

MOTION FOR A DIRECTED VERDICT AT CLOSE OF STATE'S CASE

A Motion for a Directed Verdict asks whether the State's evidence could support a finding of guilty beyond a reasonable doubt, not whether the evidence does in fact support that finding.

The motion requires the trial court to consider only whether a reasonable mind could fairly conclude the guilt of the accused beyond reasonable doubt, considering the evidence most strongly in the People's favor.

I find that a reasonable mind COULD fairly conclude the guilt of the defendant beyond a reasonable doubt.

Therefore, the Defendant's Motion for a Directed Verdict is denied.

MOTION FOR A DIRECTED VERDICT AT CLOSE OF ALL THE EVIDENCE

The Court finds that, considering all of the evidence presented, a reasonable mind COULD fairly conclude the guilt of the defendant beyond a reasonable doubt, and that the evidence presented is NOT insufficient to support a verdict of guilty.

[When, at the close of the State's evidence or at the close of all of the evidence, the evidence is insufficient to support a finding or verdict of guilty the court may and on motion of the defendant shall make a finding or direct the jury to return a verdict of not guilty, enter a judgment of acquittal and discharge the defendant. 725 ILCS 5/115--4(k)]