

IN THE APPELLATE COURT OF ILLINOIS
SECOND DISTRICT

PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff-Appellee,

v.

EHAB ALLABABIDI,
Defendant-Appellant, Pro Se.

APPELLATE COURT OF ILLINOIS
SECOND DISTRICT

Appeal No. **2-26-0352**

Appeal from the Circuit Court of
Lake County, No. **23 CF 1146**

The Honorable Christopher R. Stride,
Judge Presiding

**FOURTH SUPPLEMENTAL SUPPORTING RECORD PURSUANT TO ILLINOIS
SUPREME COURT RULE 328**

Exhibits MM through QQ — in support of Appellant’s Emergency Omnibus Motion filed August 3, 2026

WHY THIS RECORD IS FILED, AND WHAT IS NOT IN IT

Rule 328 requires a party seeking relief before the record on appeal is filed to supply “any other matter necessary to the application made,” and permits the record to be authenticated “by the affidavit of the attorney or party filing it.” The record on appeal is not due until September 24, 2026. Parts III, IV, VII, VIII and XII of the accompanying motion turn on two documents that are not of record and cannot be: a transmission to appointed counsel and the letter it carried. Both are supplied here, in full, so that the Court may measure appellant’s account against the documents rather than against a characterization of them. **Second District Local Rule 109 requires a movant to attach every document relevant to an emergency motion, and this record discharges that requirement.**

Nothing already before this Court is reproduced. The order entered July 31, 2026, the People’s Objection of July 30, 2026, the Response filed the same day, and the four supporting records already on file are not repeated in this record. Rule 328 is for matter that is not of record.

VERIFICATION AND RULE 328 CERTIFICATION

Under penalties as provided by law pursuant to section 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109), I, EHAB ALLABABIDI, Defendant-Appellant, Pro Se, certify that each document contained in this Fourth Supplemental Supporting Record is a true and correct copy of a record in the files maintained in my possession; that each is what the exhibit cover preceding it states it to be; that each is reproduced in full, no pages having been omitted; that no page has been altered other than by the addition of the exhibit cover and the sequential Bates footer; that Exhibit MM is a true and correct copy of a message sent by me from the electronic mail account identified on its face, at the date and hour shown on its face; that Exhibit OO is a true and correct copy of a message received by me at that account from the sender and at the date and hour shown on its face, reproduced without alteration and without omission; and that this record is submitted under Illinois Supreme Court Rules 328 and 361(a) in support of the motion filed herewith.

/s/ Ehab Allababidi

EHAB ALLABABIDI

Defendant-Appellant, Pro Se

8516 W. Winona St., Chicago, Illinois 60656

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

Dated: August 3, 2026

Appeal	No. 2-26-0352, Appellate Court of Illinois, Second District
Circuit court	Nineteenth Judicial Circuit, Lake County, No. 23 CF 1146 (23CF00001146)
Filed in support of	Emergency Omnibus Motion of Defendant-Appellant for a stay of sentence and admission to bail, for a stay of the warrant of May 28, 2026, and for vacatur of the appointment of counsel and of the direction barring appellant from filing — designated an emergency motion under Rule 361(g).
Relationship to the record on file	Supplemental to the Supporting Record (Exhibits A through Z) filed with the Omnibus Emergency Motion, to the Supplemental Supporting Record of July 29, 2026 (Exhibits AA and BB), to the FOIA supplement (Exhibits CC through JJ), and to the Third Supplemental Supporting Record of July 30, 2026 (Exhibit KK). Nothing in any of them is reproduced here.
Exhibits	5, lettered MM, NN, OO, PP and QQ. MM, NN, OO and PP are reproduced in full; QQ is the cover page and questions presented of a twenty-page petition, the balance of which is not necessary to this application.
Pagination	Sequential Bates numbering in the form OSR-000001 at the foot of every page, distinct from the SR-, SSR-, FSSR- and TSR- series already on file.
Purpose and limit	Offered to establish what was transmitted to appointed counsel, when, what was asked, and what appointed counsel answered in writing. Appellant does not dispute any statement of fact in Exhibit OO and adopts it. He does not ask this Court to find that counsel was obliged to file the enclosed drafts, that any person delayed, or that any person acted in bad faith.

