IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT ROCK ISLAND COUNTY, ILLINOIS FELONY DIVISION

PEOPLE OF THE STATE OF ILLINOIS,)		
Plaintiff,))		
V.)		
)	No.:	2014 CF 990
ANGELA R. SIEBKE,)		
)		
Defendant.)		

MOTION FOR RELEASE ON RECOGNIZANCE

NOW COMES, Defendant, Angela R. Siebke, through her attorneys, Hanna & Ruud, LLC, and hereby requests that the Court consider her for recognizance release due to the following substantial changes in circumstances described as follows:

1. That an expert has opined within a reasonable degree of scientific certainty that the newborn that was found cannot be determined to have been born alive at birth due to the fact that the Mastoid Air Sacs were not examined. (See Kaufman Report)

2. Tha the Illinois Supreme Court has determined in People v. Ehlert 211 Ill 2d 192 (2004) that the State must prove the newborn was born alive and that "the death was produced by criminal agency".

3. Nothing in the discovery produced by the State suggests beyond a reasonable doubt that the newborn was born alive or that the Defendant did anything criminally to produce the death.

4. The Illinois Bond Statute, 725 ILCS 5/110-5, states in particular that the court should look at certain factors in determining the bail amount including "the likelihood of a conviction, the weight of such evidence against such defendant".

5. The same statute also states there should be a presumption that the conditions of

release shall be nonmonetary in nature.

6. Given the Expert Opinion and the <u>Ehlert's case requirements</u>, there is a

reasonable likelihood that the State will not be able to meet its burden of proof.

WHEREFORE, Defendant, Angela R. Siebke, respectfully requests that she be released on recognizance and this matter be set for trial.

Respectfully submitted,

By: <u>/s/ Steve Hanna</u> HANNA & RUUD, LLC **Steve Hanna ARDC# 6203901** Attorneys for Defendant 1528 6th Avenue Moline, IL 61265 Tel: 309/797-9000 Fax: 309/736-9122

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on September 9, 2021.

By: US Mail Delivered Certified Mail X E-File

/s/ Christopher Boley