



No. 2-26-0352

IN THE
APPELLATE COURT OF ILLINOIS
SECOND JUDICIAL DISTRICT

PEOPLE OF THE STATE OF	)	Appeal from the Circuit Court of
ILLINOIS,	)	the Nineteenth Judicial Circuit,
	)	Lake County, Illinois
Plaintiff-Appellee,	)	
	)	No. 23 CF 1146
-vs-	)	
	)	
EHAB ALLABABIDI,	)	Honorable
	)	Christopher R. Stride,
Defendant-Appellant.	)	Judge Presiding.

MOTION TO MODIFY ORDER

Appellant, Ehab Allababidi, by Christopher McCoy, Deputy Defender, Office of the State Appellate Defender, respectfully requests this Honorable Court modify its July 31 order to show that Mr. Allababidi can personally communicate with the Lake County State's Attorney's Office.

In support of this motion, counsel states:

1. On September 8, 2025, Mr. Allababidi entered a negotiated guilty plea to aggravated reckless driving and was sentenced to 30 months' probation with various conditions, including a stayed sentence of 180 days in jail. (Appendix, p. 1-2)
2. On May 14, 2026, the State filed a petition to revoke Mr. Allababidi's probation and set the matter for arraignment on the petition on May 28, 2026. (Appendix, p. 3)
3. Mr. Allababidi did not appear before the circuit court on May 28, 2026. The circuit court issued a warrant for Mr. Allababidi's arrest that same day.

(Appendix, p. 4-5)

4. On June 17, 2026, Mr. Allababidi appeared before the circuit court via video. The court discharged Mr. Allababidi's appointed counsel, declined to quash the warrant for Mr. Allababidi's arrest, and granted the State's oral motion to lift the stay on the 180-day jail sentence. (Appendix, p. 6-7)

5. On July 10, 2026, Mr. Allababidi filed a *pro se* notice of appeal, which was file-stamped on July 23, 2026. The notice of appeal indicates that the nature of the order appealed from is: "Order and minute orders of June 17, 2026 lifting the stay of the 180-day jail term (an order modifying the conditions of, or revoking, a probation sentence, Ill. S. Ct. Rule 604(b)), declining to quash the outstanding arrest warrant, and discharging the Public Defender." (Appendix, p. 8)

6. On July 31, 2026, this Court issued an order appointing the Office of the State Appellate Defender. The order also stated, "Now having been appointed counsel, appellant himself shall file nothing further with this court and *shall not communicate by any means with appellee's counsel.*" (Appendix, p. 9) (emphasis added)

7. Appellant is now seeking to modify the prohibition on contacting opposing counsel in the July 31 order. Specifically, no challenge is being raised to Mr. Allababidi being prohibited from contacting the State's Attorneys Appellate Prosecutor in connection with the instant appeal. However, Mr. Allababidi needs to contact the Lake County State's Attorney's Office for multiple reasons. On the State's filings, Eric Rinehart, State's Attorney of Lake County, is listed as counsel (along with Edward R. Psenicka and Max Boose of the State's Attorney Appellate Prosecutor). (Appendix, p. 10-15). Therefore, Eric Rinehart and the Lake County State's Attorney's Office could be considered counsel for the appellee—the People of the State of Illinois. In order to

not run afoul of the July 31 order, Mr. Allababidi requests that this order be modified to allow him to contact the Lake County State's Attorney's Office.

8. Multiple pending matters require that Mr. Allababidi be allowed to communicate the Lake County State's Attorney's Office. First and foremost, the underlying case, Lake County Case Number 23 CF 1146, remains pending in the trial court and, as mentioned above, the court discharged Mr. Allababidi's appointed counsel in that matter. Second, there is pending federal litigation, *Allababidi v. Shepherd et. al*, 26 CV 06738, in which a Lake County Assistant State's Attorney is a named defendant. (Appendix, p. 16)

9. Opposing counsel has seen a copy of this motion and will be filing a response.

WHEREFORE, Appellant respectfully requests that this Honorable Court allow this motion to modify its July 31 order to show that Mr. Allababidi can personally communicate with the Lake County State's Attorney's Office.