INDEX TO THE FOURTH SUPPLEMENTAL SUPPORTING RECORD

Ex.	Document	Source	Pages
MM	Transmission of July 31, 2026, 9:07 p.m., to the Office of the State Appellate Defender, Second Judicial District	Electronic mail transmission record	4–6
NN	Transmittal to appointed counsel of July 31, 2026, with drafts for counsel’s signature or rejection — the letter enclosed with Exhibit MM	Correspondence of the appellant	7–10
OO	Reply of appointed counsel, August 3, 2026, 5:56 p.m. — Jaime L. Montgomery, Assistant Deputy Defender, Office of the State Appellate Defender, Second Judicial District	Correspondence of appointed counsel	11–14
PP	Supreme Court of the United States — letter of the Clerk, June 22, 2026, Application No. 25A1406	Record of the Supreme Court of the United States	15–16
QQ	Supreme Court of the United States, No. 26-5055, Allababidi v. Illinois — petition for a writ of certiorari, cover and questions presented	Record of the Supreme Court of the United States	17–19

The digests below are of the source files as they existed before the exhibit covers and the Bates footers were added by this record, so that each exhibit as filed can be checked against the file from which it was made.

SHA-256, Exhibit MM	1395b4e02214c06c872221acdc119e0cce73d8b2a287cf32cbe56fdff9fd8a50
SHA-256, Exhibit NN	4eec29852d08c3b0afaa0052b8bc54a424bac9c703dec54e5fbbb721890b18d8
SHA-256, Exhibit OO	238c2c39b5cc8df73c43da7d4347ce9b686e18c04d474160f0b673a83064e268
SHA-256, Exhibit PP	b687a23879e14c5cfce63dc6ae51da642d5b115048d87d27dab6fcdaaab0cc29
SHA-256, Exhibit QQ	d39b7df2cb11550680edc4f2f9444765955a364ce9f436accecc021dac96fc21f

EXHIBIT MM

TRANSMISSION OF JULY 31, 2026, 9:07 P.M., TO THE OFFICE OF THE STATE APPELLATE DEFENDER, SECOND JUDICIAL DISTRICT

WHAT THIS EXHIBIT ESTABLISHES

Within hours of the order appointing it, appointed counsel was sent a completed, signature-ready Rule 609(a) motion for a stay and a proposed order, together with a second motion and order addressed to the report of proceedings, in editable form, with a written request to file the stay motion on or before Monday, August 3, 2026 or to say by that date that it would not. Counsel answered on August 3, 2026 — by telephone at 4:37 p.m. and in writing at 5:56 p.m. — and the answer is Exhibit OO.

VISIBLE ON THE FACE OF THE DOCUMENT

- Sent **Friday, July 31, 2026 at 9:07 p.m.** from defcon5ready@gmail.com to **2ndDistrict@osad.state.il.us**, the Office’s published address, addressed to Christopher M. McCoy.
- Subject line: **“TIME-SENSITIVE — People v. Allababidi, No. 2-26-0352 — Rule 609(a) Stay Required Before August 6.”**
- Five attachments, enumerated in the body: the transmittal letter with enclosure register and the Court’s July 31 appointment order; **01_Emergency_Motion_for_Stay_R609a.docx**; **02_Proposed_Order_Stay.docx**, “including alternative administrative-stay relief”; **03_Motion_R607a_Determination_and_Report.docx**; and **04_Proposed_Order_R607.docx**.
- The request: “I respectfully request that counsel review and file an appropriate Rule 609(a) motion for stay **on or before Monday, August 3, 2026**, or promptly advise me if counsel does not intend to seek that relief.”
- The second request: “Please **confirm receipt of all five attachments** and advise, as soon as practicable and **no later than August 3**, whether counsel will seek the stay or requires any additional record, authority, or editable material from me.”
- The disclaimer, in the same message: the drafts “are unsigned, have not been submitted to any court, and are provided solely for counsel’s independent review, revision, adoption, or rejection. **I am not asking counsel to advance any position counsel considers unsupported, nor am I attempting to dictate litigation strategy.**”
- Appointed counsel confirms both the transmission and its hour: “I called you at 4:37 p.m. in response to the email you sent my office on **July 31, 2026 at 9:07 p.m.**” (Exhibit OO).

