

Office of the Kane County State's Attorney



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TWO ELGIN BROTHERS PLEAD GUILTY IN 2019 FATAL SHOOTING

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Kane County State's Attorney Jamie L. Mosser announces today that 28-year old **Xavier L. Butler** has agreed to a sentence of 30 years of imprisonment in the Illinois Department of Corrections in exchange for a guilty plea to the offense of armed violence, Class X felony, in the August 2019 shooting death of 24-year-old Joshua Tyler Bey of Elgin. In addition, Butler's brother, 26-year-old **Isaiah Y. Butler**, agreed to a sentence of 15 years in IDOC in exchange for a guilty plea to the offense of second-degree murder, Class 1 felony.

Kane County Assistant State's Attorney Mark D. Stajdohar stated in court that at about 10:30 a.m. Aug. 6, 2019, Bey and his friend met with Xavier and Isaiah Butler in the parking lot of an apartment complex in the 1200 block of Fleetwood Drive, Elgin. They were arguing about two women with whom they were acquainted and who had fought the previous day. Bey and Xavier Butler each had a handgun in his possession. Bey pulled out his gun when Xavier approached, and then held the gun to his side. As the argument continued, the Butler brothers began to push Bey. Isaiah Butler punched Bey igniting a fight. Xavier Butler then shot Bey and took Bey's gun. Xavier Butler shot Isaiah Butler in the thumb during the struggle. The brothers kicked Bey as he lay on the ground dying. The brothers then fled to Milwaukee.

Isaiah Butler was convicted of second-degree murder because he unreasonably believed that he and his brother faced imminent danger. Although Xavier Butler also could have been convicted of second-degree murder, he was convicted of armed violence because the accompanying sentence most accurately reflects his criminal actions.

The maximum sentence for armed violence is 30 years of imprisonment. The maximum sentence for second-degree murder is 20 years of imprisonment.

In accordance with Illinois law, each man is eligible for day-for-day sentencing. Each man receives credit for 937 days served in the Kane County jail.

ASA Stajdohar said:

"Each of these defendants is responsible for the death of Joshua Tyler Bey, and each is responsible for the actions of the other. The charges that each man pleaded guilty

to are the most appropriate way to impose a correct and suitable sentence. Sadly, however, it should not be necessary. Four young men went to a parking lot to fight a fight that wasn't theirs. One of them ended up dead and the other two are headed to prison. Now they will sit in prison for a senseless act. My thanks to the Elgin Police Department for its thorough investigation of this matter.”

Isaiah Y. Butler: Age 26 (d.o.b. 10-2-1995), of the 200 block of Locust Street, Elgin, Illinois. Case No. 2019CF1574.

Xavier L. Butler: Age 28 (d.o.b. 2-19-1994), of the 200 block of Windsor Court, Elgin, Illinois. Case No. 2019CF1575.