



NEW, SEPARATE GRIEVANCE · APPOINTED APPELLATE COUNSEL

REQUEST FOR SOURCE-LEVEL INVESTIGATION

Request for Investigation — Christopher McCoy, Deputy Defender

Administrator

Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois
information@iardc.org

MATTER / RESPONDENT**Christopher McCoy, Deputy Defender — Office of the State Appellate Defender, Second Judicial District**

People v. Allababidi, Illinois Appellate Court, Second District, No. 2-26-0352 · Lake County Circuit Court No. 23 CF 1146 · McCoy appointed as appellate counsel by order dated July 31, 2026 · no attorney fee paid by complainant.

ARDC Administrator:

I submit this as a **new and separate grievance** concerning my appointed appellate counsel, Christopher McCoy. The complaint is narrow. I am not asking the ARDC to second-guess every appellate tactic, punish an isolated clerical error, or infer dishonesty from a corrected mistake. I ask the ARDC to investigate a documented sequence involving (1) an inaccurate filing-status representation in a live custody matter, and (2) a later sanctions motion directed personally at me in which the State represented that opposing counsel had already indicated that no response would be filed before I was informed of the motion or consulted about that position.

The second issue is the principal concern. The People's August 25 sanctions motion seeks sanctions against me personally and characterizes my conduct as a "plain refusal" to obey the appellate court. Paragraph 7 of that verified motion states that "opposing counsel has indicated they will not file a response." The next morning, McCoy sent me the motion, told me he did not know what sanctions might be imposed, and advised me to stop contacting the appellate prosecutor. His email did not tell me that opposing counsel had already communicated a no-response position, did not identify who made that decision, and did not explain why leaving the allegations unanswered served my interests.

I do not know from the present record whether McCoy personally made the statement reported in paragraph 7. That is an investigative question, not an accusation I can responsibly resolve myself. McCoy was my appointed appellate counsel and the sanctions motion's proof of service identifies him as opposing counsel. I ask the ARDC to obtain the underlying counsel-to-counsel communication and determine who made the no-response representation, when it was made, whether McCoy knew of or approved it, and whether any client consultation occurred before or after it.

SCOPE

[This complaint does not allege that a lawyer has a duty to use artificial intelligence. The issues are ordinary professional duties of competence, diligence, accurate status communication, and consultation.]

I. SOURCE-CONTROLLED CHRONOLOGY

DATE	DOCUMENTED EVENT	WHY IT MATTERS
Jul. 31	Second District appoints OSAD and bars further pro se appellate filings. McCoy becomes the channel through which appellant may seek appellate relief.	The representation is court-appointed and active.



DATE	DOCUMENTED EVENT	WHY IT MATTERS
Aug. 17	McCoy first says he is drafting a stay motion and motion to modify; later writes: "Both motions were filed with the appellate court today."	Unqualified client status representation in a live custody matter.
Aug. 18 - 10:34 a.m.	McCoy reverses the prior statement: "Due to a clerical error on my part," the motions "were not filed yesterday."	Prior status representation withdrawn.
Aug. 18 - 12:12 p.m.	McCoy clarifies that an attempted filing was rejected because he "failed to indicate whether the State would object."	Identifies the filing defect and rejection reason.
Aug. 18 - 4:22 p.m.	McCoy confirms both motions were re-filed and accepted and sends file-stamped copies.	Cure is acknowledged; complaint does not conceal it.
Aug. 21	Second District grants motion to modify communication restriction but denies stay.	Custody risk remains; counsel remains appointed.
Aug. 25	People file verified First Motion for Sanctions against appellant. Paragraph 7: "Opposing counsel has indicated they will not file a response."	Shows a no-response position had reportedly been communicated before the client's next-day notice.
Aug. 26 - 8:09 a.m.	McCoy forwards sanctions motion. He says he does not know what sanctions might be imposed and advises no further direct contact with SAAP.	Email does not disclose or explain the already-reported no-response position.
Aug. 26 - 8:54 a.m.	Appellant expressly requests that OSAD oppose the sanctions motion and copies State Appellate Defender James Chadd.	Client immediately rejects leaving personal allegations unanswered.
Aug. 26 - 9:34 a.m.	Appellant sends McCoy and Chadd a counsel-ready opposition, declaration, and authority crosswalk in PDF and editable formats.	Counsel receives a developed response package for independent review/adaptation.
Aug. 26 - afternoon	Appellant sends a source-controlled operational-review request through the State Appellate Defender Commission channel.	Internal supervisory route used before relying solely on discipline.

II. PRINCIPAL ISSUE - RULE 1.4 COMMUNICATION AND CONSULTATION

Illinois Rule of Professional Conduct 1.4 requires a lawyer to reasonably consult with the client about the means by which the client's objectives are to be accomplished, keep the client reasonably informed about the status of the matter, and explain matters to the extent reasonably necessary to permit informed decisions. The rule's comments recognize that important litigation actions may require consultation before action and, even where immediate action is necessary, require counsel to act reasonably to inform the client afterward.

This issue has unusually direct appellate authority. In *People v. Mischke*, 2024 IL App (2d) 240031, ¶¶ 43-44, the Second District stated that Rule 1.4 supplies the standard for judging the adequacy of appellate counsel's consultation with a criminal appellant and focused on whether counsel provided information reasonably necessary for an informed decision. I cite *Mischke* because it is a recent decision from the same appellate district and concerns appellate-counsel consultation, not because it converts every tactical disagreement into discipline.

CENTRAL INVESTIGATIVE QUESTION

[How did a position that no response would be filed against a motion seeking sanctions personally against the client reach opposing counsel before the client was told about the motion or consulted about the no-response position?]



The State's motion is explicit that opposing counsel had indicated no response would be filed. McCoy's next-day email does not tell me that such a position had already been communicated. It also does not state that he had reviewed the motion and made a strategic no-response decision, explain the legal basis for silence, identify a deadline, or request my factual account of the August 23 communication that forms the sole factual predicate for sanctions. Instead, it says only that he does not know what sanctions the court might impose and warns me not to contact SAAP again.

That omission matters because the sanctions motion attributes a willful state of mind to me. Facts bearing on intent were uniquely within my knowledge. Within approximately forty-five minutes of McCoy's notice, I expressly instructed him that I opposed leaving the allegations unanswered and copied State Appellate Defender James Chadd. Within another forty minutes I supplied a five-page response, a one-page declaration, and a controlling-authority crosswalk, in both PDF and editable form. Whether counsel ultimately had professional discretion to decline my proposed filing is different from whether I was entitled to meaningful consultation and an explanation of the no-response decision.