HOW THIS EXHIBIT FITS THE RECORD

This exhibit fixes the two dates on which Part VII of the accompanying motion turns: the hour at which the Office came into possession of a finished motion and proposed order, and the date appellant designated in writing for an answer. Exhibit OO establishes that the Office did not learn of its appointment until August 3, 2026, and appellant states in Part VII that **no part of the interval is attributable to counsel**. This exhibit is offered to show what was in counsel’s hands when the answer was given, and for nothing else.

SOURCE AND AUTHENTICATION

SOURCE	Electronic mail transmission record
PAGES	Complete document
AUTHENTICATION	Certified by Appellant under 735 ILCS 5/1-109 and Illinois Supreme Court Rule 328 as a true and correct copy of the identified record.



TIME-SENSITIVE – People v. Allababidi, No. 2-26-0352 – Rule 609(a) Stay Required Before August 6
1 message

Ehab Hilfiger <defcon5ready@gmail.com> Fri, Jul 31, 2026 at 9:07 PM
To: 2ndDistrict@osad.state.il.us

Attention: Christopher M. McCoy, Assistant Appellate Defender

Mr. McCoy:

I am transmitting the attached letter and four editable draft instruments concerning **People v. Allababidi, Appellate Court No. 2-26-0352, arising from Lake County No. 23 CF 1146.**

The immediate issue is narrow and time-sensitive: the **180-day custodial term is scheduled to begin August 6, 2026.** In its July 31 order appointing the Office of the State Appellate Defender, the Court denied the remaining pending relief **without prejudice to a motion filed by appointed counsel, expressly identifying a motion to stay** and specifically advising counsel of the August 6 date.

Accordingly, I respectfully request that counsel review and file an appropriate **Rule 609(a) motion for stay on or before Monday, August 3, 2026,** or promptly advise me if counsel does not intend to seek that relief. The proposed order includes an alternative administrative-stay provision so the Court can preserve the status quo without deciding the underlying merits before August 6. The second motion addresses the present absence of a report of proceedings. No transcript has been prepared or ordered, although the May 28 and June 17 proceedings were electronically recorded. The attached draft requests transcription without charge under Rule 607(b), together with production and preservation of the Rule 46 recordings.

The attachments are:

1. **06_LETTER_TO_COUNSEL_WITH_DRAFTS.pdf** – complete transmittal letter, enclosure register, supporting exhibits, and the Court’s July 31 appointment order.
2. **01_Emergency_Motion_for_Stay_R609a.docx** – editable draft Rule 609(a) stay motion.
3. **02_Proposed_Order_Stay.docx** – editable proposed order, including alternative administrative-stay relief.
4. **03_Motion_R607a_Determination_and_Report.docx** – editable draft motion concerning the report of proceedings and Rule 46 recordings.
5. **04_Proposed_Order_R607.docx** – editable proposed order directing transcription, production, and preservation.

These drafts are **unsigned, have not been submitted to any court, and are provided solely for counsel’s independent review, revision, adoption, or rejection.** I am not asking counsel to advance any position counsel considers unsupported, nor am I attempting to dictate litigation strategy. The immediate objective is preservation of meaningful appellate review before the sentence begins and before the appeal is overtaken by execution of the custodial term.

Please confirm receipt of all five attachments and advise, as soon as practicable and no later than August 3, whether counsel will seek the stay or requires any additional record, authority, or editable material from me.

Respectfully,

Ehab Allababidi
Defendant-Appellant
People v. Allababidi, No. 2-26-0352
Lake County No. 23 CF 1146
8516 W. Winona St.
Chicago, Illinois 60656
(773) 920-0030
defcon5ready@gmail.com

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Ehab Allababidi

PHONE 773-920-0030

EMAIL defcon5ready@gmail.com

CAGE 16QC7

DarkDeck

LEGAL NOTICE & CONFIDENTIALITY

This email and any attachments may contain confidential, privileged, proprietary, trade-secret, controlled, or otherwise legally protected information intended solely for the named recipient or authorized recipient group. If you received this communication in error, please notify the sender promptly, refrain from reviewing, copying, forwarding, or distributing its contents, and delete all copies within your control.

