockhart were items taken for safe keeping at the Defendant, David Gagnon's request. These items are not considered evidence and have no involvement in the above case. These items will be returned to David Gagnon upon his request.

Items 1-13 by R/O are evidence in the above case and have been seized through a search warrant.

To clarify the identification of these items it should be noted that they will be referred to as "items 1-13=Lockhart" and "items 1-13=Hay".

This case previously cleared.

10. STATUS (CHECK ONE) CLEARED BY ARREST ☒ NOT CLEARED ☐ UNFOUNDED ☐

11. FURTHER POLICE ACTION AND REPORT REQUIRED (CHECK ONE) YES ☐ NO ☒

REPORTING OFFICER: [Signature] STAR SUPERVISOR-APPROVING: [Signature] STAR

A F F I D A V I T

Chris Pandre, being first duly sworn on oath, deposes and says:

1. That he is employed by the McHenry County Sheriff's Department, having been so employed for the past 8 1/2 years, being currently assigned as a Detective;

2. That during the course of duty, your affiant was assigned to investigate the unlawful sale of illegal drugs at the premises located at 1016 W. Elder, McHenry County, Illinois, being a one story ranch frame house, beige in color, with an east side driveway;

3. That on May 14, 1986, your affiant had a conversation with a confidential informant in which said confidential informant has purchased, approximately 12 times, drugs from David Gagnon and his mother, Carolyn Gagnon, at the above captioned location, and that said confidential informant purchased mostly brown and green cannabis, but he can obtain cocaine and blotter acid from said subjects at said location;

4. That your affiant further states that over an eight month period, he has received numerous complaints from area residents surrounding 1016 N. Elder, McHenry County, Illinois, of heavy vehicular traffic, mostly teenagers, arriving at said address, stopping for a short while, and then leaving immediately thereafter;

5. That your affiant further states that said heavy vehicular traffic occurs mostly late afternoon and throughout the evening seven days a week;

6. That your affiant had a conversation with Detective George Shirey of the McHenry County Sheriff's Police in mid to late April, 1986, and he related to your affiant that a juvenile in custody for possession of cannabis has informed Detective George Shirey that he has purchased cannabis from one David Gagnon at the residence located at 1016 W. Elder, McHenry County, Illinois, and at Johnsonburg High School, Johnsonburg, McHenry County, Illinois, but that said juvenile does not want to get involved, and that said David Gagnon can get any type of drug you want;

7. That your affiant had a conversation with Deputy Ron Salgado of the McHenry County Sheriff's Police some time during mid to late April, in which Deputy Salgado stated that he had the premises located at 1016 E. Elder, McHenry County, Illinois, under surveillance for a total of 14 hours on April 7, 8, 11, and 12, 1986, and that during said surveillance he observed 41 different motor vehicles arrive at said location containing a total

of 65 people, all of them appearing to be teenagers, and that they would proceed directly to a back door of said residence, even though the front door to said residence was closer and more convenient, would stay for approximately five minutes at said location and then leave;

8. That your affiant had a subsequent conversation with Deputy Ron Salgado on May 23, 1986 in which Deputy Salgado informed your affiant that he again had the above stated premises under surveillance for between the hours of 6:00 p.m. and 9:00 p.m. on May 23, 1986, during which time he observed five different motor vehicles arrive at said location, and observed approximately 12 different people walk inside the house, and leave shortly thereafter;

9. That on May 14, 1986, your affiant had a conversation with the confidential informant in which he stated that he went to 1016 W. Elder, McHenry County, Illinois, on May 14, 1986, and purchased a 40 grams of cannabis from David Gagnon's mother, Carolyn Gagnon, said 40 grams of cannabis being weighed and packaged from a larger quantity of cannabis located in the kitchen area of said residence;

10. That immediately prior to the above transaction on May 14, 1986, your affiant searched the confidential informant and did not find any contraband or United States Currency on his person, and your affiant gave the confidential informant United States Currency for the purchase of cannabis at said residence, and that said confidential informant was entered the above premises, and that said confidential informant was found to have in his possession 40 grams of cannabis, and had no United States Currency in his possession, which cannabis he turned over to an undercover police officer at the scene and which was subsequently tested positive for the presence of cannabis, and weighed at 40 1/2 grams;