Respectfully submitted,

/s/ Christopher McCoy
CHRISTOPHER MCCOY
Deputy Defender
Office of the State Appellate Defender
Second Judicial District
One Douglas Avenue, Second Floor
Elgin, IL 60120
(847) 695-8822
2nddistrict.eserve@osad.state.il.us

COUNSEL FOR DEFENDANT-APPELLANT

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

VERIFICATION

Under the penalties provided in law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this motion are true and accurate.

/s/ Christopher McCoy
CHRISTOPHER MCCOY
Deputy Defender



No. 2-26-0352

E-FILED
Transaction ID: 2-26-0352
File Date: 8/18/2026 12:33 PM

Jeffrey H. Kaplan, Clerk of the Court
APPELLATE COURT 2ND DISTRICT

IN THE
APPELLATE COURT OF ILLINOIS
SECOND JUDICIAL DISTRICT

PEOPLE OF THE STATE OF	)	Appeal from the Circuit Court of
ILLINOIS,	)	the Nineteenth Judicial Circuit,
	)	Lake County, Illinois
Plaintiff-Appellee,	)	
	)	No. 23 CF 1146
-vs-	)	
	)	
EHAB ALLABABIDI,	)	Honorable
	)	Christopher R. Stride,
Defendant-Appellant.	)	Judge Presiding.

Appendix- Supporting Record for Motion to Modify Order



IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

People

Plaintiff,

v.

PEOPLE VS ALLABABIDI

Defendant.

Case No. 23CF00001146

Location: Courtroom 611

Event Date: September 8, 2025 9:00 AM

Event Type: Plea

FINAL

Clerk: Amy B

Charge(s):

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Guilty
09/08/2025

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Nolle Prosequi
09/08/2025

Criminal/Traffic - Minutes

Christopher R Stride, Judge

Bailey Russell, Public Defender

Francis P De Rosa IV, States Attorney

ECR Specialist, Lake County Court Reporters

Present in Court

ALLABABIDI, EHAB, Defendant present in person

Nature of Proceedings:

Event Result: Heard 09/08/2025.

Withdraw Not Guilty Plea

Arraignment

Advised of Mandatory Supervised Release

Advised Of Nature Of Charge Sentence

Advised of Right to Trial by Jury or Court

Trial Waived

Enter Negotiated Plea Of Guilty

Nolle Prosequi

- COUNT 2 ONLY

Effects, Consequences Explained, Persisted.

Unconditionally Accepted by Court

Waive Pre-Sentence Investigation

Judgment on Plea

Sentencing

Election of Financial Sentencing

Order Entered



IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

- RESTITUTION ORDER ENTERED: \$2,670.86 TO O'BREIN LANDSCAPE - ALL MONEY PAID SHALL
APPLY TO RESTITUTION FIRST.

Defendant Advised of Right to Appeal

It is hereby ordered:

Charge(s):

1 - Count 1 625 ILCS 5/11-503(a)(1): AGG RECKLESS DRVG/BODILY HARM (Original) - Guilty

