IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
CARROLL COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,
Respondent,

vs.

MATTHEW A. HERPSTREITH,
Defendant.

Case No. 2025-CF-21

FILED
FEB 20 2026
CIRCUIT CLERK
PATRICIA A. HIHER

RESPONSE TO DEFENSE MOTION FOR BILL OF PARTICULARS

NOW COME, the People of the State of Illinois, by Special Prosecutor, Charles M. Colburn of the State's Attorneys Appellate Prosecutor and in Response to the Defense Motion for Bill of Particulars state as follows:

1. That with regard to the Defendant's Request in paragraph 2 of said Motion the People respond as follows:
   (a) That the allegations included in Count 1 of the Information charging Reckless Homicide (Ex. A) describes the acts and conduct of the Defendant in a manner more than sufficient to enable the Defendant to prepare his defense.
   (b) That the date, time, and location of the offense are included in the allegations in Count 1 and in 412 Disclosure tendered June 13, 2025.
   (c) That information sought by the Defendant concerning the victim is included in Count 1.
   (d) That the Defendant's attempt to categorize causation is irrelevant in that such is not an element of the offense of Reckless Homicide nor is it required by statute, case law, or IPI.
   (e) That Defendant's inquiry regarding willful or wanton conduct is irrelevant as such conduct is only an element of the offense of Reckless Driving, for which the Defendant has not been charged.
   (f) That any witnesses, documents, and facts supporting anticipated inferential arguments have been tendered in 412 Disclosure on June 13, 2025.
2. That with regard to the Defendant's Request in paragraph 3 of said Motion the People respond as follows:
   (a) That the allegations included in Count 2 of the Information charging Reckless Conduct (Ex. A) describes the acts and conduct of the Defendant in a manner more than sufficient to enable the Defendant to prepare his defense.

(b) That the date, time, and location of the offense are included in the allegations in Count 2 and in 412 Disclosure tendered June 13, 2025.

(c) That information sought by the Defendant concerning the victim is included in Count 2.

(d) That the Defendant's attempt to categorize causation is irrelevant in that such is not an element of the offense of Reckless Conduct nor is it required by statute, case law, or IPI.

(e) That Defendant's inquiry regarding willful or wanton conduct is irrelevant as such conduct is only an element of the offense of Reckless Driving, for which the defendant has not been charged.

(f) That any witnesses, documents, and facts supporting anticipated inferential arguments have been tendered in 412 Disclosure on June 13, 2025.

3. That with regard to the Defendant's Request in paragraph 4 of said Motion the People respond as follows:

(a) That the allegations included in Count 3 of the Information charging Obstructing Justice (Ex. A) includes the elements of the offense and the acts and conduct of the Defendant in a manner more than sufficient to enable the Defendant to prepare his defense.

(b) That the date, time, and location of the offense are included in the allegations in Count 3 and in 412 Disclosure tendered on June 13, 2025.

(c) That information involving the Defendants obstructive conduct and associated individuals and investigations is included in the allegations in Count 3 and in 412 Disclosure tendered on June 13, 2025.

(d) That Defendant's mental state is alleged in Count 3.

(e) That any witnesses, documents, and facts supporting anticipated inferential arguments have been tendered in 412 Disclosure on June 13, 2025.

4. That with regard to the Defendant's request in paragraph 5 of said Motion the People respond as follows:

(a) That the allegations included in Count 4 of the Information charging Attempt (Obstructing Justice) (Ex. A) includes the elements of the offense and the acts and conduct of the defendant in a manner more than sufficient to enable the Defendant to prepare his defense.

(b) That the date, time, and location of the offense are included in the allegations in Count 4 and in 412 Disclosure tendered on June 13, 2025.

(c) That information involving the Defendant's obstructive conduct and associated individuals and investigations is included in the allegations in Count 4 and in

412 Disclosure tendered on June 13, 2025. Further, it should be noted, Count 4 involves the destruction of evidence, not the furnishing of false information.

(d) That the Defendant's mental state is alleged in Count 4.

(e) That any witnesses, documents and facts supporting anticipated inferential arguments have been tendered in 412 Disclosure on June 13, 2025.

5. That with regard to the Defendant's Request in paragraph 6 of said Motion the People respond as follows:

(a) That the date, time, and location of the offense are included in the allegations in Count 5 and in 412 Disclosure tendered June 13, 2025.

(b) That Defendant's inquiries regarding speed are irrelevant in that a Defendant's speed and any speed limit are not elements of the offense of Failure to Reduce Speed. People v. Naber (4 D 1989) 180 ILL App 3d 629.

(c) That the allegations included in Count 5 of the Information charging Failure to Reduce Speed (Ex. A) includes the elements of the offense and the acts and conduct of the Defendant in a manner more than sufficient to enable the Defendant to prepare his defense.

(d) That any witnesses, documents, and facts supporting anticipated inferential arguments have been tendered in 412 Disclosure on June 13, 2025.

WHEREFORE, the People of the State of Illinois pray this Honorable Court deny the Defendant's Motion for a Bill of Particulars.

Dated the 20 day of February, 2026.

THE PEOPLE OF THE STATE OF ILLINOIS,

By: Charles M Colburn
CHARLES M. COLBURN
Special Prosecutor
State's Attorneys Appellate Prosecutor

CHARLES M. COLBURN
Special Prosecutor ARDC 6187946
State's Attorneys Appellate Prosecutor
725 S 2nd Street
Springfield IL 62704
PH: (217) 782-1628
ccolburn@ilsaap.org

PROOF OF SERVICE

The undersigned hereby certifies that service of the foregoing was hand delivered to Attorney Joseph E. Nack on February 20, 2026.

