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Corri Trotter, Circuit Clerk

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF GRUNDY )

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT  
GRUNDY COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS )  
 PLAINTIFF, )  
 )  
VS. )  
 )  
MARSHALL S. SZPARA )  
 DEFENDANT. )

CASE NO.: 26CF 54

MOTION FOR DENIAL OF PRETRIAL RELEASE

NOW COMES the People of the State of Illinois, by and through the Grundy County State's Attorney's Office, and pursuant to 725 ILCS 5/110-6.1, states as follows:

1. The defendant is charged with an offense set forth in 725 ILCS 5/110-6.1(a)(1) through (7), to wit: First Degree Murder (Class M felony) and/or Aggravated Battery (Class X felony); and
2. There is probable cause to believe the defendant has committed a qualifying offense pursuant to 725 ILCS 5/110-6.1. and
3. There is clear and convincing evidence that:
  - 1) The proof is evident or the presumption great that the defendant has committed an offense listed in paragraphs (1) through (7) of subsection (a) of 725 ILCS 110-6.1; and
  - 2) The evidence shows:
    - i. (a)(1.5) the defendant's pretrial release poses a real and present threat to the safety of any person or persons or the community, based on the specific articulable facts of the case, and the defendant is charged with a forcible felony, which as used in this Section, means treason, first degree murder, [ . . . ], aggravated battery resulting in great bodily harm or permanent disability or disfigurement, or any other felony which involves the threat of or infliction of great bodily harm or permanent disability or disfigurement;and
  - 3) The defendant poses a real and present threat to the safety of any person or persons or the community; and
  - 4) No conditions can mitigate the threat based on the following specific articulable facts:

## Narrative:

- On 02/28/2026 at approximately 12:43 AM, Morris Officers Alex Hernandez #106, James Bell #125, Koltan Stockdell #125, Nicholas Pampinella #104, and Grundy County Deputy Jason Flores #G19 responded to Clayton's Tap, 122 West Washington Street, Morris, IL, in reference to a Disturbance call for service. Upon their arrival, the police located two victims with apparent gunshot wounds in the 100 Block of West Washington Street. One of the victims, Julian Rosario (DOB: 04/07/1990), was unresponsive laying in a pool of his own blood. He was later declared dead at the scene. The second victim, Paul Mitchell (DOB: 01/09/2004) was transported to the Morris ER, 150 West High Street, with an apparent gunshot wound to his upper left arm. Paul Mitchell was later life-flighted via Lifestar to Loyola-Maywood Medical Center for advanced treatment.
- Through multiple interviews with witnesses at the bar as well as reviewing security camera footage from Clayton's Tap and additional businesses in the area it was learned that a verbal altercation took place inside the bar between Marshall Szpara, Julian Rosario and Marshall Szpara's friend, Elijah Vignali (DOB: 06/08/2004). Through witness statements, the verbal altercation was due to Julian Rosario allegedly making female bar patrons feel uneasy with him and the way he was acting.
- Detective Trevor Hodge reviewed Clayton's Tap security footage and observed Marshall Szpara and Elijah Vignali exiting the bar's rear exit at approximately 12:31 AM. Both can be seen re-entering the bar at approximately 12:33 AM through the front entrance. At approximately 12:39 AM, Marshall Szpara along with Elijah Vignali and Paul Mitchell exit the bar through the front entrance and loiter on the sidewalk in front of the front entrance to Clayton's Tap. At approximately 12:40 AM, Julian Rosario along with his female friends, Tara Vaughn (DOB: 08/11/1989) and Tiffinie Spanos (DOB: 01/02/1989) exit Clayton's Tap. As they exit the bar, Marshall Szpara and Elijah Vignali approach them and they speak for a brief time. While they were speaking, Julian Rosario's girlfriend, Victoria Rossi (DOB: 06/10/1991) approaches the group and there appears to be an argument between her and Julian Rosario. Julian Rosario along with the three females begin to walk away eastbound on West Washington Street. Marshall Szpara and Paul Mitchell remain standing in front of the entrance to Clayton's Tap.
- As Julian Rosario and Victoria Rossi walk away, they appear to get into a minor argument. Both Paul Mitchell and Marshall Szpara can be seen walking towards where Julian Rosario and Victoria Rossi are arguing. Marshall Szpara stays a short distance away from the group while Paul Mitchell approaches the group. After Paul Mitchell approaches the group, Julian Rosario can be seen attempting to punch Paul Mitchell. Marshall Szpara then approaches closer to the group. Marshall Szpara is not directly involved in the altercation at this point.
- A fight breaks out involving Julian Rosario, Victoria Rossi, Tara Vaughn, Tiffinie Spanos, and Paul Mitchell. Paul Mitchell can be seen throwing a beer bottle at the group (later determined to have hit Tiffinie Spanos in the face causing injury). After the bottle is thrown, Marshall Szpara can be seen entering the fight and throwing a punch at Julian Rosario. Additional unknown subjects can be seen entering the fight.
- As the fight progresses, the group gets closer to Clayton's Tap and Paul Mitchell can be seen backing away from Julian Rosario who is attempting to punch him. As Julian Rosario was fighting Paul Mitchell, Marshall Szpara can be seen unholstering his