09/08/2025 Costs and Fees - \$549.00 - Imposed

09/08/2025 Fine - \$75.00 - Ordered

09/08/2025 Probation Special Conditions - 30.0 Month - Ordered

Additional Sentence Information

09/08/2025 Conditional Assessment - State's Attorney-CV or TR - \$2.00 - Ordered

09/08/2025 Probation Service Fee - \$1,500.00 - Ordered

Additional Sentence Information

09/08/2025 Public Defender Fee Felony - \$100.00 - Ordered

09/08/2025 Testing (Service Provider Cost) - \$125.00 - Ordered

Alcohol & Drug

09/08/2025 Employment - Ordered

09/08/2025 Not Possess Illegal Drug - Ordered

Additional Sentence Information

09/08/2025 No Cannabis - Ordered

09/08/2025 No Alcohol Consumed - Ordered

09/08/2025 Nowhere Alcohol Sold - Ordered

09/08/2025 No Driving - Ordered

Do Not Drive Without Valid Driver's License

09/08/2025 No Possess Firearm/Weapon - Ordered

09/08/2025 Abide by Order of Protection - Ordered

09/08/2025 Administrative Sanctions Program - Ordered

09/08/2025 Jail - 180.0 Day - Stayed

Additional Sentence Information

09/08/2025 Public Service - 240.0 Hour - Ordered

Additional Sentence Information

09/08/2025 No Contact - Ordered

Additional Sentence Information

09/08/2025 Attend Program - Ordered

03/07/2028 Victim Impact-Live

09/08/2025 Attend Program - Ordered

03/07/2028 8 Hour Defensive Driving

09/08/2025 Evaluation - Ordered

Rehab Assessment & Serv

2 - Count 2 625 ILCS 5/11-601.5(b): SPEEDING 35+ MPH OVER LIMIT (Original) - Nolle Prosequi

**The matter is set for Terminate on 03/07/2028 at 9:00 AM in Courtroom 611. * SEE SENTENCING ORDER
FOR TERM CONDITIONS.**

Release

FILED

5/14/2026 2:06 PM

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS

Erin Cartwright Weinstein
Clerk of the Court
Lake County, Illinois

PEOPLE OF THE STATE OF ILLINOIS)
)
)
VS.)
)
)
EHAB ALLABABIDI)

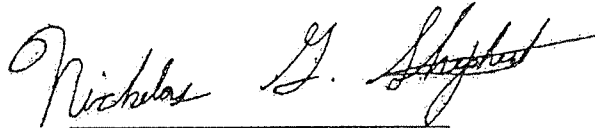
GENERAL NO: 23CF1146

NOTICE

TO: Defendant: 8516 W. Winona St., Chicago, IL 60656
Attorney:
Probation: Marisa Cervantes, Via Interoffice Mail
CLERK-T611

On May 28th, 2026, at 9:00 A.M. or as soon thereafter as counsel may be heard, I shall appear in person before the Honorable Christopher Stride, T-611, or any Judge sitting in his/her stead, in the Court Room usually occupied by him as a Court Room, Court House, Waukegan, Lake County, Illinois, and then and there: Arraign the defendant on the attached Petition for Revocation of Probation.

DATED: May 14, 2026

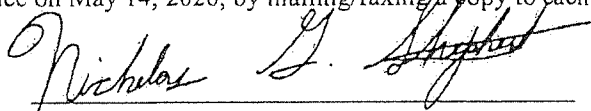


Nicholas Shepherd
Assistant State's Attorney

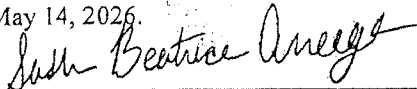
STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

AFFIDAVIT

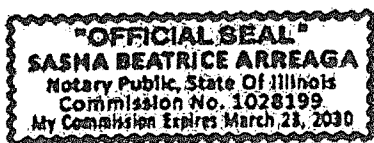
I, Nicholas Shepherd, served this notice on May 14, 2026, by mailing/faxing a copy to each person to whom it is directed.



SUBSCRIBED and SWORN to before me
May 14, 2026.



NOTARY PUBLIC





IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

People
Plaintiff,
v.

PEOPLE VS ALLABABIDI
Defendant.

Case No. 23CF00001146
Location: Courtroom 611
Event Date: May 28, 2026 9:00 AM
Event Type: Arraignment On Petition To Revoke
Clerk: Johanna B

Charge(s):

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Guilty
09/08/2025

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Nolle Prosequi
09/08/2025

Criminal/Traffic - Minutes

Christopher R Stride, Judge
Nicholas Shepherd, States Attorney
ECR Specialist, Lake County Court Reporters

Present in Court

MARISSA CERVANTES - Lake County Adult Probation Services

Nature of Proceedings:

Event Result: Case Called 05/28/2026.
Issue Warrant



IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS

CASE
NUMBER(S)

23CF00001146

VS.