By Charles M Colburn
CHARLES M. COLBURN

CHARLES M. COLBURN
Special Prosecutor ARDC 6187946
State's Attorneys Appellate Prosecutor
725 S 2nd Street
Springfield IL 62704
PH: (217) 782-1628
ccolburn@ilsaap.org

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
COUNTY OF CARROLL

FILED
MAR 24 2025
CIRCUIT CLERK
PATRICIA A. HIHER

THE PEOPLE OF THE STATE OF ILLINOIS

Plaintiff

vs.

MATTHEW A. HERPSTREITH,
D.o.b. 10/06/1980

Defendant

No. 2025-CF- 21

Information

Now, comes Charles M. Colburn, Special Prosecutor, in the name and by the authority of the People of the State of Illinois, charges:

COUNT I

On or about July 28, 2024, in Carroll County, State of Illinois, MATTHEW A. HERPSTREITH committed the offense of

RECKLESS HOMICIDE
(Class 3 Felony)

in that said defendant, while acting in a reckless manner, performed acts likely to cause death or great bodily harm to some individual in that he operated a motor vehicle, a Dodge Ram 1500 pickup truck, on IL-78 north of Mt. Carroll, Illinois, shortly after 3 am and as driver was not keeping a proper lookout, was inattentive to the roadway on which he was traveling, had been consuming alcoholic beverages continually since late afternoon the prior day, and was otherwise distracted and tired and at that time drove said motor vehicle into and over Jackson Kradle, who was a pedestrian thereon II-78, thereby causing the death of Jackson Kradle, in violation of 720 ILCS 5/9-3(a).

COUNT II

On or about July 28, 2024, in Carroll County, State of Illinois, MATTHEW A. HERPSTREITH committed the offense of

RECKLESS CONDUCT
(Class 4 Felony)

in that the defendant, while acting in a reckless manner, caused great bodily harm to Jackson Kradle in that he operated a motor vehicle, a Dodge Ram 1500 pickup truck, on IL-78 north of Mt. Carroll, Illinois, shortly after 3 a.m. and as driver was not keeping a proper lookout, was inattentive to the roadway on which he was traveling, had been consuming alcoholic beverages since late afternoon the prior day, and was otherwise distracted and tired and at the time drove said motor vehicle into and over Jackson Kradle, who was a pedestrian thereon IL-78, thereby causing the death of Jackson Kradle in violation of 720 ILCS 5/12-5(a)(2).

COUNT III

On or about July 28, 2024, in Carroll County, State of Illinois, MATTHEW A. HERPSTREITH committed the offense of

OBSTRUCTING JUSTICE
(Class 4 Felony)

in that the defendant, with the intent to obstruct the prosecution of said Matthew A. Herpstreith, knowingly furnished false information to the Carroll County Sheriff's Department in that, shortly after he drove a Dodge Ram 1500 pickup truck on IL-78 into and over Jackson Kradle who was a pedestrian thereon IL-78, he advised in a written statement to the Carroll County Sheriff's Department that he "went around" Jackson Kradle, which was a false statement which materially impeded the administration of justice, in violation of 720 ILCS 5/31-4(a).

COUNT IV

On or about July 28, 2024, in Carroll County, State of Illinois, MATTHEW A. HERPSTREITH committed the offense of

ATTEMPT (OBSTRUCTING JUSTICE)
(Class A Misdemeanor)

in that the defendant, with the intent to commit the offense of Obstructing Justice in violation of 720 ILCS 5/31-4(a), knowing performed an act which constituted a substantial step toward the commission of that offense, in that he, shortly after he drove a Dodge Ram 1500 pickup truck on IL-78 into and over Jackson Kradle who was a pedestrian thereon IL-78, spray washed said pickup truck at a commercial car wash in order to wash away bodily tissue and fluids and destroy evidence of the defendant's vehicle running over Jackson Kradle, in violation of 720 ILCS 5/8-4(a).

COUNT V

On or about July 28, 2024, in Carroll County, State of Illinois, MATTHEW A. HERPSTREITH committed the offense of

FAILURE TO REDUCE SPEED
(Petty Offense)

in that the defendant, while driving a Dodge Ram 1500 pickup truck failed to reduce speed as necessary to avoid colliding with a person on the highway in compliance with legal requirements and the duty of all persons to use due care in that defendant drove said pick up truck on IL-78 into and over Jackson Kradle who was a pedestrian thereon IL-78, in violation of 625 ILCS 5/11-601.

Charles M Colburn

CHARLES M. COLBURN
Special Prosecutor
State's Attorneys Appellate Prosecutor
725 S. 2nd Street
Springfield, IL 62704
PH: (217)-782-1628
ccolburn@ilsaap.org

State of Illinois)
County of Carroll)

The undersigned, on oath, says that the facts set forth in the foregoing information are true and correct to the best of my knowledge and belief.

KELLI S DOWNS
OFFICIAL SEAL
Notary Public - State of Illinois
Commission No. 924352
My Commission Expires January 11, 2029

Charles M. Colburn
Special Prosecutor
State's Attorneys Appellate Prosecutor

Subscribed and sworn before me this 24th day of March, 2025.

Kelli S. Downs
Notary Public