firearm, a Springfield 9mm SN# BE381011, and it appears that Marshall Szpara racks his firearm inserting a round into the chamber.

- While Paul Mitchell and Julian Rosario were fighting, Marshall Szpara can be seen unholstering his firearm and fires one round in the direction of Paul Mitchell and Julian Rosario. This shot hit Paul Mitchell in his upper left arm which entered and exited through his bicep. This shot also hit Julian Rosario in his upper right arm which entered through his bicep near the elbow and exited through his triceps. Julian Rosario and Paul Mitchell break up their fight and Julian Rosario can be seen attempting to shield himself from the gunfire.
- Marshall Szpara then fires a second shot which hit Julian Rosario in his back near his right shoulder and exits through his left jaw. Julian Rosario then becomes unresponsive and falls to the ground. As Julian Rosario falls to the ground, Marshall Szpara can be seen pointing at him and yelling something. Paul Mitchell can be seen walking away towards Clayton's Tap holding his injured arm with blood gushing from the wound. Per the camera footage timestamp, the shooting takes place at approximately 12:41 AM.
- Prior to the shooting Marshall Szpara is seen backing away from the fight and was not directly involved. Marshall Szpara was not involved in the fight between Paul Mitchell and Julian Rosario and inserted himself into the altercation.
- Tiffinie Spanos and Tara Vaughn can be seen loitering over Julian Rosario while Marshall Szpara can be seen stepping back and re-holstering his weapon. At approximately 12:42 AM, Morris Officers arrived on scene and Marshall Szpara approaches them. He complies with their orders and is taken into custody. At this time, other bar patrons can be seen leaving the bar. Paul Mitchell can be seen holding his arm while he is bleeding near the entrance to Clayton's Tap. Grundy Deputy Jason Flores #G19 arrived on scene a short time later and applied a tourniquet to stop the bleeding.
- Morris EMS was dispatched to the scene and transported Paul Mitchell to the Morris ER for his injuries. Morris Officers attempted to render aid to Julian Rosario, but it was apparent they were not equipped to handle the injuries he sustained. Morris EMS checked on Julian Rosario and declared him dead at the scene.
- It was later learned that both shots fired by Marshall Szpara exited the victims and entered Pout, 116 West Washington Street, and were stopped by various clothing and decorations inside the business.
- Detective Trevor Hodge conducted a brief interview with Paul Mitchell at the Morris Hospital. He had been stabilized but was awaiting transport to Loyola-Maywood Medical Center. Paul Mitchell stated that he was aware of a possible fight going to take place involving Marshall Szpara. He went outside to view and "instigate" the fight. Paul Mitchell stated he was unaware of anyone having a firearm or any other weapons on their person. Paul Mitchell stated after going outside, a brief fight took place between him and Julian Rosario. As the fight was taking place, Paul Mitchell stated he observed Marshall Szpara take out a firearm and fire it at Julian Rosario. Paul Mitchell said that he felt his arm was burning and noticed he was injured from the gunfire. He broke away and fled into Clayton's Tap. Paul Mitchell stated he saw Marshall Szpara fire the gun and knew he was the shooter.
- Paul Mitchell later stated that he did not feel that Julian Rosario was a serious threat and Marshall Szpara's actions were unjustified. Paul Mitchell further stated that he was not in fear of serious injury or death and felt that Julian Rosario was not a serious threat due to how intoxicated he was.