EHAB ALLABABIDI
8516 W. WINONA ST.
CHICAGO, IL 60656

WARRANT OF ARREST - VIOLATION

To all Peace Officers of the State of Illinois:

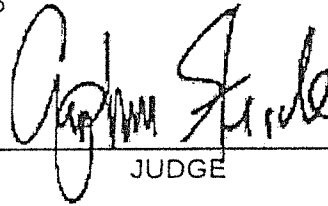
You are hereby commanded to arrest **EHAB ALLABABIDI** and bring said person without unnecessary delay before the judge sitting in First Appearance Court in the Circuit Court of the 19th Judicial Circuit, Lake County, Illinois, to answer a charge made against said person for a technical violation while on for the following offense(s):

AGG RECKLESS DRVG/BODILY HARMSPEEDING 35+ MPH OVER LIMIT

The defendant shall be held in custody for First Appearance Court.

Issued at Lake County, Illinois on 05/28/2026

PD APPOINTED
ARRESTING
AGENCY:
Lincolnshire



JUDGE

B: 09/24/1996	Race:	Sex: Male	Hair: Brown	Eyes: Brown	HGT: 6	WGT: 200
iver's License: A41120096272		DL State: IL		SSN:	State ID:	
hicle Reg:		Veh Make:		Year:	License Plate:	



IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

People

Plaintiff,

v.

PEOPLE VS ALLABABIDI

Defendant.

Case No. 23CF00001146

Location: Courtroom 611

Event Date: June 17, 2026 9:00 AM

Event Type: Status

Clerk: Johanna B

Charge(s):

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Guilty
09/08/2025

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Nolle Prosequi
09/08/2025

Criminal/Traffic - Minutes

Christopher R Stride, Judge
ECR Specialist, Lake County Court Reporters
Nicholas Shepherd, States Attorney
Bailey Russell, Public Defender

Present in Court

ALLABABIDI, EHAB, Appellant, Defendant present via video

Nature of Proceedings:

Event Result: Heard 06/17/2026.
Public Defender Discharged
WARRANT WILL NOT BE QUASHED
Oral Motion
TO LIFT STAY ON JAIL SENTENCE
Granted
Order Entered

FILED

6/18/2026 10:48

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS

Erin Cartwright Weinstein
Clerk of the Court
Lake County, Illinois

PEOPLE OF THE STATE OF ILLINOIS

vs.

EHAB ALLABABIDI

GEN. NO. 23CF00001146

ORDER

This matter coming before this Honorable Court with the Court being fully advised of the premises. It is so ordered:

1. The stay of the 180 day Lake County Jail term of the defendant's sentence is hereby lifted.

Dated: June 17, 2026

Enter:



JUDGE

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS**

PEOPLE OF THE STATE OF ILLINOIS, <i>Plaintiff,</i> v. EHAB ALLABABIDI, <i>Defendant.</i>	No. 23 CF 1146 Circuit Court, 19th Judicial Circuit Lake County, Illinois Hon. Christopher R. Stride Presiding Judge
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FILED
JUL 23 2026
Circuit Court, 19th Judicial Circuit
Lake County, Illinois

NOTICE OF APPEAL

Defendant-Appellant Ehab Allababidi appeals to the Appellate Court of Illinois, Second District, from the order described below:

1. Court to which appeal is taken:

Appellate Court of Illinois, Second District

2. Name of appellant and address:

Ehab Allababidi, 8516 W. Winona St., Chicago, IL 60656

3. Name and address of appellant's attorney on appeal:

None — Appellant is self-represented (Public Defender discharged June 17, 2026); appointment of counsel on appeal is requested under Ill. S. Ct. Rule 607(a)

4. Date of the judgment or order appealed from:

June 17, 2026

5. Offense of which convicted:

Aggravated reckless driving / bodily harm, Class 4 felony (625 ILCS 5/11-503(a)(1)) — Count 1, judgment of September 8, 2025, as reflected in the circuit court record