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Transmission does not waive any privilege, protection, objection, defense, right, confidentiality interest, or preservation position. No statement in this message creates a binding agreement, admission, waiver, modification, or commitment unless expressly stated and authorized in writing. Any express request, deadline, preservation demand, compliance directive, or recordkeeping instruction contained in the body of the message constitutes written notice and should be retained with the complete native email, attachments, headers, and associated metadata.

5 attachments



06_LETTER_TO_COUNSEL_WITH_DRAFTS.pdf
1.4 MB



01_Emergency_Motion_for_Stay_R609a.docx
42 KB



03_Motion_R607a_Determination_and_Report.docx
39 KB



02_Proposed_Order_Stay.docx
39 KB



04_Proposed_Order_R607.docx
38 KB

EXHIBIT NN

TRANSMITTAL TO APPOINTED COUNSEL OF JULY 31, 2026, WITH DRAFTS FOR COUNSEL’S SIGNATURE OR REJECTION — THE LETTER ENCLOSED WITH EXHIBIT MM

WHAT THIS EXHIBIT ESTABLISHES

The communication to appointed counsel asked for one objective, disclaimed any attempt to direct the means, enclosed the completed instruments, and set a date. It is reproduced in full so that the Court may measure the account given in the motion against the document itself rather than against a characterization of it.

VISIBLE ON THE FACE OF THE DOCUMENT

- It identifies the internal contradiction in the appointing order in its first paragraph: Part III of the omnibus motion asked this Court to direct a Rule 607(a) indigency determination, to appoint counsel **on that finding**, and to order the report of proceedings under Rule 607(b) — and “[t]he order granted the second and denied the first and third.”
- It quotes the appointing order’s own operative sentence and states the consequence: **“Standing alone, the appointment produces no transcript, no record, and no stay.”**
- It states the limit of what is asked: “I prepared the enclosed drafts myself. They are unsigned, have been submitted to no court, and are not to be filed except by you and over your own signature. Use them, rewrite them, or discard them entirely — **the strategy is yours and I am not purporting to direct it.**”
- It sets the date and the alternative in terms: file the Rule 609(a) stay motion on or before Monday, August 3, 2026, **“or tell me by that date if you do not intend to seek a stay.”**
- It contains no threat, no demand for any theory of the case, no reference to any disciplinary body, and no accusation against counsel or the Office.

HOW THIS EXHIBIT FITS THE RECORD

Appellant offers this exhibit for one purpose and asks the Court to confine it to that purpose: to establish what was asked of appointed counsel, in what terms, and by what date. It is not offered to establish that counsel was obliged to file the enclosed drafts, and appellant states in Part XIX of the accompanying motion that Rule of Professional Conduct 1.2(a) commits the means of the representation to the lawyer.

SOURCE AND AUTHENTICATION

SOURCE	Correspondence of the appellant
PAGES	Complete document
AUTHENTICATION	Certified by Appellant under 735 ILCS 5/1-109 and Illinois Supreme Court Rule 328 as a true and correct copy of the identified record.



TRANSMITTAL TO APPOINTED COUNSEL · TERM SCHEDULED TO BEGIN IN FIVE DAYS

Stay motion requested by Monday, August 3, 2026

Transmittal to Appointed Counsel, with Drafts for Your Signature or Rejection

Christopher M. McCoy, Assistant Appellate Defender
Office of the State Appellate Defender · Second Judicial District
One Douglas Avenue, Second Floor, Elgin, Illinois 60120
2ndDistrict@osad.state.il.us · fax (847) 695-8959
Appointed by order of the Appellate Court, Second District, entered July 31, 2026

MATTER

People v. Allababidi, No. 2-26-0352 (Ill. App. Ct., 2d Dist.) — Lake County No. 23 CF 1146

Appeal from the June 17, 2026 order activating a 180-day term · counsel appointed July 31, 2026 · term scheduled to begin August 6, 2026 · Rule 323(a) window closes August 4 · Rule 323(c) amendments due August 13

Counsel:

Mr. McCoy: the order appointing you granted a request that was expressly conditional, and denied the condition in the same sentence. Part III of my omnibus motion asked this Court to do three connected things — **direct a Rule 607(a) indigency determination within three court days; appoint appellate counsel on that finding; and order the report of proceedings without charge under Rule 607(b).** The order granted the second and denied the first and third.