11. That on May 29, 1986, your affiant had a conversation with the confidential informant in which said confidential informant advised your affiant that he was going to go to the above premises and attempt to purchase additional quantities of cannabis from David Gagnon;

12. That in a subsequent conversation on May 29, 1986, the confidential informant informed your affiant that he went to the above premises and spoke with David Gagnon, and David Gagnon had \$900.00 and needed the confidential informant to front him \$200.00 so that David Gagnon could purchase one pound of cannabis for \$1,100.00, and that your confidential informant did give David Gagnon \$200.00 and an agreement was made to pick up the cannabis at 8:30 p.m. the same evening, May 29, 1986, at the above described location;

SUBSCRIBED & SWORN before me this 30th day of May, 1986.

AFFIANT

FURTHER AFFIANT SAYETH NOT.

WHEREFORE, your affiant believes that based upon the above information, that there is still a quantity of cannabis in the residence located at 1016 W. Elder, McHenry County, Illinois.

16. That on May 29, 1986 at 10:20 p.m., your affiant had a conversation with the undercover police officer who accompanied the confidential informant to the above described residence for the purchase of cannabis on May 29, 1986, and that the undercover police officer informed your affiant that he was present during the initial conversation about the \$200.00 being needed by David Gagnon to purchase one pound of cannabis, and was also present during the actual delivery and purchase of the 56 grams of cannabis in the basement of the above described residence.

15. That your affiant obtained the purchased cannabis from the confidential informant and that your affiant tested and weighed said cannabis, said cannabis testing positive for the presence of cannabis and weighing 56 grams;

14. That prior to the confidential informant's first entry to the residence aforementioned, your affiant searched the confidential informant and he did not possess any contraband or United States currency, and that your affiant gave the confidential informant United States currency for the sole purpose of purchasing cannabis from David Gagnon at the above premises, and that the confidential informant was under constant surveillance by the undercover police officer until the time that the purchased cannabis was turned over to your affiant;

13. That the confidential informant further advised your affiant that in the evening on May 29, 1986, the confidential informant and an undercover police officer returned to the residence at 1016 W. Elder, McHenry County, Illinois, and did then purchase 56 grams of cannabis from David Gagnon in the basement of said residence;

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 19th JUDICIAL CIRCUIT
McHenry COUNTY

COMPLAINT FOR SEARCH WARRANT

DETECTIVE CHRIS PANDRE

complainant now appears before the undersigned

Judge of the Circuit Court of said County and requests the issuance of a search warrant to search (the person of single family one story ranch frame house, beige in color, with an east side gravel driveway, with ~~and~~ detached shed, commonly known as 1016 W. Elder, McHenry, McHenry County, Illinois ^(premises) DAVID GAGNON, CAROLYN GAGNON, ALAN GAGNON and seize the following instruments, articles and things which have been used in the commission of, or which

constitute evidence of, the offense of Unlawful Possession of Cannabis; Unlawful Delivery of Cannabis; Unlawful Possession of Controlled Substance; Unlawful Delivery of Controlled Substance

Cannabis; Any and all drugs and/or drug paraphernalia; Any and all illegal drugs, controlled substance

Complainant says that he has probable cause to believe, based upon the following facts, that the above listed things to be seized are now located upon the (person and) premises set forth above:

(See attached Affidavit)

(Complainant)

Signed and sworn to before me

May 30

, 19 86

(Judge)

No Carbon Required

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE 19th JUDICIAL CIRCUIT

McHenry COUNTY

The People of the State of Illinois

vs.

single family one story ranch frame house, beige in color, with an east side gravel driveway, with detached shed, commonly known as 1016 W. Elder, McHenry, McHenry County, Illinois, DAVID GAGNON, CAROLYN GAGNON Defendant, ALAN GAGNON

SEARCH WARRANT

TO ALL PEACE OFFICERS OF THE STATE OF ILLINOIS or _____:

ON THIS DAY DETECTIVE CHRIS PANDRE, COMPLAINANT, HAS SUBSCRIBED

and sworn to a complaint for search warrant before me. Upon examination of the complaint I find that

it states facts sufficient to show probable cause and I therefore command that (the person of _____