6. Sentence:

30 months' probation with a 180-day Lake County Jail term stayed; the stay was lifted by the order of June 17, 2026

7. Nature of the order appealed from:

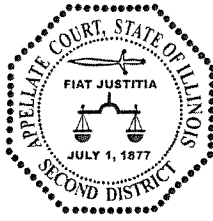
Order and minute orders of June 17, 2026 lifting the stay of the 180-day jail term (an order modifying the conditions of, or revoking, a probation sentence, Ill. S. Ct. Rule 604(b)), declining to quash the outstanding arrest warrant, and discharging the Public Defender.

/s/ Ehab Allababidi

EHAB ALLABABIDI, Defendant-Appellant, Pro Se

8516 W. Winona St., Chicago, IL 60656 | (773) 920-0030 | defcon5ready@gmail.com

Dated: July 10, 2026



**ILLINOIS APPELLATE COURT
SECOND DISTRICT**

**55 SYMPHONY WAY
ELGIN, IL 60120
(847) 695-3750**

July 31, 2026

Ehab Allababidi
8516 W. Winona St.
Chicago, IL 60656

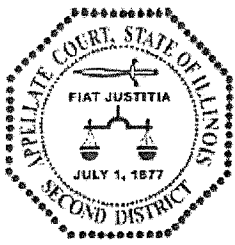
RE: People v. Allababidi, Ehab
Appeal No.: 2-26-0352
County: Lake County
Trial Court No.: 23CF1146

The court has this day, July 31, 2026, entered the following order in the above entitled case:

Appellant's "omnibus emergency motion" is granted as to its request for the appointment of appellate counsel, and the Office of the State Appellate Defender is hereby appointed. Now having been appointed counsel, appellant himself shall file nothing further with this court and shall not communicate by any means with appellee's counsel. Appellant's "omnibus" motion, and his other pending motions, are otherwise denied without prejudice to any motion filed by his counsel, including a motion to stay. (Appellant's counsel is hereby advised of appellant's suggestion that his jail term will begin on August 6, 2026.) This court reserves any issue of its jurisdiction.

Jeffrey H. Kaplan
Clerk of the Court

cc: Christopher Michael McCoy
Max Christian Boose



No. 2-26-0352

IN THE
APPELLATE COURT OF THE STATE OF ILLINOIS
SECOND JUDICIAL DISTRICT

PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from the Circuit Court
	)	of the 19th Judicial Circuit,
Plaintiff-Appellee,	)	Lake County, Illinois.
	)	
-vs-	)	No. 23 CF 1146
	)	
EHAB ALLABABIDI,	)	Honorable
	)	Christopher R. Stride,
Defendant-Appellant	)	Judge Presiding.

OBJECTION TO DEFENDANT'S MOTION TO DISCHARGE APPOINTED COUNSEL AND
PRO SE MOTION TO VACATE THE APPOINTMENT OF COUNSEL

The People of the State of Illinois, by Eric F. Rinehart, State's Attorney of Lake County, Illinois, Edward R. Psenicka, Deputy Director, and Max Boose, Staff Attorney, State's Attorneys Appellate Prosecutor, respectfully object to defendant's Motion to Discharge Appointed Counsel and corresponding *pro se* motion to vacate the appointment of counsel.

IN SUPPORT THEREOF, IT IS AVERRED THAT:

1. On June 14, 2023, defendant was indicted for both speeding 35 or more mph above the speed limit, and aggravated reckless driving resulting in great bodily harm, permanent disability, or disfigurement to another. Docket Sheet pp. 1-3; 625 ILCS 5/11-601.5(b) (eff. Jan. 1, 2014); 625 ILCS 5/11-503(a)(1), 5/11-503(c) (eff. June 1, 2008). On September 8, 2025, defendant pled guilty, and was sentenced by agreement to 30 months of probation with conditions. Docket Sheet pp. 2-3.
2. On November 17, 2025, this Court dismissed defendant's direct appeal.
3. On May 14, 2026, the People filed a petition to revoke probation. Docket Sheet, p. 7.