Investigation requested: obtain the communication underlying paragraph 7 of the State's sanctions motion; identify the OSAD lawyer who communicated the no-response position; determine McCoy's knowledge and role; determine whether there was any consultation with me before the position was communicated; and determine what analysis, if any, supported the decision after I expressly requested opposition and supplied filing-ready material.

III. SECOND ISSUE - RULE 1.1 COMPETENCE / THOROUGHNESS

Rule 1.1 requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation. Comment [5] states that competent handling includes inquiry into and analysis of the factual and legal elements of the problem and adequate preparation. The significance of preparation varies with what is at stake.

I do not allege that a competent lawyer was required to file my draft verbatim. I allege a narrower investigative issue: a sanctions motion directed personally at a represented criminal appellant presented obvious questions of willfulness, intent, proportionality, the actual text of the court's orders, and whether prospective compliance would address the court's concern. The State's own exhibit was the August 23 email. It showed that OSAD was copied, that I expressly acknowledged representation, and that I characterized the communication as preservation/status rather than merits briefing. Those facts do not necessarily defeat sanctions, but they were directly relevant to the State's allegations of "plain refusal" and an intention to continue.

My later response package identified additional arguments, including the actual language of Rule 375(a), Second District authority distinguishing willful violations from carelessness, the August 7 order's actual text, and a verified declaration of prospective compliance. The ARDC need not decide whether those arguments would prevail. The question is whether counsel performed the factual and legal analysis reasonably necessary before a no-response position was communicated or maintained.

IV. THIRD ISSUE - RULE 1.3 DILIGENCE AND ACCURATE STATUS CONTROL

Rule 1.3 requires reasonable diligence and promptness. Its comments emphasize that a lawyer's workload must be controlled so that each matter can be handled competently and that delay can materially affect a client's legal position.

The August 17-18 filing chronology is included as context, not as a claim that one corrected filing mistake alone warrants discipline. On August 17, McCoy told me without qualification that both emergency motions "were filed." On August 18 he said that, due to a clerical error, they "were not filed yesterday," then clarified that an attempted submission had been rejected because he failed to state the State's position. He cured the defect that day and provided file-stamped copies. I affirmatively disclose the cure.



The point for investigation is twofold. First, Rule 1.4 requires reliable status information in a live custodial matter. Second, the filing-control event provides context for the later sanctions-response issue: within eight days, a second high-stakes matter arose in which the State says opposing counsel had already made a no-response representation before I was consulted. ARDC can determine whether these were unrelated mistakes or whether they reveal a broader problem in file control, communication, or supervision.

V. WHAT I AM NOT ALLEGING

NO.	LIMITING POSITION	WHY IT MATTERS
1	No claim that McCoy had a duty to use AI.	The governing duties are ordinary legal research, preparation, diligence, and communication.
2	No claim that every tactical disagreement is misconduct.	I recognize counsel's professional discretion over many appellate means and arguments.
3	No present accusation of dishonesty under Rule 8.4(c).	The August 17 filing statement was corrected the next morning and the filings were cured the same day. I ask ARDC to investigate how the inaccurate status representation occurred; I do not infer intent from the present record.
4	No claim that the sanctions motion had to be defeated.	The issue is whether a consequential no-response position was reached and communicated consistently with counsel's duties to the client.
5	No request that ARDC decide the merits of the criminal appeal or sanctions motion.	Those are judicial questions. The disciplinary question concerns counsel conduct and communication.

VI. REQUESTED ARDC ACTION

- Open this as a **new grievance concerning Christopher McCoy**, separate from any grievance involving opposing counsel or other attorneys.
- Obtain and preserve the counsel-to-counsel communication referenced in paragraph 7 of the People's August 25 sanctions motion and identify the OSAD lawyer who communicated the no-response position.
- Review McCoy's file, nonprivileged e-filing records, and communications sufficient to determine the August 17-18 filing-status sequence and the basis for the August 26 sanctions-response position.
- Evaluate the documented conduct under Rules 1.1, 1.3, and 1.4. Consider any other rule only if the evidence developed by ARDC supports its elements.
- Provide the assigned grievance/inquiry file number when available so future submissions are associated with the correct respondent and record.

VII. LIMITED DISCLOSURE OF ATTORNEY-CLIENT COMMUNICATIONS

Several exhibits reproduce communications between appointed counsel and me because the filing-status contradiction and the sanctions-response sequence cannot be shown accurately without them. I disclose those communications for ARDC review of this grievance. I request confidential treatment to the extent permitted by ARDC rules and applicable law. I understand that the legal effect of disclosure, including any privilege consequences, is governed by law and is not controlled by this request.

ENCLOSURE REGISTER

The source records below are appended without altering their substantive content. Existing SADC Bates labels are preserved where present rather than overwritten.



EX.	RECORD	SOURCE / PURPOSE
A	McCoy August 17-18 filing-status chronology	Commission packet pp. 20-21. Exact message excerpts showing drafting, unqualified 'filed' confirmation, clerical-error reversal, rejection reason, and same-day cure.
B	People's First Motion for Sanctions, filed August 25, 2026	Commission packet pp. 24-32. The verified motion seeks sanctions personally against appellant; paragraph 7 states opposing counsel indicated no response would be filed; proof of service identifies McCoy.
C	McCoy August 26 status communication	Commission packet p. 33. Shows limited-remand review and McCoy's notice of the sanctions motion.
D	August 26 counsel-ready sanctions-response transmittal	Commission packet p. 34. Shows McCoy and State Appellate Defender James Chadd received a revised opposition, declaration, and authority crosswalk in PDF and editable formats.
E	Counsel-ready opposition supplied to OSAD	Commission packet pp. 35-40. Included to establish that a developed response was available for counsel's independent review; inclusion does not require ARDC to accept its legal theories.
F	State Appellate Defender Commission operational-review request	Commission packet pp. 1-4. Shows same-day internal supervisory escalation and the restrained request for a definite sanctions-response decision and filing-control review.

Source note. This packet is organized to identify the attorney relationship, related court case, challenged conduct, and supporting records while separating provable events from requested inferences.

