

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

THE PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff,

Case No. 2025-CF-21

MATTHEW HERPSTREITH ,

Defendant.

RESPONSE TO DEFENSE MOTION IN LIMINE – HUBBLE

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 in Limine regarding a phone call made by Amy Hubble to Carroll County Dispatch on July 27, 2024, state as follows:

1. That Defendant seeks to bar evidence concerning a phone call between Amy Hubble and Carroll County Dispatch on July 27, 2024. During that call Hubble makes admissions about her consumption of alcohol and level of intoxication.
2. That Hubble is a witness to many events leading to and including the death of Jackson Kradle. As such, her ability to perceive, recollect, and communicate is relevant and her consumption of alcohol and level of intoxication has a bearing on that ability and should be considered by the trier of fact.
3. Evidence that a witness was drinking near the time of an event about which she testifies is probative of the witness's sensory capacity (*People v. Di Maso*, 100 Ill. App. 3d 338, 343, 55 Ill. Dec. 647, 426 N.E.2d 972 (1981)) and affects the weight to be given her testimony (*People v. McGuire*, 18 Ill. 2d 257, 259, 163 N.E.2d 832 (1960)). *People v. Gray*, Ill. Sup. Ct. 2017, 418 Ill.Dec. 916.

WHEREFORE, the People of the State of Illinois pray this Honorable Court deny the Defendant's Motion in Limine – Hubble.

DATED: Sept 2, 2026

THE PEOPLE OF THE STATE OF ILLINOIS

By: 
Charles Colburn
Special Prosecutor

Charles Colburn
ARDC 6187946
State's Attorneys Appellate Prosecutor
725 S. Second
Springfield, IL 62704
217-82-1628
ccolburn@ilsaap.org

**IN THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT
CARROLL COUNTY, ILLINOIS**

**THE PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff,**

Case No. 2025-CF-21

**MATTHEW HERPSTREITH ,

Defendant.**

RESPONSE TO MOTION IN LIMINE - HUBBLE

THE UNDERSIGNED CERTIFIES that a true copy of the motion along with a copy of this Notice was emailed to counsel on Sept 2, 2026.

DOCUMENT:

Response to Motion in Limine - Hubble

TO:

Joseph Nack
joenack@nack.com

THE PEOPLE OF THE STATE OF ILLINOIS

By: Charles Colburn

Charles Colburn
Special Prosecutor

Charles Colburn
State's Attorneys Appellate Prosecutor
725 S. Second
Springfield, IL 62704
217-782-1628
ccolburn@ilsaap.org