DAVID GAGNON, CAROLYN GAGNON, ALAN GAGNON _____ and)

single family one story ranch frame house, beige in color, with an east side gravel driveway, with detached shed, commonly known as

1016 W. Elder, McHenry, McHenry (premises) County, Illinois

be searched and the following instrument, articles and things which have been used in the commission

UNLAWFUL POSSESSION/DELIVERY OF CANNABIS of, or which constitute evidence of, the offense of UNLAWFUL POSSESSION/DELIVERY be seized OF CONTROLLED SUBSTANCE

therefrom:

Any and all illegal drugs

IN THE CIRCUIT COURT OF THE 19th JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

-vs-

CAROLYN GAGNON
DAVID GAGNON
ALAN GAGNON

No. 86 CF 485
86 CF 486
86 CF 487
86 CF 500

FILED
McHENRY COUNTY, ILLINOIS

OCT 10 1986

NOTICE OF MOTION

Mr. Gary Pack
To McHenry County State's Attorney's Office
McHenry County Courthouse
2200 N. Seminary Avenue
Woodstock, IL 60098

VERNON W. KAYS, JR.
CLERK OF THE CIRCUIT COURT

On October 10, 1986, at 9:00 a. m., or as soon thereafter as
counsel may be heard, I shall appear before the Honorable judge presiding or any judge sitting in
his stead, in the courtroom usually occupied by him in Court House, 2200 N. Seminary Avenue
(Route 47), Woodstock, Illinois and then and there ask that a Motion to
Continue be heard, a copy of which is attached hereto.

Michael J. McNerney
Michael J. McNerney

Name Ellis & McNerney

Attorney for Defendant

Address 138 Cass Street, P.O. Box 703

City Woodstock, IL 60098

Telephone 815/338-0060

Copy received _____, 19____, at _____, m.

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, McHENRY COUNTY, ILL.

PEOPLE OF THE STATE OF ILLINOIS)

-VS-

FILED
McHENRY COUNTY, ILLINOIS)

CAROLYN GAGNON
DAVID GAGNON
ALAN GAGNON

OCT 10 1986

VERNON W. KAYS, JR.)
CLERK OF THE CIRCUIT COURT

No. 86 CF 485
86 CF 486
86 CF 487
86 CF 500

MOTION TO CONTINUE

Now come CAROLYN, DAVID, and ALAN GAGNON, by their
attorney, Michael J. McNerney, and states as follows:

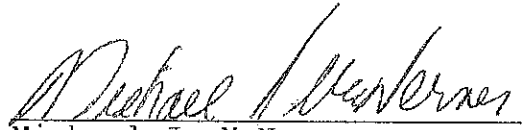
1. The court has previously entered an order granting
the above-named defendants the right of discovery.
2. The State has filed an Answer to Discovery and
a Supplemental Answer to Discovery, wherein, they have indicated
that a confidential informant was utilized and that his name
is William Wijas.
3. The State has informed attorney Michael J. McNerney
that sentence concessions were made to William Wijas to get
him to cooperate in the undercover investigation. The charges
pertaining to those discussions have not been supplied to the
defense and they are necessary for the defense to be prepared
in this matter.

WHEREFORE, attorney Michael J. McNerney respectfully
requests this Honorable Court to enter an order continuing

LAW OFFICES

MR. REILLY, PRATHER,
MCNERNEY & GRAHAM
120 N. FRONT STREET
McHENRY, ILLINOIS 60050
(815) 385-1313
138 CASS STREET
P.O. BOX 703
MADISON, ILLINOIS 60058
(815) 338-0060

this matter for trial.