- Marshall Szpara submitted a sample to a gunshot residue (GSR) kit. It will be sent to the Northern Illinois Regional Crime Lab (NIRCL) for analysis.
- On 03/02/2026 at approximately 10:30 AM, Detective Paul Burke #122 and Detective Trevor Hodge attended the autopsy of Julian Rosario. During the autopsy, it was learned that Julian Rosario was shot in the upper right arm which entered and exited his body. Julian Rosario was also shot in the back with the entrance wound in his right shoulder area and exit wound at his left jaw. This bullet also pierced his tongue, and the pressure fractured his skull.
- The preliminary cause of death determined by the forensic pathologist is the gunshot wound of the neck.
- Investigation continues.

### **Section 725 ILCS 5/110-5 factors:**

**(1) the nature and circumstances of the offense charged;**

See the narrative.

**(2) the weight of the evidence against the defendant, except that the court may consider the admissibility of any evidence sought to be excluded;**

The weight of the evidence against the defendant is high.

**(3) the history and characteristics of the defendant, including:**

**(A) the defendant's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past relating to drug or alcohol abuse, conduct, history criminal history, and record concerning appearance at court proceedings; and**

**(B) whether, at the time of the current offense or arrest, the defendant was on probation, parole, or on other release pending trial, sentencing, appeal, or completion of sentence for an offense under federal law, or the law of this or any other state;**

Defendant's criminal history:

None listed in his CQH.

**(4) the nature and seriousness of the real and present threat to the safety of any person or persons or the community, based on the specific articulable facts of the case, that would be posed by the defendant's release, if applicable, as required under paragraph (7.5) of Section 4 of the Rights of Crime Victims and Witnesses Act;**

The defendant's release would create a real and present threat to the safety of any person or persons or the community in that he used a firearm to shoot and kill one person and shoot another attempting to kill him and inflicting great bodily harm, permanent disability or disfigurement upon him. He inserted himself into an argument and intentionally discharged his firearm at Julian Rosario with the intent to kill. He discharged the firearm in or around a place of public accommodation (Clayton's Tap Bar) while numerous patrons were present and endangered their lives. He demonstrated a complete disregard for the life and safety of the victims and all those present. There are no less restrictive conditions that the court can impose to ensure the safety of any person or persons or the community.

**(5) the nature and seriousness of the risk of obstructing or attempting to obstruct the criminal justice process that would be posed by the defendant's release, if applicable;**

Unknown.

**Section 725 ILCS 5/110-10(b) factors:**

**(0.05) Not depart this State without leave of the court;**

Unknown.

**(1) Report to or appear in person before such person or agency as the court may direct;**

Unknown.

**(2) Refrain from possessing a firearm or other dangerous weapon;**

The defendant's release would create a real and present threat to the safety of any person or persons or the community in that he used a firearm to shoot and kill one person and shoot another attempting to kill him and inflicting great bodily harm, permanent disability or disfigurement upon him. He inserted himself into an argument and intentionally discharged his firearm at Julian Rosario with the intent to kill. He discharged the firearm in or around a place of public accommodation (Clayton's Tap Bar) while numerous patrons were present and endangered their lives. He demonstrated a complete disregard for the life and safety of the victims and all those present. There are no less restrictive conditions that the court can impose to ensure the safety of any person or persons or the community.