Respectfully and without waiver of any right or remedy,

/s/ Ehab Allababidi

EHAB ALLABABIDI | *Pro Se*

8516 W. Winona St., Chicago, IL 60656

(773) 920-0030 | defcon5ready@gmail.com

EXHIBIT D — MCCOY E-MAIL FILING CHRONOLOGY

People v. Allababidi — No. 2-26-0352

1. August 17, 2026 — approximately 10:48 a.m. CDT

FROM: Christopher McCoy <Christopher.McCoy@osad.state.il.us>

TO: Ehab Allababidi <defcon5ready@gmail.com>

SUBJECT: Re: EMERGENCY ACTION REQUIRED TODAY — No. 2-26-0352 — Express Authorization / Rule 609(a) Stay / July 31 Filing Bar / Preservation

Mr. Allababidi,

I am currently drafting both a motion to modify the July 31 order and a motion to stay sentence. I believe that I will be able to file both motions today. I will email you to confirm when the motions have been filed.

2. August 17, 2026 — approximately 4:06 p.m. CDT

FROM: Christopher McCoy <Christopher.McCoy@osad.state.il.us>

TO: Ehab Allababidi <defcon5ready@gmail.com>

SUBJECT: Re: EMERGENCY ACTION REQUIRED TODAY — No. 2-26-0352 — Express Authorization / Rule 609(a) Stay / July 31 Filing Bar / Preservation

Mr. Allababidi,

Both motions were filed with the appellate court today. I will email you electronic copies of the motions tomorrow.

3. August 18, 2026 — approximately 10:34 a.m. CDT

FROM: Christopher McCoy <Christopher.McCoy@osad.state.il.us>

TO: Ehab Allababidi <defcon5ready@gmail.com>

SUBJECT: Appellate Court Motions

Mr. Allababidi:

Due to a clerical error on my part, the motion to stay the sentence and the motion to modify order were not filed yesterday. I am currently working to make sure they get filed ASAP. This error will not affect whether the motions are ultimately granted or denied.

Also, have you begun serving the 180-day jail sentence? If not, have you been told when the sentence will begin being served?

Note: Timestamps above are converted to Central Daylight Time from the message timestamps reflected in the Gmail record. The substantive quoted text is reproduced from the messages received from Christopher McCoy.

EXHIBIT B — MCCOY AUGUST 18 FILING CHRONOLOGY

People v. Allababidi, No. 2-26-0352

Source: Gmail messages received from Christopher McCoy, Deputy Defender, OSAD Second District.
Times shown in Central Daylight Time.

AUGUST 18, 2026 — 10:34 A.M. CDT

FROM: Christopher McCoy <Christopher.McCoy@osad.state.il.us>

TO: Ehab Allababidi <defcon5ready@gmail.com>

SUBJECT: Appellate Court Motions

Mr. Allababidi:

Due to a clerical error on my part, the motion to stay the sentence and the motion to modify order were not filed yesterday. I am currently working to make sure they get filed ASAP. This error will not affect whether the motions are ultimately granted or denied.

Also, have you begun serving the 180-day jail sentence? If not, have you been told when the sentence will begin being served?

AUGUST 18, 2026 — 12:12 P.M. CDT

FROM: Christopher McCoy <Christopher.McCoy@osad.state.il.us>

TO: Ehab Allababidi <defcon5ready@gmail.com>

SUBJECT: Re: Appellate Court Motions - Immediate Cure Required - 2-26-0352

Mr. Allababidi:

Yesterday (8/17), we attempted to file the motions with the appellate court. However, in the motions, I failed to indicate whether the State would object to them. So, the filings from yesterday were rejected by the appellate court clerk's office. I have since communicated with the State, who has indicated that they will be filing a response to both motions. Our office is now in the process of re-filing the motions. I'll email you file-stamped copies once we receive them.

AUGUST 18, 2026 — 4:22 P.M. CDT

FROM: Christopher McCoy <Christopher.McCoy@osad.state.il.us>

TO: Ehab Allababidi <defcon5ready@gmail.com>

SUBJECT: Re: Appellate Court Motions - Immediate Cure Required - 2-26-0352

Mr. Allababidi:

Both motions were filed today and accepted by the Appellate Court. I have attached file-stamped copies to this email.

NOTE: The three excerpts above intentionally show both the failure and the same-day cure. They are included for operational review of filing-status controls, not to suggest that the motions remained unfiled after August 18.



EXHIBIT D

People's First Motion for Sanctions — Filed August 25, 2026

SADC-000017-000024

Pending motion directed personally at appellant; paragraph 7 states that opposing counsel indicated they would not file a response.



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.

THE PEOPLE'S FIRST MOTION FOR SANCTIONS

The People of the State of Illinois, by Eric F. Rinehart, State's Attorney of Lake County, Illinois, through Edward R. Psenicka, Deputy Director, and Max C. Boose, Staff Attorney, State's Attorneys Appellate Prosecutor, respectfully move for sanctions against defendant for violating this Court's Orders.

IN SUPPORT THEREOF, IT IS AVERRED THAT:

1. On July 28, 2026, defendant filed an "Omnibus Emergency Motion" and other filings with this Court, seeking among other matters for this Court to appoint appellate counsel. Def. Omnibus Em. Mtn. p. 1, 2. 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 must not either file documents with this Court or "communicate by any means with appellee's counsel."

2. Around this time period, defendant filed numerous *pro se* supplements and replies to the People's filings while citing seven lawsuits he had filed to that point as "coordinated proceedings," as well as belligerent direct communications to the People as shown by the exhibit attached to their objection to the motions regarding counsel, in which defendant identified at least two disciplinary allegations he filed against Assistant State's Attorneys while asserting he would file further allegations alongside his "demand for withdrawal." Def. July 31, 2026, Letter, pp. 7-9; Def. 4th Supp., pp. 5, 9.

3. On August 7, 2026, this Court denied defendant's motions to remove OSAD. This Court ruled that "the number and nature of appellant's filings make very clear that the appointment of counsel, which appellant again repeatedly requested, is necessary to maintain the integrity and efficiency of the appellate process." It further referenced the bar on defendant communicating directly with the undersigned office, holding that "this court's order of July 31 will stand."

4. On August 18, 2026, defendant filed a motion to modify order, wherein he did not challenge the prohibition on direct contact with the office of the State's Attorneys Appellate Prosecutor. Def. Mtn. Modify Order, p. 2. On August 21, 2026, this Court granted defendant's motion to modify its July 31, 2026, ruling that "this court's intent in entering that order was to prohibit communication only with appellee's *appellate* counsel." (emphasis in original).