Michael J. McNerney

LAW OFFICES
MR. REILLY, PRATHER,
MCNERNEY & GRAHAM
120 N. FRONT STREET
SPRINGFIELD, ILLINOIS 60050
(815) 385-1313

138 CASS STREET
P.O. BOX 703
SPRINGFIELD, ILLINOIS 60098
(815) 338-0060

STATE OF ILLINOIS)
) SS.
COUNTY OF MCHENRY)

IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT
MCHENRY COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS)
)
 - vs -)
)
DAVID A. GAGNON)

No. 86 CF 484

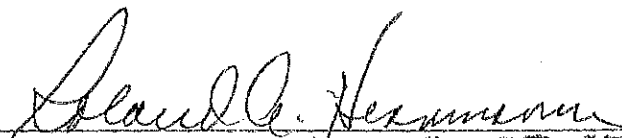
A G R E E D O R D E R

THIS MATTER coming before the Court by agreement of the parties, it being stipulated by the parties that \$10,000.00 (Ten Thousand Dollars) be declared proceeds from illegal drug activity conducted inside the dwelling located at 1016 W. Elder, McHenry, McHenry County, Illinois;

WHEREFORE, by agreement of the parties and as part of the negotiated plea entered in the above captioned matter;

IT IS HEREBY ORDERED that the defendant will consent to a stipulated forfeiture of \$10,000.00 (Ten Thousand Dollars) pursuant to a forfeiture complaint to be filed by the United States Attorneys Office under the laws of the United States against the said dwelling and property, and will not contest such forfeiture;

IT IS FURTHER ORDERED that the State will not seek to have any further amounts of United States Currency or any of the property seized or forfeitued whether under the laws of the United States or the State of Illinois.

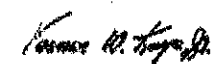

JUDGE

FILED
MCHENRY COUNTY, ILLINOIS

ENTERED: 2-17-87

STIPULATED TO: David A. Gagnon
DAVID A. GAGNON

FEB 17 1987


Clerk of the Circuit Court

CIRCUIT COURT FOR THE 19th JUDICIAL CIRCUIT

STATE OF ILLINOIS
COUNTY OF McHENRY

SS

86CF 484-5-7

GEN. NO. _____

☐ Jury ☐ Non-Jury

People

vs.

DAVID, ALAN and CAROLAN
BARNER

Date

2/17/87

Plaintiff's
Attorney

McArdle

Defendant's
Attorney

McKewen

ORDER

ON motion and Stipulation

The Court orders that the Balance
of the Bond shall be paid to Attorney
Michael J. McKewen

FILED
McHENRY COUNTY, ILLINOIS

FEB 17 1987

James W. Hayes Jr.

Clerk of the Circuit Court

Judge

Richard Q. Henneman

CIRCUIT COURT FOR THE 19th JUDICIAL CIRCUIT

STATE OF ILLINOIS
COUNTY OF McHENRY

SS

GEN. NO.

86 CF 484

86 CF 485

86 CF 487

☐ Jury ☐ Non-Jury

People

vs.

ALAN, DAVID AND CAROLYN
BOGNO

Date

2/17/87

Plaintiff's
AttorneyDefendant's
Attorney

ORDER

The Court orders:

- 1) ALAN BOGNO MAY LIVE IN THE
STATE OF WISCONSIN
- 2) THE BONDS MAY BE RELEASED
WITH OUT A BOND SLEEP

FILED
McHENRY COUNTY, ILLINOIS

FEB 17 1987

Kurtis W. Hays Jr.

Clerk of the Circuit Court

Judge

Robert A. Henderson

STATE OF ILLINOIS)
) SS IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT,
COUNTY OF McHenry) McHenry COUNTY, ILLINOIS
PEOPLE OF THE STATE OF ILLINOIS) GEN. NO. 86 of 484
)
vs.)
DAVID A BAGNON)

ORDER AND CERTIFICATE OF FELONY PROBATION/CONDITIONAL DISCHARGE

This cause comes on to be heard for sentencing. Defendant is present in person and by counsel. The above named Defendant has been heretofore adjudicated guilty of the Crime(s) of

Unlawful Delivery of Cannabis 2 Count

The Court, pursuant to Illinois Revised Statutes, Chapter 38, Sec. 1005-4-1, has:

- a. Considered all the evidence, if any, received upon the trial or the stipulation of facts or the factual basis for the adjudication of guilt;
- b. Considered the presentence investigation report, if any;
- c. Considered the evidence and information offered, if any, by the parties in aggravation and mitigation;
- d. Heard arguments as to sentencing alternatives;
- e. Considered the agreement, if any, of the parties to imposition of a specific sentence;
- f. Afforded the Defendant an opportunity to make a statement in his/her own behalf; and based upon an independent assessment of all of the above,

THE COURT FINDS as follows:

1. In accordance with Illinois Revised Statutes, Chapter 38, Sec. 1005-5-3.1, the following factors of MITIGATION are present:
 - ☐ The Defendant's criminal conduct neither caused nor threatened serious physical harm to another person.
 - ☐ The Defendant did not contemplate that his/her criminal conduct would cause or threaten serious physical harm to another.
 - ☐ The Defendant acted under a strong provocation.
 - ☐ There were substantial grounds tending to excuse or justify the Defendant's conduct, though failing to establish a defense.
 - ☐ The commission of the offense was induced or facilitated by someone other than the Defendant.
 - ☐ The Defendant has compensated or will compensate the victim for the damage or injury.
 - ☐ The Defendant has no history of prior delinquency or criminal activity or he/she has led a law abiding life for a substantial period before the commission of the present crime.
 - ☐ The Defendant's conduct was a result of circumstances unlikely to recur.
 - ☒ The Defendant's character and attitudes indicate he/she is unlikely to commit another crime.
 - ☒ The Defendant is likely to comply with the terms of a period of probation.
 - ☐ The imprisonment of the Defendant would entail excessive hardship on his/her dependents.
 - ☐ The imprisonment of the Defendant would endanger his/her medical condition.
 - ☐ Other mitigating factors, if any, considered by the Court: _____
2. In accordance with Illinois Revised Statutes, Chapter 38, Sec. 1005-5-3.2(a), the following factors of AGGRAVATION are present:
 - ☐ The Defendant inflicted or attempted to inflict serious bodily injury to another person.
 - ☐ The Defendant received compensation for committing the offense.
 - ☐ The Defendant has a history of prior delinquency or criminal activity.
 - ☐ The Defendant, by the duties of his/her office or by his position, was obligated to prevent the particular offense committed or bring the offenders committing it to justice.
 - ☐ The Defendant held public office at the time of the offense and the offense related to the conduct of that office.
 - ☐ The Defendant utilized his/her professional reputation in the community to commit the offense or to afford him/her an easier means of committing it.
 - ☒ The sentence is necessary to deter others from committing the same crime.
 - ☐ Other aggravating factors, if any, considered by the Court: _____

IT IS THEREFORE ORDERED as follows:

Having regard to the nature and circumstances of the offense and to the history, character, and conditions of the offender;

- ☒ 1. The Defendant is sentenced to a term of 24 months [probation] ~~[conditional discharge]~~ commencing this date and the conditions of said [probation] ~~[conditional discharge]~~ shall be as follows:
1. The Defendant shall not violate any criminal statute of any jurisdiction.
 2. The Defendant shall not leave the State of Illinois temporarily or permanently without the consent of the Court or the permission of the Adult Probation Division.
 3. The Defendant shall refrain from possessing a firearm or other dangerous weapon.
 4. The Defendant shall report immediately to the Adult Probation Division and at such other times as directed by the Probation Officer.
 - ☒ 5. The Defendant shall pay through the office of the Circuit Clerk a fine of \$_____ as follows: _____ and a court costs of \$_____ as follows: within one year.
 - ☐ 6. The Defendant shall make restitution to _____ in the amount of \$_____, which amount does not exceed actual out of the pocket expenses or loss proximately caused by the conduct of the Defendant with said restitution paid through the office of the Circuit Clerk.
 - ☐ 7. The Defendant shall perform _____ hours of Public Service work at the time and place as directed by the Public Service Unit of the Department of Court Services as follows: _____ and/or _____ at the rate of 20 hours per week unless engaged in full time employment or educational training.
 - ☐ 8. The Defendant shall undergo ☐ medical treatment, ☐ psychiatric treatment, ☐ treatment for drug addiction/alcoholism ☐ as follows: _____ and/or _____ as directed by the Probation Officer.
 - ☐ 9. The Defendant shall attend or reside in a facility established for the instruction or residence of defendants on probation or conditional discharge as follows: _____
 - ☒ 10. The Defendant shall permit the Probation Officer to visit him/her at home or elsewhere to the extent necessary to discharge the officer's duties and shall advise the Probation Officer of his/her residence, employment, conduct and shall furnish any other information relating to the conditions of his/her probation as may be required by the Probation Officer and cooperate with programs outlined for his/her welfare by the Probation Officer under whose charge he/she has been placed.
 - ☐ 11. The Defendant shall support his/her dependants.
 - ☒ 12. The Defendant is sentenced to the following term of imprisonment as a condition of the sentence and shall abide by the rules and regulations of said facility to which he/she is ordered:
 - ☒ A determinate term of 120 days in the custody of the County Sheriff,
 - ☐ A periodic determinate term of _____ weekends in the custody of the County Sheriff commencing _____ and/or serve _____ weekend(s) of the month for the months of _____
 - ☐ Other periodic imprisonment term of: _____
 - ☐ The Defendant is hereby given credit for the time spent in custody as a result of offense for which the sentence is imposed