The same order is also an instruction, and it is the reason I am writing to you today rather than next week. Read the operative sentence (Exhibit 5):

ORDER, PEOPLE V. ALLABABIDI, NO. 2-26-0352, JULY 31, 2026

*[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.)]*

The Court did not merely leave the door open. **It named the motion.** Of every form of relief that had been sought, it identified a motion to stay as the one preserved to counsel, and then, unprompted, told counsel the date the term is said to begin. The Court also declined to dismiss: it reserved the question of jurisdiction rather than resolving it against the appeal, which is what the People asked for three times. A court that intended this appeal to end on August 6 does not write that sentence and does not add that parenthetical.

What the order withheld is the other half. Rule 651(c) obliges you to examine a record of the proceedings. There is no record. No transcript has been ordered, none has been prepared, and no party has designated the proceedings for transcription. **Standing alone, the appointment produces no transcript, no record, and no stay. As entered, it is worth nothing to either of us.** Exhibits 3 and 4 are the fix, and they are two pages.

The request

I am not asking you to build a case. It is built. The Response to the People’s Objection was filed July 30 and sets out the text of every rule the Objection relies on beside the use it makes of each. The Rule 323(c) proposed report of proceedings for May 28 and June 17 was served on the appellate prosecutor the same day, and their fourteen days to



amend it run to August 13. A Rule 328 supporting record and supplements to it are on file. The four instruments enclosed are drafted, cited, and ready.

What is missing is a signature and a filing, and the order of July 31, 2026 gave both of those to you and took them from me. That is the whole of what I need. **I prepared the enclosed drafts myself.** They are unsigned, have been submitted to no court, and are not to be filed except by you and over your own signature. Editable Word versions accompany this letter. Use them, rewrite them, or discard them entirely — the strategy is yours and I am not purporting to direct it. The objective is mine, and it is the one below.

FILE THE RULE 609(A) STAY MOTION ON OR BEFORE MONDAY, AUGUST 3, 2026

The 180-day term is scheduled to begin August 6, 2026. Monday is three days ahead of it and leaves the Court a day to rule. Exhibits 1 and 2 are a complete draft motion and proposed order, and the proposed order carries an administrative-stay paragraph in the alternative, so a panel unwilling to decide the merits before August 6 still has an order it can enter. If you do not intend to seek a stay, tell me by that date, so that I can proceed under Supreme Court Rule 383 in the one forum this Court's order does not reach.

Matters bearing on any position taken here

- 1 This appeal is one of seven coordinated proceedings.** In the Northern District of Illinois: *Allababidi v. Advocate Health and Hospitals Corp.*, No. 1:25-cv-15800 (civil RICO, Alonso, J.); *Allababidi v. Shepherd*, No. 1:26-cv-06738 (42 U.S.C. § 1983, Kennelly, J.), in which the Illinois Attorney General filed a notice of non-involvement on April 28, 2026; and *Allababidi v. Junkin*, No. 1:26-cv-01077 (habeas corpus, Blakey, J.), in which the response is due August 10. In the Southern District of New York: *Allababidi v. Advocate Health, Inc.*, No. 1:26-cv-05881-LTS. In the District of Delaware: *Allababidi v. Advocate Health, Inc.*, No. 1:26-cv-00908. And a criminal appeal in the First District, No. 1-26-0055. Positions taken here carry exhaustion and preclusion consequences under 28 U.S.C. § 2254(b)(1)(A) and (b)(1)(B)(ii). Your office has no appearance and no notice in any of them. A concession in this appeal binds six matters you have not seen.
- 2 The proceedings were recorded.** The minute sheets for May 28 and June 17, 2026 each name an electronic court recording specialist of Lake County Court Reporters in the appearance block. The audio exists in a county office. What does not exist is a transcript, and no one has ordered one.
- 3 Two clocks are running against the People right now.** Rule 323(a) gave them seven days from service of the July 28 docketing statement to designate additional portions of the proceedings; that closes **August 4**, and their Objection designates nothing. Rule 323(c) gives them fourteen days from July 30 to amend the proposed report of proceedings; that closes **August 13**. Both run whether or not anything further is filed.
- 4 The jurisdictional attack failed.** The People asked three times for dismissal under Rule 303(a)(2). The order does not dismiss; it states that the Court “reserves any issue of its jurisdiction.” Rule 303 is captioned for civil cases and Rule 612(b), which lists the civil appeals rules that reach criminal appeals, does not include it. The Response filed July 30 sets the text of that rule and of Rules 606(b), 609(a) and 615(a) against the use the Objection makes of each; it is on the docket and I have not reproduced it here.