5. On August 23, 2026, defendant directed electronic correspondence to the undersigned office in violation of this Court's unambiguous orders. Defendant included the 2nd District ILSAAP email account in the "To" recipient box, and confirmed the intended recipients in the body of the email: "State's Attorneys Appellate Prosecutor / Lake County State's Attorney." See Def. Aug 23 Email, attached as Exhibit 1. Defendant includes demands for various actions styled as

“administrative returns.” Ex. 1. Defendant explicitly confirms that directing the correspondence to the undersigned office was intentional, stating “Appellate counsel are copied for transparency.” Ex. 1. The email sender is defendant’s address which he has previously listed with this Court as his own, and defendant ends the document with his own name. Ex. 1. Defendant’s attached document lists this appeal’s case name and Second District case number, and demands action for seven responses. Def. Email Attachment, attached as Exhibit 2. The body of the attachment confirms defendant’s intentional communication to the undersigned office, stating “Appellate counsel are copied here for transparency” while also acknowledging this Court’s ruling from August 7, 2026, stating he is “represented in the appeal.” Ex. 2, p. 1. Defendant’s attachment is also consistent with prior correspondence directed to the undersigned office. Ex. 2; Def. July 31, 2026, Letter.

6. The People submit that defendant has violated the plain language of this Court’s Orders, and indicates an intention to continue sending successive correspondence and demands for responses. In light of defendant’s plain refusal to obey this Court’s Orders, the People request such sanctions as this Court deems appropriate to ensure compliance with its Orders.

7. The undersigned has supplied a copy of this motion to opposing counsel for their position. Opposing counsel has indicated they will not file a response.

WHEREFORE, for the foregoing reasons, the People of the State of Illinois respectfully request that this Court enter sanctions against defendant for violating its Orders.

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
2nndistrict.eserve@ilsaap.org

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

VERIFICATION

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the above statements are true to the best of my knowledge and belief.

/s/ Max C. Boose
Max C. Boose

From: [2nd District](#)
To: [Max Boose](#); [Edward R. Psenicka](#)
Cc: [Lake County](#)
Subject: Fw: FOLLOW-UP / RECORD LOCK — No. 2-26-0352 — July 30 Hold / Aug. 4 Deadline / Preservation Status Due Aug. 25
Date: Monday, August 24, 2026 9:06:45 AM
Attachments: [SAAP RECORD LOCK AUG23.pdf](#)

Thank you,

Shari Lavick, Administrative Secretary
State's Attorneys Appellate Prosecutor
2032 Larkin Avenue
Elgin, Illinois 60123
(847) 697-0020
2nndistrict.eserve@ilsaap.org

From: Ehab Hilfiger <defcon5ready@gmail.com>
Sent: Sunday, August 23, 2026 8:53 PM
To: 2nd District; statesattorney@lakecountyil.gov
Cc: Christopher.McCoy@osad.state.il.us; Jaime.Montgomery@osad.state.il.us;
2ndDistrict@osad.state.il.us
Subject: FOLLOW-UP / RECORD LOCK — No. 2-26-0352 — July 30 Hold / Aug. 4 Deadline / Preservation Status Due Aug. 25

State's Attorneys Appellate Prosecutor / Lake County State's Attorney:
Attached is a compact follow-up to the July 30 litigation-hold and correction package. I am not resending the 48 pages you already received. The August 4 deadline has expired, and I have not located a written response from either office in the sending mailbox.
Because OSAD now represents me in the appeal, this is not a merits brief and asks no merits concession. It asks for seven verifiable administrative returns only: whether the hold issued; whether any correction/supplement was filed; whether the May 28 and June 17 ECR recordings and access/export logs are preserved; whether the DeRosa tenant-lifecycle records are preserved; whether the June 15 Odyssey/eFile audit trail is preserved; and whether you dispute the identity/authenticity of any source record in the July 30 exhibit register.
A seven-line response is sufficient. Please return it by 5:00 P.M. CDT Tuesday, August 25, 2026. Silence will be recorded only as no response located by the deadline, not as agreement or admission.
Appellate counsel are copied for transparency.
Respectfully and without waiver,
Ehab Allababidi



FOLLOW-UP / RECORD LOCK

People v. Allababidi - Appeal No. 2-26-0352

RE: July 30 litigation hold and correction demand | August 4 deadline expired | preservation and docket-status return only

WRITTEN RESPONSE REQUESTED BY 5:00 P.M. CDT TUESDAY, AUGUST 25, 2026

The original 48-page package is not reattached. You already received it. This follow-up asks for the small set of binary or docket-identifiable answers that remain independently verifiable after the August 4 deadline.

I. THE PURPOSE OF THIS FOLLOW-UP

The July 30 letter separated legal disagreement from preservation and correction. It identified the exact rule texts, the exact paragraphs challenged, the May 28 and June 17 ECR records, the DeRosa recipient-status chronology, and the docket-entry audit issue. Its response deadline passed on August 4. I have not located a written response from the State's Attorneys Appellate Prosecutor or the Lake County State's Attorney in the sending mailbox. This letter does not repeat the merits argument. It locks the post-notice record.

The Illinois Appellate Court has since denied the requested stay of sentence while granting counsel's motion to modify the July 31 order. Appellate counsel are copied here for transparency. Because I am represented in the appeal, this transmission is limited to preservation, correction-status identification, and administrative record ownership; it is not an attempt to brief the merits outside counsel.

II. SEVEN RETURNS THAT RESOLVE THE ADMINISTRATIVE RECORD

#	RETURN	EXACT QUESTION
1	Litigation hold	Was the July 30 preservation hold issued? If yes, identify by title the person/unit responsible. If no, state no.
2	Filed correction	Did the People file any correction, supplement, withdrawal, or amended position responsive to the July 30 notice? Identify title/date or state none.
3	May 28 ECR	Confirm whether the May 28, 2026 Courtroom 611 electronic recording and access/export logs are preserved.
4	June 17 ECR	Confirm whether the June 17, 2026 Courtroom 611 electronic recording and access/export logs are preserved.
5	DeRosa tenant records	Confirm preservation of recipient-object lifecycle, alias/proxy, mailbox/retention, message-trace, and audit records for fderosa@lakecountyil.gov for June 1-July 30, 2026.
6	Odyssey/eFile audit	Confirm preservation of audit history for the June 15, 2026 entry displayed publicly as "Correspondence," including document-type assignment and actor identity.
7	Source dispute	If you dispute the identity/authenticity of any source record listed in the July 30 enclosure register, identify the exhibit letter and the specific basis. Otherwise state no source-identification dispute.

III. WHAT THIS LETTER DELIBERATELY DOES NOT DO

It does not demand a concession on the stay, jurisdiction, or merits. It does not condition any disciplinary or agency submission on settlement or corrective action. It does not assert that any person destroyed evidence. It does not ask a represented party's adversary to bypass appellate counsel. It asks whether preservation happened and whether any correction was filed after notice. Those facts are either true or false on fixed dates.