4. Defendant's *pro se* notice of appeal for this case, dated July 10, 2026, and filed on July 23, 2026, includes that "appointment of counsel on appeal is requested under Ill. S. Ct. Rule 607(a)."

5. On July 28, 2026, at or after 10:38 p.m., defendant filed an "Omnibus Emergency Motion" and other filings with this Court, seeking among other matters for this Court to intervene in the circuit court lifting the stay on defendant's 180 day jail sentence. Notice of Filing, p. 1; Def. Omnibus Em. Mtn. p. 1. That motion included a request for this Court to "DIRECT a Rule 607(a) indigency determination within three court days, *APPOINT appellate counsel on that finding*, and ORDER the report of proceedings under Rule 607(b)." Def. Omnibus Em. Mtn. p. 1 (emphasis added by the undersigned). In the corresponding argument, defendant asserts in part that "Rule 607(a) directs the circuit court, on the notice of appeal, *to determine indigency and appoint counsel*; Rule 607(b) supplies the report without charge." Def. Omnibus Em. Mtn. p. 2 (emphasis added).

6. On July 29, 2026, at 8:02 a.m., defendant filed a document seeking to supplement his pending motion. The same day, at 6:57 p.m., he filed a second set of documents he asserts are supplemental but do not change the obligations of the court in ruling on his motion.

7. On July 30, 2026, the People filed an objection to defendant's request that this Court stay the jail sentence before his next circuit court date, primarily focused on the apparent multiplicative litigations defendant pursued on the same matter, the circuit court's status as finder of fact, and deficiencies in the record to justify the extraordinary relief requested. On the same date, defendant filed a number of documents including a response to the People's objection, a third set of supplemental documents, and a proposed order. The proposed order's paragraph 4 states: "The circuit court shall make the determination required by Ill. S. Ct. R. 607(a) within three court days of this order, and upon a finding of indigency shall appoint counsel on appeal."

8. On July 31, 2026, this Court granted defendant’s “omnibus emergency motion” as to appointing the Office of the State Appellate Defender (“OSAD”), and ordered that defendant refrain from filing documents or contacting appellee’s counsel.

9. On August 4, 2026, defendant filed an emergency motion to vacate the appointment of OSAD counsel, misstating: “that relief not having been requested by any party” and that “[h]e did not request counsel in this Court.” Def. Mtn. Vacate Appt., pp. 1, 5. Defendant filed documents titled a fourth supplemental supporting record. Those documents include correspondence from defendant to appellate counsel with drafts, and asserts: “[t]his appeal is one of seven coordinated proceedings” while citing an assortment of civil and criminal cases with defendant as an apparent named party. Def. 4th Supp., pp. 5, 9. Defendant also stated he did not demand that counsel adopt any argument, did not demand withdrawal of counsel, and was “not an invitation to file anything you do not believe is supportable.” Def. 4th Supp., pp. 9-10. Defendant attached his attorney’s response, detailing defendant’s disagreement with OSAD’s scope of representation, including filing documents in the circuit court. Def. 4th Supp., p. 13.

10. On August 4, 2026, defendant filed a motion to discharge OSAD as counsel. Therein, defendant indicated he wished to discharge OSAD to “be in control of the issues he raised on appeal.” Def. Mtn. Discharge, pp. 2-3. Defendant cites the applicable statute and Illinois Supreme Court Rule for the appointment of counsel “if a defendant is indigent and ‘desires counsel on appeal.’ ” Def. Mtn. Discharge, p. 3 (citing Ill. Sup. Ct. R. 607(a); and 725 ILCS 5/121-13(a) (eff. Jan. 1, 2024)). As shown above, there is no legitimate dispute that defendant asserted his indigency and desire for counsel on appeal before OSAD’s appointment.