**(3) Refrain from approaching or communicating with particular persons or classes of persons;**

The defendant's release would create a real and present threat to the safety of any person or persons or the community in that he used a firearm to shoot and kill one person and shoot another attempting to kill him and inflicting great bodily harm, permanent disability or disfigurement upon him. He inserted himself into an argument and intentionally discharged his firearm at Julian Rosario with the intent to kill. He discharged the firearm in or around a place of public accommodation (Clayton's Tap Bar) while numerous patrons were present and endangered their lives. He demonstrated a complete disregard for the life and safety of the victims and all those present. There are no less restrictive conditions that the court can impose to ensure the safety of any person or persons or the community.

**(4) Refrain from going to certain described geographic areas or premises;**

Unknown.

**(5) Be placed under direct supervision of the Pretrial Services Agency, Probation Department or Court Services Department in a pretrial home supervision**

**capacity with or without the use of an approved electronic monitoring device subject to Article 8A of Chapter V of the Unified Code of Corrections;**

To be determined by the court.

- (6) **For persons charged with violating Section 11-501 of the Illinois Vehicle Code, refrain from operating a motor vehicle not equipped with an ignition interlock device, as defined in Section 1-129.1 of the Illinois Vehicle Code, pursuant to the rules promulgated by the Secretary of State for the installation of ignition interlock devices. Under this condition the court may allow a defendant who is not self-employed to operate a vehicle owned by the defendant's employer that is not equipped with an ignition interlock device in the course and scope of the defendant's employment;**

Not applicable.

- (7) **Comply with the terms and conditions of an order of protection issued by the court under the Illinois Domestic Violence Act of 1986 or an order of protection issued by the court of another state, tribe, or United States territory;**

Not applicable.

- (8) **Sign a written admonishment requiring that he or she comply with the provisions of Section 110-12 regarding any change in his or her address. The defendant's address shall at all times remain a matter of record with the clerk of the court;**

To be determined by the court.

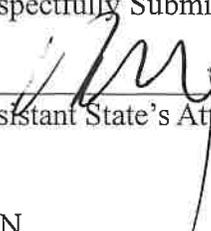
- (9) **Such other reasonable conditions as the court may impose, so long as these conditions are the least restrictive means to achieve the goals listed in subsection (b), are individualized, and are in accordance with national best practices as detailed in the Pretrial Supervision Standards of the Supreme Court.**

The defendant's release would create a real and present threat to the safety of any person or persons or the community in that he used a firearm to shoot and kill one person and shoot another attempting to kill him and inflicting great bodily harm, permanent disability or disfigurement upon him. He inserted himself into an argument and intentionally discharged his firearm at Julian Rosario with the intent to kill. He discharged the firearm in or around a place of public accommodation (Clayton's Tap Bar) while numerous patrons were present and endangered their lives. He demonstrated a complete disregard for the life and safety of the victims and all those present. There are no less restrictive conditions that the court can impose to ensure the safety of any person or persons or the community.

- 5) And no condition or combination of conditions set forth in subsection (b) of 725 ILCS 5/110-10 can mitigate the real and present threat to the safety of any person or persons or the community.

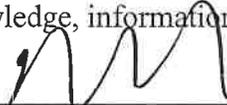
WHEREFORE the People move that this court deny the defendant pretrial release and enter an order detaining the defendant.

Respectfully Submitted,

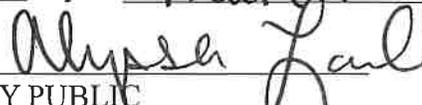
  
\_\_\_\_\_  
Assistant State's Attorney

VERIFICATION

Kyle Klukas, Assistant State's Attorney of Grundy County, Illinois, being first duly sworn, on his oath, deposes and says that he has read the foregoing Motion by him subscribed and that the matters and things therein stated are true to the best of his knowledge, information and belief.

  
\_\_\_\_\_

Subscribed and Sworn to before me  
this 2<sup>nd</sup> day of March, 2026

  
\_\_\_\_\_  
NOTARY PUBLIC



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