IV. WHY THE ORIGINAL PACKET IS NOT REATTACHED

The July 30 letter itself made the point: padding a follow-up with paper the recipient already possesses is how a record gets skimmed. The original package remains the operative notice. This follow-up is a receipt-and-status instrument. If your office needs the original retransmitted for administrative reasons, say so and I will send the identical preserved copy, not a rewritten substitute.

V. DEADLINE AND RESPONSE FORM

A seven-line response keyed to items 1-7 is sufficient. Please return it by **5:00 P.M. CDT Tuesday, August 25, 2026**. Silence will be recorded only as no response located by the deadline, not as agreement, admission, or waiver.

Respectfully and without waiver of any right or remedy,

/s/ Ehab Allababidi

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



No. 2-26-0352

E-FILED
Transaction ID: 2-26-0352
File Date: 8/25/2026 11:04 AM

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

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.

NOTICE AND PROOF OF SERVICE

TO: Christopher McCoy, Deputy Defender
Office of the State Appellate Defender
Second Judicial District
2nndistrict.eserve@osad.state.il.us

Under the penalties provided in law pursuant to Section 1-109 of the Code of Civil Procedure, I hereby certify that the People's motion for sanctions in the above-entitled cause is being electronically filed with the Clerk of the Appellate Court, Second District, on August 25, 2026. Upon acceptance of the filing from this Court, the party listed above will be served using the court's electronic filing system.

/s/ Luisa Gonzalez
Luisa Gonzalez, Legal Secretary
State's Attorneys Appellate Prosecutor
2032 Larkin Avenue
Elgin, Illinois 60123
(847) 697-0020
2nndistrict.eserve@ilsaap.org

EXHIBIT E — MCCOY AUGUST 26 STATUS COMMUNICATION

People v. Allababidi, No. 2-26-0352

Source: Gmail message received from Christopher McCoy, Deputy Defender, OSAD Second District.
Time shown in Central Daylight Time.

AUGUST 26, 2026 — 8:09 A.M. CDT

FROM: Christopher McCoy <Christopher.McCoy@osad.state.il.us>

TO: Ehab Allababidi <defcon5ready@gmail.com>

SUBJECT: Appeal # 2-26-0352

Mr. Allababidi:

I received your emails concerning a motion for limited remand. I'm currently looking into whether that's a viable avenue for this appeal. I will contact you when I have reached a conclusion.

Also, yesterday, the State filed a Motion for Sanctions based on you allegedly violating the Appellate Court's order by emailing the Appellate Prosecutor's Office on August 23, 2026. A copy of the State's motion is attached.

NOTE: This exhibit reproduces only the complete sentences needed to establish the two pending operational decisions: limited-remand review and receipt of the sanctions motion. It omits the remainder of the attorney-client message because it is not necessary to this request.

EXHIBIT F — AUGUST 26 COUNSEL-READY SANCTIONS RESPONSE TRANSMITTAL

People v. Allababidi, No. 2-26-0352

Source: Gmail sent-message record.

Time shown in Central Daylight Time.

AUGUST 26, 2026 — 9:34 A.M. CDT

FROM: Ehab Allababidi <defcon5ready@gmail.com>

TO: Christopher.McCoy@osad.state.il.us

CC: James.Chadd@osad.state.il.us

SUBJECT: No. 2-26-0352 — Revised Sanctions Opposition, One-Page Declaration, and Controlling-Authority Crosswalk — Immediate Filing Requested

Opening transmission text:

Mr. McCoy:

Following my earlier request that OSAD oppose the People's First Motion for Sanctions, I am attaching a revised counsel-ready package for immediate review and filing/adaptation.

ATTACHMENTS RECORDED BY GMAIL:

1. Counsel_Ready_Response_to_Peoples_First_Motion_for_Sanctions_2-26-0352_REVISED.pdf
2. Counsel_Ready_Response_to_Peoples_First_Motion_for_Sanctions_2-26-0352_REVISED.docx
3. Declaration_Ehab_Allababidi_Notice_Chronology_Aug23_2-26-0352_REVISED.pdf
4. Declaration_Ehab_Allababidi_Notice_Chronology_Aug23_2-26-0352_REVISED.docx
5. Appendix_A_Controlling_Authorities_Record_Crosswalk_2-26-0352.pdf
6. Appendix_A_Controlling_Authorities_Record_Crosswalk_2-26-0352.docx

NOTE: This exhibit proves transmission and recipient scope. It does not represent that OSAD adopted the draft or was required to adopt any particular argument.

**EXHIBIT G****Counsel-Ready Response in Opposition to People's First Motion for Sanctions**

SADC-000027-000031

Five-page draft supplied for counsel's independent review and adaptation. Inclusion proves availability of a developed response, not that OSAD must adopt its wording or legal theories.

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

PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff-Appellee,

-vs-

EHAB ALLABABIDI,
Defendant-Appellant.

Appeal No. 2-26-0352

Appeal from the Circuit Court
of the 19th Judicial Circuit,
Lake County, Illinois

Trial Court No. 23 CF 1146

**APPELLANT'S RESPONSE IN OPPOSITION TO THE PEOPLE'S FIRST MOTION
FOR SANCTIONS**

[Counsel-ready draft for OSAD review and filing]

Appellant Ehab Allababidi, through appointed counsel, responds to the People's First Motion for Sanctions filed August 25, 2026. The motion should be denied.

PRELIMINARY STATEMENT

The People seek sanctions based on a single August 23 email sent after this Court modified its July 31 order. The email was not clandestine: it expressly acknowledged that OSAD represented appellant, copied OSAD, disclaimed merits advocacy, asked for preservation/correction-status information, and stated that silence would not be treated as an admission. Appellant now understands that the Court's August 21 formulation - 'appellee's appellate counsel' - encompasses the State's Attorneys Appellate Prosecutor in this appeal and will route appellate communications through appointed counsel.

The State's sanctions motion nevertheless escalates that single transmission into a verified accusation of 'plain refusal' and an asserted 'intention to continue sending successive correspondence.' The record does not support that escalation. More importantly, paragraph 3 of the State's personally verified motion materially overstates what this Court's August 7 order actually said. The motion states that the August 7 order 'referenced the bar on defendant communicating directly with the undersigned office.' The August 7 order contains no such reference. It addresses appointment of counsel, the volume and nature of filings, and concludes only that the July 31 order 'will stand.'

If Rule 375(a) supplies the sanctions framework, it requires a willful failure to comply after reasonable notice and an opportunity to respond; its Committee Comments expressly state that no sanction is intended for an inadvertent violation and that a party should receive a reasonable opportunity to correct. Ill. S. Ct. R. 375(a) & Committee Comments. On this record, prospective clarification and complete compliance resolve the only legitimate enforcement concern.