11. Based on his *pro se* and represented filings described above, defendant's desire to withdraw are based on his desire to control OSAD counsel's representation. The Supreme Court of the United States has established that there is no constitutional right to appellate self-representation. *Martinez v. Ct. of Appeal of California, Fourth App. Dist.*, 528 U.S. 152, 163 (2000). It explained that courts have discretion allowing a person to proceed *pro se*, and that individual autonomy principles are outweighed by governmental interests in ensuring the integrity and efficiency of the appellate process. *Id.* at 161, 163. To the extent defendant seeks to relegate OSAD to being "standby or consulting counsel only," Def. Mtn. Vacate, p. 2, defendant has not established a legal right to it.

12. Defendant's motion to discharge OSAD also cites language from the Fourth District "that 'the appointment of counsel – and *arguably*, the counsel's continuing tenure – is conditional on the defendant's desire for such counsel.'" Def. Mtn. Discharge, p. 3 (citing *People v. Jackson*, 362 Ill.App.3d 1196, 1199 (4th Dist. 2006)) (emphasis added by the undersigned). *Jackson* confirmed that both timeliness and insufficient support were grounds for rejecting a request for self-representation: "they must assert that right in a timely (and, we might add, effective) manner." *Id.* at 1199. The Fourth District subsequently reinforced this ruling by rejecting the claims of insufficient communication and waiving contentions on the basis of strategy. *People v. Thomas*, 2022 IL App (4th) 210746-U, ¶ 36 (cited as persuasive authority pursuant to Ill. Sup. Ct. R. 23(e)(1) (eff. Jun. 3, 2025)). Defendant's motion to discharge OSAD acknowledges that the *Jackson* decision denied the defendant's request for self-representation, asserting that was based on the timing of the request after full briefing in light of judicial efficiency concerns outweighing the defendant's interest in self-representation. Def. Mtn. Discharge., p. 3. However, the analysis of *Jackson* went further, establishing that pursuant to United States Supreme Court precedent, defendants "have no federal

constitutional right to self-representation on appeal.” *Jackson*, 362 Ill.App.3d at 1198-99 (citing *Martinez v. Court of Appeal of California*, 528 U.S. 152, 154 (2000)); see also *Thomas*, 2022 IL App (4th) 210746-U, ¶ 32. While the *Thomas* defendant moved to withdraw after the People’s response and before his reply, the limitations on the right to self-representation bear on defendant’s motion, in particular where that defendant challenged his counsel’s discretion in proceeding on some but not all of his claims. See *id.*, ¶¶ 25-26, 35.

13. Given the expedited, numerous, and voluminous filings by defendant *pro se*, there are judicial economy and improper purpose concerns in this case. Defendant’s serial and successive filings in this case, and the litigation strategy of filing numerous lawsuits as – to date – “seven” or “five” coordinated proceedings, bear on this Court’s discretion. Def. 4th Supp., p. 9; Def. Mtn. Vacate Appt., p. 6. This Court’s July 31, 2026 Order – to appoint counsel and refrain from filing documents with this Court or communicate with appellee’s counsel – is further justified by defendant’s harassing “Notice of Disciplinary Referral” dated July 30, 2026, detailing his four prior, as well as future, intended ARDC claims against various representatives of the People including the undersigned, as well as varying demands and vexatious litigation tactics for these and other proceedings. See Defendant’s July 31, 2026, Letter, attached as Exhibit 1, pp. 7-9. Given the correspondence provided by defendant in regards to OSAD’s position, and demonstrated mischaracterization of the record by requesting counsel in multiple filings including his notice of appeal before denying in his motion that he did so, there are also current and future concerns of frivolous or inappropriate argument in this Court.