Enclosures

Four instruments, each supplied as an editable **.docx** and, behind this letter, as a PDF.

EXHIBIT	WHAT IT IS
1 and 2	Emergency motion for a stay under Rule 609(a), and a proposed order. The proposed order carries an administrative-stay paragraph in the alternative , so a panel unwilling to decide anything before August 6 still has an order it can enter.



EXHIBIT	WHAT IT IS
3 and 4	Motion for the Rule 607(a) determination and the report of proceedings without charge under Rule 607(b), with a proposed order reaching production and preservation of the Rule 46 recordings.
5	The order of July 31, 2026 appointing you — one page. The sentence quoted at the head of this letter is the second one.

Representation

I did not seek an appointment in the form this order took, and I have questions about one made without consultation and conditioned on a finding refused in the same sentence. I am not raising any of it this week. The order makes you the only person able to file in this appeal; contesting the appointment before the stay is resolved would leave me barred from filing and no one able to file for me. The stay first. Everything else keeps.

Limits

- 1 It is not a demand that you adopt any argument. Rule 1.2(a) puts objectives with the client and means with the lawyer, and I am observing the line.
- 2 It is not a request that you withdraw, and it is not a predicate for a complaint of any kind to anyone.
- 3 It is not an invitation to file anything you do not believe is supportable.

If drafts are unhelpful, say so and I will stop sending them. If the constraint is time rather than substance, tell me what would help and I will prepare it today.

The term is scheduled to begin in five days, and I cannot file. That is the only fact in this letter that cannot wait.

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 00

REPLY OF APPOINTED COUNSEL, AUGUST 3, 2026, 5:56 P.M. — JAIME L. MONTGOMERY, ASSISTANT DEPUTY DEFENDER, OFFICE OF THE STATE APPELLATE DEFENDER, SECOND JUDICIAL DISTRICT

WHAT THIS EXHIBIT ESTABLISHES

Appointed counsel’s own written account of the telephone call of August 3, 2026. It corroborates the hour of the call, the absence of the Deputy Defender, the date on which the Office first learned of its appointment, the relief the Office will seek, the relief it will not seek, and counsel’s written direction that appellant address this Court. Appellant adopts it and relies on it.