I. SOURCE-CONTROLLED CHRONOLOGY

Date	Record Event
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July 30, 2026	The People file an objection to appellant's emergency stay request. Max C. Boose signs as counsel and separately verifies the filing under 735 ILCS 5/1-109.
July 30, 2026	Appellant serves Boose/SAAP with a litigation-hold and correction notice directed specifically to the verified objection. The notice distinguishes legal argument from factual certification, quotes § 1-109, identifies specific challenged representations, and sets an August 4 correction deadline.
July 31, 2026	This Court appoints OSAD and orders appellant to file nothing further personally and not to communicate by any means with appellee's counsel.
August 5, 2026	Boose files and personally verifies a second objection. Paragraph 13 cites appellant's July 30 notice by page and attaches the full notice as Exhibit 1. The filing therefore establishes possession and deliberate use of the notice; the page-specific citation establishes that the cited portion was consulted.
August 7, 2026	This Court denies motions concerning discharge/withdrawal of OSAD. The order discusses counsel, indigency, and the integrity/efficiency of the appellate process, then states: "Accordingly, this court's order of July 31 will stand." It does not separately state that it "referenced the bar" on direct communication with SAAP.
August 18-19, 2026	OSAD moves to modify the July 31 order to permit contact with the Lake County State's Attorney's Office while expressly not challenging the prohibition on direct contact with SAAP. The People file a partial objection embracing that distinction.
August 21, 2026	This Court grants modification and states that its July 31 intent "was to prohibit communication only with appellee's appellate counsel."
August 23, 2026	Appellant sends the preservation/status follow-up to SAAP and the Lake County State's Attorney, copying McCoy, Montgomery, and OSAD Second District. The message expressly says it is not a merits brief and asks no merits concession.
August 24, 2026	SAAP administrative staff forwards the August 23 email to Max Boose and Edward Psenicka.
August 25, 2026	Boose files and personally verifies the People's First Motion for Sanctions under § 1-109.

II. THE AUGUST 23 TRANSMISSION DOES NOT SUPPORT THE STATE'S CHARACTERIZATION OF WILLFUL, CONTINUING DEFIANCE

The August 23 message itself supplies the best evidence of its purpose. It begins by acknowledging OSAD representation and states that it 'is not a merits brief and asks no merits concession.' It requests

seven preservation or status returns, says a seven-line response is sufficient, and expressly provides that silence will be recorded only as no response located - not as agreement or admission.

The message also copied appointed appellate counsel. That does not render the recipient selection permissible, but it is powerful evidence against concealment, circumvention, or a plan to bypass counsel. The State's verified leap from one transparent transmission to 'plain refusal' and an 'intention to continue' is therefore unsupported by the objective contents of the exhibit it filed.

Appellant's present position is unequivocal: no further direct communication concerning this appeal will be sent to SAAP while the Court's no-contact restriction remains operative. Any appellate communication will be routed through OSAD. That prospective compliance eliminates the enforcement rationale for punitive sanctions.

August 23 email:

Because OSAD now represents me in the appeal, this is not a merits brief and asks no merits concession.

Silence will be recorded only as no response located by the deadline, not as agreement or admission.

Appellate counsel are copied for transparency.

III. PARAGRAPH 3 OF THE VERIFIED SANCTIONS MOTION MATERIALLY OVERSTATES THE AUGUST 7 ORDER

The sanctions motion is not merely signed as advocacy. Boose separately certified its factual averments under 735 ILCS 5/1-109. Paragraph 3 says:

People's First Motion for Sanctions, ¶ 3:

It further referenced the bar on defendant communicating directly with the undersigned office, holding that 'this court's order of July 31 will stand.'

The August 7 order actually states, after discussing appointment of counsel and the volume/nature of appellant's filings:

August 7, 2026 order:

Here, the number and nature of appellant's filings make very clear that the appointment of counsel, which appellant again repeatedly requested, is necessary to maintain the integrity and efficiency of the appellate process. Accordingly, this court's order of July 31 will stand.

The order contains no separate reference to a bar on communication with 'the undersigned office.' The distinction is material because the State uses the supposed August 7 reaffirmation as part of the chronology supporting its accusation of knowing and repeated defiance. The Court should evaluate the sanctions request against the order's actual text, not the verified gloss placed on that text by the movant.

IV. PERSONAL VERIFICATION HEIGHTENS THE NEED FOR SOURCE-LEVEL ACCURACY; IT DOES NOT CONVERT ADVOCACY INTO FACT

Rule 361(a) requires affidavit or § 1-109 verification when a reviewing-court motion depends on facts outside the record. Section 1-109 gives such certification the same force and effect as an oath and makes knowingly false material certification subject to statutory consequences. 735 ILCS 5/1-109. Appellant does not ask this Court to adjudicate a criminal offense in this motion. The narrower

point is evidentiary: a personally verified factual chronology should be checked against the source documents before it is used to impose sanctions.

The functional distinction is recognized in federal immunity law. In *Kalina v. Fletcher*, 522 U.S. 118, 129-31 (1997), the Supreme Court distinguished protected prosecutorial advocacy from the prosecutor's personal factual attestation. The Seventh Circuit applied that distinction to an Illinois prosecutor in *Olson v. Champaign County*, 784 F.3d 1093, 1102-03 (7th Cir. 2015): when a prosecutor swears to facts, he acts in a witness-like function rather than as an advocate for purposes of absolute immunity. See also *Brunson v. Murray*, 843 F.3d 698, 704-05 (7th Cir. 2016). These authorities are cited only to identify the functional significance of personal factual certification, not to ask this Court to adjudicate a federal damages claim.

V. THIS IS A REPEATED VERIFIED-FILING PATTERN AFTER SPECIFIC WRITTEN NOTICE, NOT A REQUEST FOR A CRIMINAL FINDING

The reliability concern is not confined to August 25. The record contains three personally verified filings by Boose in less than four weeks. Appellant uses the term 'repeated verified-filing pattern' descriptively; he does not ask this Court to label Boose a criminal 'repeat offender' or find the subjective state of mind required by § 1-109.

July 30 verified objection: Boose certified an objection that, among other things, cited Rule 615(a) as confirming a general requirement that errors be brought to the trial court, even though Rule 615(a) is the plain-error provision permitting review of qualifying errors despite the failure to raise them. This is principally a legal-candor issue, not a § 1-109 factual-falsity claim.