14. Defendant otherwise has not established grounds for rejecting counsel’s appointment on appeal, as OSAD counsel has explicitly confirmed their willingness to seek the relief they may

ethically pursue: a stay on the circuit court's June 17, 2026 order. Def. 4th Supp., p. 13. Defendant's insistence on OSAD pursuing issues that are not cognizable for them shows that judicial economy is served by their involvement in the case. See *Martinez*, 528 U.S. at 163 (stating "[t]he requirement of representation by trained counsel implies no disrespect for the individual inasmuch as it tends to benefit the appellant as well as the court."). To the extent defendant's filings are based on his attempt to pursue a frivolous or otherwise improper argument, it has no value and therefore cannot weigh in favor of discharging counsel. See *Jackson*, 362 Ill.App.3d at 1200.

15. The People therefore object to defendant's motion to withdraw counsel.

WHEREFORE, for the foregoing reasons, the People of the State of Illinois respectfully request that this Court deny defendant's Motion to Discharge Appointed Counsel.

Respectfully submitted,

Eric F. Rinehart
State's Attorney
Lake County
Waukegan, Illinois 60085
(847) 377-3000

Edward R. Psenicka
Deputy Director

By /s/ Max C.. Boose
Max C. Boose
Staff Attorney
State's Attorneys
Appellate Prosecutor
2032 Larkin Avenue
Elgin, Illinois 60123
(847) 697-0020
2nddistrict.eserve@ilsaap.org

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1:26-cv-06738 Allababidi v. Shepherd et al
 Matthew F. Kennelly, presiding
Date filed: 06/06/2026
Date of last filing: 07/07/2026

Case Summary

Office: Chicago	Filed: 06/06/2026	
Jury Demand: Plaintiff	Demand:	
Nature of Suit: 440	Cause: 42:1983 Civil Rights Act	
Jurisdiction: Federal Question	Disposition:	
County: Cook	Terminated:	
Origin: 1	Reopened:	
Lead Case:	None	
Related Case:	None	Other Court Case: None
Defendant Custody Status:		
Flag: BASS-EHLER		

Plaintiff: Ehab Allababidi
Defendant: Nicholas Shepherd
Defendant: Marisa Cervantes
Defendant: Destiny Lee
Defendant: Margaret K. Fontana
Defendant: Lake County, Illinois
Defendant: Cook County, Illinois

PACER Service Center			
Transaction Receipt			
08/17/2026 13:27:51			
PACER Login:	OSAD2022	Client Code:	
Description:	Case Summary	Search Criteria:	1:26-cv-06738
Billable Pages:	1	Cost:	0.10



No. 2-26-0352

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Transaction ID: 2-26-0352
File Date: 8/18/2026 12:33 PM

Jeffrey H. Kaplan, Clerk of the Court
APPELLATE COURT 2ND DISTRICT

IN THE
APPELLATE COURT OF ILLINOIS
SECOND JUDICIAL DISTRICT

PEOPLE OF THE STATE OF	)	Appeal from the Circuit Court of
ILLINOIS,	)	the Nineteenth Judicial Circuit,
	)	Lake County, Illinois
Plaintiff-Appellee,	)	
	)	No. 23 CF 1146
-vs-	)	
	)	
EHAB ALLABABIDI,	)	Honorable
	)	Christopher R. Stride,
Defendant-Appellant.	)	Judge Presiding.

NOTICE AND PROOF OF SERVICE

TO: Mr. Edward Randall Psenicka, Deputy Director, State's Attorneys
Appellate Prosecutor, Elgin, IL 60123, 2nndistrict.eserve@ilsaap.org

Mr. Ehab Allababidi, 8516 W. Winona St., Chicago, IL 60656

Under penalties as provided in law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the Motion to Modify Order was filed with the Clerk of the Appellate Court using the court's electronic filing system in the above-entitled cause on August 18, 2026. Upon acceptance of the filing from this Court, persons named above with identified email addresses will be served using the court's electronic filing system and one copy is being mailed to the appellant in an envelope deposited in a U.S. mail box in Elgin, Illinois, with proper postage prepaid.

/s/ Vinette Mistretta
LEGAL SECRETARY
Office of the State Appellate Defender
Second Judicial District
One Douglas Avenue, Second Floor
Elgin, IL 60120
(847) 695-8822
2nndistrict.eserve@osad.state.il.us