VISIBLE ON THE FACE OF THE DOCUMENT

- “I called you at **4:37 p.m.** in response to the email you sent my office on **July 31, 2026 at 9:07 p.m.**” — the hour of the call and the hour of the transmission, confirmed by the Office.
- “your email was forwarded to me because **Deputy Defender Christopher McCoy is out of the office this week.**”
- “our office was informed **earlier today** that the appellate court appointed the Office of the State Appellate Defender to represent you on appeal number 2-26-0352.” The order was entered **July 31, 2026.**
- “I have reviewed the documents you sent in your email, as well as the docket entries from the Lake County circuit court clerk’s online portal.”
- “I said that I planned to file a motion asking the appellate court to stay the circuit court order dated June 17, 2026 lifting the stay on your 180-day jail sentence. I then said that, unfortunately, **that would not affect the arrest warrant.**”
- “a motion to quash or recall a warrant ... must be filed with the local circuit clerk and ruled on by the judge in the originating courtroom. **The appellate court may review a circuit court’s ruling on a motion to quash a warrant,** but it does not directly rule on such a motion.”
- “By law, (725 ILCS 105/1 et seq.), the Office of the State Appellate Defender is authorized to represent people **on appeal** ... We are not appointed to represent people before the circuit courts.”
- “**because my Office was appointed at your request,** you would need to **tell the appellate court that you no longer want the Office of the State Appellate Defender appointed to your case.**”
- “**I am still willing to file a motion to stay** the June 17, 2026-order lifting the stay on the jail sentence.”
- “our support staff will proceed as it normally does when we are appointed on a new case and **will arrange to have the record on appeal prepared.** You will also receive standard letters advising you that our Office has been appointed.”

HOW THIS EXHIBIT FITS THE RECORD

Appellant offers this exhibit as a true and accurate account and does not dispute any statement of fact in it. It supplies four things the accompanying motion depends on and which appellant could not otherwise establish: that the Office did not learn of its appointment until August 3, 2026, three days after the order and three days before the term, so that no part of the interval is attributable to counsel; that the Office has stated in writing that it will not seek relief reaching the warrant, which is the predicate for Part XII; that appointed counsel herself directed appellant to address this Court on the question of the appointment, which is the answer to Part III; and that the Office understands the appointment to have been made “at [appellant’s] request,” a premise the order of July 31, 2026 defeats on its face by denying the determination on which the request was expressly conditioned. Appellant asks this Court to find nothing adverse to counsel, and states in Part XIX of the motion that counsel telephoned within hours of her Office’s notice, had reviewed the materials and the circuit court docket before she called, offered the relief this Court invited, and remains willing to file it.

SOURCE AND AUTHENTICATION

SOURCE	Correspondence of appointed counsel
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EXHIBIT 00

REPLY OF APPOINTED COUNSEL, AUGUST 3, 2026, 5:56 P.M. — JAIME L. MONTGOMERY,
ASSISTANT DEPUTY DEFENDER, OFFICE OF THE STATE APPELLATE DEFENDER, SECOND
JUDICIAL DISTRICT

PAGES	Complete document
AUTHENTICATION	Certified by Appellant under 735 ILCS 5/1-109 and Illinois Supreme Court Rule 328 as a true and correct copy of the identified record.



Re: TIME-SENSITIVE — People v. Allababidi, No. 2-26-0352 — Rule 609(a) Stay Required Before August 6
1 message

Jaime L. Montgomery <Jaime.Montgomery@osad.state.il.us> Mon, Aug 3, 2026 at 5:56 PM
To: defcon5ready@gmail.com <defcon5ready@gmail.com>

Dear Mr. Allababidi:

I am writing to follow up on our phone conversation today, August 3, 2026. I called you at 4:37 p.m. in response to the email you sent my office on July 31, 2026 at 9:07 p.m. I advised you that your email was forwarded to me because Deputy Defender Christopher McCoy is out of the office this week. I explained that our office was informed earlier today that the appellate court appointed the Office of the State Appellate Defender to represent you on appeal number 2-26-0352. I stated that I have reviewed the documents you sent in your email, as well as the docket entries from the Lake County circuit court clerk's online portal. I said that I planned to file a motion asking the appellate court to stay the circuit court order dated June 17, 2026 lifting the stay on your 180-day jail sentence. I then said that, unfortunately, that would not affect the arrest warrant. At that point, you stated your belief that the appellate court could issue an order staying or quashing the arrest warrant. You stated that there is no point to staying the order lifting the 180-day jail term without quashing the warrant and that if I was unwilling to help you, my Office should get off of your case. I responded that I understood why you also want the warrant quashed, and that it was not a question of what I am willing to do, but a matter of what my Office is permitted to do as a matter of law. Before I could explain further, you stated that I should file a motion to get off of your case so that you can represent yourself. I then stated that because my Office was appointed at your request, you would need to tell the appellate court that you no longer want the Office of the State Appellate Defender appointed to your case. You said that you would do so and hung up the phone.