July 30 notice / August 5 proof of possession and use: The July 30 notice expressly told Boose that he had signed the filing twice, distinguished legal contentions from factual certifications, quoted § 1-109, and identified six requested corrections. On August 5, Boose's verified objection cited that notice by page and attached it in full as Exhibit 1. That establishes actual possession and use of the notice before the August 25 verification.

August 25 verified sanctions motion: Paragraph 3 adds a specific description to the August 7 order that the order itself does not contain. Paragraph 6 predicts a continuing intention from a single post-modification transmission. Paragraph 7 certifies a historical representation about opposing counsel's stated position; appointed counsel should state the precise facts of that communication so the Court is not asked to infer consent or waiver from an informal pre-filing exchange.

Federal preservation point: the August 5 verified objection also invoked appellant's pursuit of multiple lawsuits as part of the asserted justification for maintaining restraints. Litigation and resort to courts can constitute protected petitioning activity. See *Woodruff v. Mason*, 542 F.3d 545, 551 (7th Cir. 2008); *Novoselsky v. Brown*, 822 F.3d 342, 354-57 (7th Cir. 2016). Government conduct likely to deter a person of ordinary firmness from protected activity, when motivated by that activity, can support a First Amendment retaliation theory. *Surita v. Hyde*, 665 F.3d 860, 878-79 (7th Cir. 2011); see also *Fairley v. Andrews*, 578 F.3d 518, 525 (7th Cir. 2009) (both penalties for past speech and threats designed to deter future speech are forbidden). These authorities are preserved only; appellant does not ask this Court to adjudicate a federal damages claim in resolving sanctions.

VI. RULE 375 FAVORS DENIAL OR, AT MOST, PROSPECTIVE CLARIFICATION

Rule 375(a) authorizes sanctions only after a party or attorney is determined to have willfully failed to comply with the appeal rules. The Second District treats willfulness as a real limitation, not surplusage. See *Garlick v. Bloomingdale Township*, 2018 IL App (2d) 171013, ¶ 61 (declining Rule 375(a) sanctions where rule violations were not sufficiently egregious to establish willful noncompliance); *In re Marriage of Keegan*, 2022 IL App (2d) 190495, ¶ 72 (Rule 375(a) reaches willful failure to comply; Rule 375(b) separately reaches frivolous or improper-purpose litigation). And in *In re Marriage of Kane*, 2016 IL App (2d) 150774, ¶¶ 45-47, the court declined Rule 375(b) sanctions despite record misstatements because they likely reflected carelessness rather than a deliberate effort to mislead. The Committee Comments likewise state that no sanction is intended for an inadvertent violation and contemplate notice and a reasonable opportunity to correct. Ill. S. Ct. R. 375(a), Committee Comments. The State's motion does not identify damages, attorney fees, or costs caused by the August 23 email, and its requested sanction is unspecified.

A narrow recipient-scope mistake followed by immediate prospective compliance is not equivalent to the State's charged description of continuing defiance. Where punishment is premised on violation of a court command, Illinois Supreme Court precedent requires a clear command and a willful violation. *People v. Le Mirage, Inc.*, 2013 IL 113482, ¶¶ 65-69; *People v. Totten*, 118 Ill. 2d 124, 138 (1987); *O'Leary v. Allphin*, 64 Ill. 2d 500, 513-14 (1976). The Court can protect its order without punishment by clarifying that appellant may communicate with the Lake County State's Attorney in matters outside the appellate representation, but must not directly communicate with SAAP concerning this appeal while represented by OSAD.

RELIEF REQUESTED

- WHEREFORE, appellant respectfully requests that the Court deny the People's First Motion for Sanctions;
- decline to rely on the inaccurate description of the August 7 order in paragraph 3 of the verified motion;
- recognize appellant's prospective compliance and route all appellate communications through appointed counsel; and
- grant such other nonpunitive clarification as the Court deems appropriate.

Respectfully submitted,

EHAB ALLABABIDI, Defendant-Appellant
 By: Office of the State Appellate Defender
 Counsel for Appellant

CONFIDENTIAL SUPERVISORY SUBMISSION · SOURCE-CONTROLLED RECORD · NO
MERITS DIRECTION REQUESTEDACKNOWLEDGMENT REQUESTED WITHIN ONE
BUSINESS DAY

Request for Commission Operational Review and Immediate Representation-Coverage Determination

Claire Musial, Director of Support Services / Commission Contact
State Appellate Defender Commission · Office of the State Appellate Defender
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MATTER

People v. Allababidi — Appeal No. 2-26-0352 — Lake County No. 23 CF 1146

Pending People's First Motion for Sanctions filed August 25, 2026 · limited-remand vehicle under counsel review August 26 · August 17–18 emergency-filing status contradiction and same-day cure · outstanding trial-level warrant/custody issue

Ms. Musial and Commission reviewers:

Ms. Musial: this is a **case-specific operational-review request to the State Appellate Defender Commission**, not a request that the Commission decide an appellate issue, direct a particular merits argument, or substitute its judgment for appointed counsel. The immediate problem is narrower: a live criminal appeal now presents a pending sanctions motion against the represented appellant, an unresolved limited-remand question, and a trial-level warrant/custody issue that appointed appellate counsel has said is not reachable through an appellate bond motion. The record needs one accountable supervisory answer as to who is handling each risk and on what procedural track.

I am sending this to the Commission because the ordinary supervisory chain has already been placed on written notice. On August 18, I sent an immediate cure and record-lock notice to Christopher McCoy and copied James E. Chadd, Jaime L. Montgomery, the Second District office, and OSAD. The filing defect was cured later that day. What remains is the office-level control question exposed by the sequence and amplified by the events that followed: what process ensures accurate filing-status representations to a client, prompt cure of rejected emergency filings, a definite response decision when sanctions are sought against a represented client, and a defined handoff when an appellate lawyer identifies a live custody mechanism as trial-level rather than appellate.

SCOPE

[I ask for operational supervision, assignment clarity, preservation, and a written coverage determination. I do not ask the Commission to order counsel to make an argument he cannot professionally support, and I do not ask it to adjudicate misconduct by the State's Attorneys Appellate Prosecutor.]