- ☒ 13. Other conditions: Defendant shall get 9 days credit for time served while awaiting release on bond. The full sentence shall start March 3 1987 at 9:00 A.M. Probation to terminate on

A true copy of this order shall be furnished to Defendant as a Certificate of Probation or Conditional Discharge, setting forth the terms hereof.

ENTERED at Woodstock **FILED** McHENRY COUNTY, ILLINOIS day of FEBRUARY, 1987.

FEB 17 1987

JUDGE

I, the above-named Defendant, acknowledge the receipt of this document.

NAME

DATE

FILED
McHENRY COUNTY, ILLINOIS

MAY 5 - 1987

In 3-3-87

out 4-27-87

JAIL MITTIMUS-Circuit Court.

PLEAS,

Before the Hon. ROLAND A. HERRMANN one of the Judges of the Nineteenth Judicial Circuit of the State of Illinois, and presiding Judge of the McHenry County Court.

PRESENT - Hon. ROLAND A. HERRMANN Judge aforesaid.
THOMAS F. BAKER State's Attorney
GEORGE HENDLE Sheriff of Said County
Attest. VERNON W. KAYS, JR. Clerk of said Court.

BE IT REMEMBERED, To-wit: On the _____ day of _____ in the year last aforesaid, the following among the proceedings were had and entered of record in said Court, which proceedings were in the words and figures following, to-wit:

The People of the State of Illinois,

No. 86 CF 484 vs. David A. Gagnon

} Information for
2 counts Unlawful Delivery of Cannabis

This day come the said People by THOMAS F. BAKER State's Attorney and the said Defendant David A. Gagnon as well in his own proper person as by his Counsel he also come, and now neither the said Defendant nor his Counsel for him saying anything further why the judgement of the Court should not now be pronounced against him on the plea of guilty heretofore rendered in this cause. Therefore, it is ordered and adjudged by the Court that the said Defendant David A. Gagnon

be taken from the bar of this Court to the common jail of McHenry County, from whence he came, and the jailor of said County is hereby required and commanded to take the body of said Defendant David A. Gagnon

and confine him in said County Jail in safe and secure custody for and during the term of 120 days in McHenry County Jail with and that he credit for time served. Mittimus stayed to March 3, 1987 at 9:00 A.M. be thereafter discharged.

It is further ordered, that the said defendant pay all the costs of these proceedings and that execution issue therefor.

STATE OF ILLINOIS

McHenry County,

} ss.

I, VERNON W. KAYS, JR. Clerk of the

Circuit Court of the County of McHenry in the State aforesaid, do hereby certify that the above and foregoing is a true copy of the final judgement and sentence, entered of record of said Court in the case of the People of the State of Illinois versus David A. Gagnon

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of said Court, at Woodstock this 17th day of February A.D. 1987

Vernon W. Kays, Jr. Clerk.

To the Sheriff of McHenry County to Execute.

03-03-87

at 0900

STATE OF ILLINOIS)
) SS I. THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT,
COUNTY OF McHenry) McHenry COUNTY, ILLINOIS
PEOPLE OF THE STATE OF ILLINOIS) GEN. NO. 86 of 487
)
vs.)
DAVID A. BAGNON)

ORDER AND CERTIFICATE OF FELONY PROBATION/CONDITIONAL DISCHARGE

This cause comes on to be heard for sentencing. Defendant is present in person and by counsel. The above named Defendant has been heretofore adjudicated guilty of the Crime(s) of

UNLAWFUL DELIVERY OF CANNABIS 2 COUNTS

The Court, pursuant to Illinois Revised Statutes, Chapter 38, Sec. 1005-4-1, has:

- a. Considered all the evidence, if any, received upon the trial or the stipulation of facts or the factual basis for the adjudication of guilt;
- b. Considered the presentence investigation report, if any;
- c. Considered the evidence and information offered, if any, by the parties in aggravation and mitigation;
- d. Heard arguments as to sentencing alternatives;
- e. Considered the agreement, if any, of the parties to imposition of a specific sentence;
- f. Afforded the Defendant an opportunity to make a statement in his/her own behalf; and based upon an independent assessment of all of the above,

THE COURT FINDS as follows:

1. In accordance with Illinois Revised Statutes, Chapter 38, Sec. 1005-5-3.1, the following factors of MITIGATION are present:

- ☐ The Defendant's criminal conduct neither caused nor threatened serious physical harm to another person.
- ☐ The Defendant did not contemplate that his/her criminal conduct would cause or threaten serious physical harm to another.
- ☐ The Defendant acted under a strong provocation.
- ☐ There were substantial grounds tending to excuse or justify the Defendant's conduct, though failing to establish a defense.
- ☐ The commission of the offense was induced or facilitated by someone other than the Defendant.
- ☐ The Defendant has compensated or will compensate the victim for the damage or injury.
- ☐ The Defendant has no history of prior delinquency or criminal activity or he/she has led a law abiding life for a substantial period before the commission of the present crime.
- ☐ The Defendant's conduct was a result of circumstances unlikely to recur.
- ☒ The Defendant's character and attitudes indicate he/she is unlikely to commit another crime.
- ☒ The Defendant is likely to comply with the terms of a period of probation.
- ☐ The imprisonment of the Defendant would entail excessive hardship on his/her dependents.
- ☐ The imprisonment of the Defendant would endanger his/her medical condition.
- ☐ Other mitigating factors, if any, considered by the Court: _____

2. In accordance with Illinois Revised Statutes, Chapter 38, Sec. 1005-5-3.2(a), the following factors of AGGRAVATION are present:

- ☐ The Defendant inflicted or attempted to inflict serious bodily injury to another person.
- ☐ The Defendant received compensation for committing the offense.
- ☐ The Defendant has a history of prior delinquency or criminal activity.
- ☐ The Defendant, by the duties of his/her office or by his position, was obligated to prevent the particular offense committed or bring the offenders committing it to justice.
- ☐ The Defendant held public office at the time of the offense and the offense related to the conduct of that office.
- ☐ The Defendant utilized his/her professional reputation in the community to commit the offense or to afford him/her an easier means of committing it.
- ☒ The sentence is necessary to deter others from committing the same crime.
- ☐ Other aggravating factors, if any, considered by the Court: _____

IT IS THEREFORE ORDERED as foll

Having regard to the nature and circumstances of the offense and to the history, character, and conditions of the offender;