I. THE DOCUMENTED OPERATIONAL SEQUENCE



DATE	DOCUMENTED EVENT	OPERATIONAL SIGNIFICANCE
Aug. 17	McCoy stated he expected to file a stay motion and motion to modify the July 31 order, then later stated: "Both motions were filed with the appellate court today."	Client received an unqualified filing confirmation in a live custody matter.
Aug. 18 — 10:34	McCoy wrote: "Due to a clerical error on my part" , the two motions had not been filed the prior day.	The prior filing-status representation was withdrawn.
Aug. 18 — 12:12	McCoy clarified that an attempt had been made but the filings were rejected because he had failed to indicate the State's position; re-filing was underway.	Identifies a second filing-control defect and a different factual account of the August 17 event.
Aug. 18 — 16:22	McCoy confirmed both motions were filed and accepted and provided file-stamped copies.	The filing problem was cured the same day; this request does not conceal that cure.
Aug. 21	Second District granted the communication modification, denied the stay, and stated that if the order moots the appeal appellant may move to dismiss.	The warrant/custody risk remained unresolved after stay denial.
Aug. 25	The People filed a verified First Motion for Sanctions against appellant. Paragraph 7 states opposing counsel indicated they would not file a response.	A personal sanctions risk now exists while appellant remains represented.
Aug. 26	McCoy advised that limited remand is under review and transmitted the sanctions motion. Appellant then sent McCoy, with Chadd copied, a revised counsel-ready opposition, declaration, and authority crosswalk.	Two time-sensitive counsel decisions remain: sanctions response and limited-remand vehicle.

II. THE COMMISSION HAS AN OPERATIONAL LANE THAT ORDINARY CASE CORRESPONDENCE DOES NOT

The State Appellate Defender Act gives the Commission an express institutional role. Under **725 ILCS 105/6(a)**, the Commission advises the State Appellate Defender and may recommend policies for operation of the office. Under **section 6(e)**, the State Appellate Defender reports to the Commission, and the Commission may require **additional or amended reports on any phase of the operation of the office**. Section 10(a) states the core appellate-representation duty when OSAD is appointed; section 10(c)(1) separately authorizes a panel of private attorneys available to serve on a case basis.

I do **not** read section 10(a) as automatically converting an appellate appointment into general trial-court representation. That is precisely why an operational decision is required here. If the live warrant must be attacked only in the circuit court, while OSAD controls the appeal and a limited-remand route remains under review, the question is not whether I can force an appellate defender to become trial counsel. The question is whether OSAD has a protocol for preventing a representation vacuum at the exact point where the appellate lawyer identifies the relevant remedy as outside the appellate court.

III. SIX DETERMINATIONS REQUESTED

- 1 Identify one accountable supervisory attorney.** Please identify the OSAD supervisor responsible for the final operational decisions concerning the pending sanctions motion, the limited-remand review, and any cross-forum coverage or referral decision arising from the outstanding warrant.
- 2 Sanctions-response decision.** Please confirm whether OSAD will file, adopt, adapt, or otherwise submit a response to the People's August 25 sanctions motion. If OSAD determines that no response should be filed, please identify that as the office's considered decision and identify the supervisory level at which that decision was reviewed. I am not requesting privileged mental impressions or a compelled legal theory.



- 3 **Limited-remand decision.** Please complete and communicate the viability determination McCoy stated on August 26 was under review. A definitive yes/no procedural decision is materially different from an open-ended status update.
- 4 **Representation-gap protocol.** If OSAD's position remains that the warrant can be addressed only in the circuit court, please identify the office's operational mechanism, if any, for handling or referring that gap — including whether a case-basis panel referral, coordination with trial-level appointed counsel, a limited-remand vehicle, or another defined handoff is available. If OSAD has no such mechanism or regards it as outside its responsibility, state that plainly so the record is not ambiguous.
- 5 **Preserve the filing audit trail.** Preserve the native August 17–18 e-filing records already identified in the August 18 record-lock notice, including envelope creation/submission/rejection/acceptance events, automated receipts, internal filing notes, and communications necessary to reconstruct the status change. This request is for preservation; it does not demand privileged mental impressions.
- 6 **Commission-level operational report.** I respectfully request that the Commission use section 6(e), if it considers the record sufficient, to require an additional report from the State Appellate Defender addressing the controls implicated here: verification before a represented client is told an emergency motion was filed; rejected-filing cure; assignment of responsibility for a sanctions response; and cross-forum custody-risk handoff when the appellate office identifies the direct remedy as trial-level.

IV. THE SANCTIONS FILING IS ATTACHED AS A RISK DOCUMENT, NOT AS A DISCIPLINARY ACCUSATION

Exhibit D is the People's August 25 sanctions motion because it defines the current risk that appointed counsel is managing. I am not asking this Commission to decide whether Max C. Boose violated a criminal statute, a professional rule, or any other law. Those are different forums and different elements. For Commission purposes the relevant fact is simply that a verified sanctions motion has been filed against a represented appellant, the motion itself reports that opposing counsel indicated no response would be filed, and appointed counsel has since been supplied a developed opposition package for independent review.

That distinction is deliberate. The Commission does not need to accept my characterization of the State's filings to decide whether OSAD has made and documented the representation decisions that now matter. The oversight request rises or falls on OSAD's own communications, the appellate orders, and the existence of the pending sanctions motion.

V. LIMITED DISCLOSURE OF ATTORNEY-CLIENT COMMUNICATIONS

Several exhibits reproduce narrow excerpts of communications between me and appointed counsel because the filing-status contradiction, the limited-remand status, and counsel's receipt of the sanctions motion cannot be shown accurately without them. I disclose those excerpts intentionally and solely for confidential Commission/OSAD supervisory review of this operational request. I do not intend a broader waiver of attorney-client privilege or work-product protection, and I request that the agency limit internal distribution to personnel reasonably necessary for that review. I recognize that the legal effect of any disclosure is governed by applicable law rather than by this statement alone.

VI. REQUESTED TIMING AND RECORD RESPONSE

Please acknowledge Commission intake within **ONE BUSINESS DAY**. Because a sanctions motion is presently pending and the limited-remand vehicle remains under review, I request the operational determinations above by **5:00 P.M. CDT FRIDAY, AUGUST 28, 2026, IF PRACTICABLE**. I understand that this is a requested response target, not a deadline I have power to impose. If a substantive response cannot be completed by then, please identify the responsible reviewer and the date by which the Commission or OSAD expects to issue the requested operational



determination.

WHAT RESOLVES THIS SUBMISSION

One accountable supervisor; one written sanctions-response decision; one written limited-remand decision; one explicit cross-forum coverage/referral position; preservation of the August 17–18 filing audit trail; and Commission consideration of an additional operational report under 725 ILCS 105/6(e).

The purpose of this packet is not to generate another layer of correspondence. It is to convert an unresolved chain of case emails into a small number of decisions attributable to named decision-makers. If the answer to any requested item is no, a written no is substantially more useful than continued ambiguity.

Respectfully and without waiver of any right or remedy,

/s/ Ehab Allababidi

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