- ☒ 1. The Defendant is sentenced to a term of 24 months [probation] ~~[conditional discharge]~~ commencing this date and the conditions of said [probation] ~~[conditional discharge]~~ shall be as follows:
1. The Defendant shall not violate any criminal statute of any jurisdiction.
 2. The Defendant shall not leave the State of Illinois temporarily or permanently without the consent of the Court or the permission of the Adult Probation Division.
 3. The Defendant shall refrain from possessing a firearm or other dangerous weapon.
 4. The Defendant shall report immediately to the Adult Probation Division and at such other times as directed by the Probation Officer.
- ☒ 5. The Defendant shall pay through the office of the Circuit Clerk a fine of \$_____ as follows: _____ and a court costs of \$_____ as follows: with in one day
- ☐ 6. The Defendant shall make restitution to _____ in the amount of \$_____, which amount does not exceed actual out of the pocket expenses or loss proximately caused by the conduct of the Defendant with said restitution paid through the office of the Circuit Clerk.
- ☐ 7. The Defendant shall perform _____ hours of Public Service work at the time and place as directed by the Public Service Unit of the Department of Court Services as follows: _____ and/or _____ at the rate of 20 hours per week unless engaged in full time employment or educational training.
- ☐ 8. The Defendant shall undergo ☐ medical treatment, ☐ psychiatric treatment, ☐ treatment for drug addiction/alcoholism ☐ as follows: _____ and/or _____ as directed by the Probation Officer.
- ☐ 9. The Defendant shall attend or reside in a facility established for the instruction or residence of defendants on probation or conditional discharge as follows: _____
- ☒ 10. The Defendant shall permit the Probation Officer to visit him/her at home or elsewhere to the extent necessary to discharge the officer's duties and shall advise the Probation Officer of his/her residence, employment, conduct and shall furnish any other information relating to the conditions of his/her probation as may be required by the Probation Officer and cooperate with programs outlined for his/her welfare by the Probation Officer under whose charge he/she has been placed.
- ☐ 11. The Defendant shall support his/her dependants.
- ☒ 12. The Defendant is sentenced to the following term of imprisonment as a condition of the sentence and shall abide by the rules and regulations of said facility to which he/she is ordered:
- ☒ A determinate term of 120 days in the custody of the County Sheriff,
- ☐ A periodic determinate term of _____ weekends in the custody of the County Sheriff commencing _____ and/or serve _____ weekend(s) of the month for the _____ months of _____
- ☐ Other periodic imprisonment term of: _____
- ☐ The Defendant is hereby given credit for the time spent in custody as a result of offense for which the sentence is imposed

☒ 13. Other conditions: Defendant shall get 1/2 day credit for time served while awaiting release on bond. The Probation Officer shall start March 3 1987 at 9:00 A.M. PROBATION TO TERM DATE ON

A true copy of this order shall be furnished to Defendant as a Certificate of Probation or Conditional Discharge, setting forth the terms hereof.

FILED
ENTERED at Woodstock, McHENRY COUNTY, ILLINOIS of FEBRUARY, 1987.
COPY FEB 17 1987
Donald G. Hexman
JUDGE

I, the above-named Defendant, acknowledge the contents of this document.
David T. Sagon Clerk of the Circuit Court
NAME
DATE 2/17, 1987.
Page 2 of 2
174-96 3/85

STATE OF ILLINOIS)

COUNTY OF McHENRY)

IN THE CIRCUIT COURT, 19TH JUDICIAL CIRCUIT

PEOPLE

GEN. NO. 86-CF-484

V.

DAVID A. GAGNON

APPLICATION OF THE PROBATION OFFICER

The undersigned probation officer of this Court applies to the Court and the State's Attorney for a Court Order discharging the defendant from further probation supervision; and in support thereof states the facts to be:

Defendant was convicted of unlawful delivery of cannabis.

Defendant was sentenced February 17, 1987 to twenty-four months probation.

Defendant has complied with the terms of the sentence.

The undersigned recommends an order be entered discharging the defendant from further probation supervision.

February 17, 1989

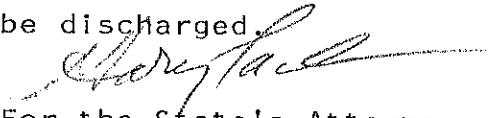
Fine *none*
Court costs *pd 2/17/87*
Restitution *none*
Public Service Employment *none*


Lori J. Kallestad

MOTION OF THE STATE'S ATTORNEY

Based upon the foregoing premises:

The State moves that the defendant be discharged.

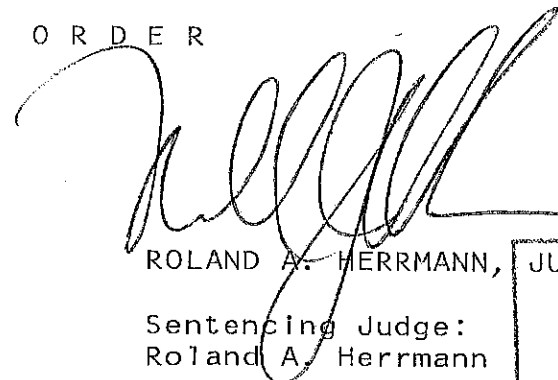

For the State's Attorney

O R D E R

IT IS ORDERED:

Defendant is discharged.

Entered: *2/17/89*


ROLAND A. HERRMANN,

Sentencing Judge:
Roland A. Herrmann