In Illinois, a motion to quash or recall a warrant for failing to appear for a court date must be filed with the local circuit clerk and ruled on by the judge in the originating courtroom. The appellate court may review a circuit court's ruling on a motion to quash a warrant, but it does not directly rule on such a motion. By law, (725 ILCS 105/1 *et seq.*), the Office of the State Appellate Defender is authorized to represent people on appeal, meaning before the appellate and supreme courts. We are not appointed to represent people before the circuit courts and we do not file documents on our clients' behalf in the circuit courts. This is why I said that I would file a motion asking the appellate court to stay the June 17, 2026-order lifting the stay on the jail time, but not a motion to quash the arrest warrant. Had I been permitted to finish my explanation, I would have said that I am happy to file the motion to stay, but that you will need to file a separate motion to quash the warrant in the circuit court, either on your own, or by asking to have counsel appointed to represent you in the circuit court.

I am still willing to file a motion to stay the June 17, 2026-order lifting the stay on the jail sentence. My current understanding, however, is that you do not want me to do so and you plan to ask to have my Office removed from your case. If you change your mind and would like me to file a motion to stay, please let me know.

Lastly, please be advised that because our Office just received notice that we have been appointed to your case, our support staff will proceed as it normally does when we are appointed on a new case and will arrange to have the record on appeal prepared. You will also receive standard letters advising you that our Office has been appointed and telling you about the appeal process. These letters are sent to all of our new clients and are not intended in any way to antagonize you.

All the best

Jaime L. Montgomery | Assistant Deputy Defender

Office of the State Appellate Defender

2nd Judicial District

P: 847-695-8822

Jaime.Montgomery@osad.state.il.us |  <https://www.illinois.gov/osad>



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EXHIBIT PP

SUPREME COURT OF THE UNITED STATES — LETTER OF THE CLERK, JUNE 22, 2026,
APPLICATION NO. 25A1406

WHAT THIS EXHIBIT ESTABLISHES

Appellant sought emergency injunctive relief in the Supreme Court of the United States before the order under review was entered. The application was presented to the Circuit Justice and denied. The exhibit establishes the disposition and the date, and nothing further.

VISIBLE ON THE FACE OF THE DOCUMENT

- On the letterhead of the **Supreme Court of the United States, Office of the Clerk**, Washington, D.C. 20543-0001, over the name of **Scott S. Harris, Clerk of the Court**, dated **June 22, 2026**.
- “Re: Ehab Allababidi v. **Matt Junkin, et al., Application No. 25A1406.**”
- “The application injunction in the above-entitled case has been presented to **Justice Barrett**, who on **June 22, 2026**, **denied the application.**”
- Signed by **Robert Meek, Emergency Applications Attorney**, for the Clerk.
- The application was submitted June 10, 2026 and docketed June 17, 2026 — **before the order of June 17, 2026 under review in this appeal was entered**, so it did not and could not seek review of that order.

HOW THIS EXHIBIT FITS THE RECORD

Offered as one row of the ledger in Part XVIII of the accompanying motion, which records each forum appellant has asked and what each answered. **Appellant does not offer a denial of emergency relief as evidence that any court erred**, and does not ask this Court to draw any inference from the disposition of the Circuit Justice. It is offered for the narrow purpose the ledger serves: to establish, by date and by document, that the request was made and answered, so that the completeness of the circuit is a matter of record rather than of assertion.

SOURCE AND AUTHENTICATION

SOURCE	Record of the Supreme Court of the United States
PAGES	Complete document
AUTHENTICATION	Certified by Appellant under 735 ILCS 5/1-109 and Illinois Supreme Court Rule 328 as a true and correct copy of the identified record.

Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Harris
Clerk of the Court
(202) 479-3011

June 22, 2026

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

Re: Ehab Allababidi
v. Matt Junkin, et al.
Application No. 25A1406

Dear Mr. Allababidi:

The application injunction in the above-entitled case has been presented to Justice Barrett, who on June 22, 2026, denied the application.

Sincerely,

Scott S. Harris, Clerk

by


Robert Meek
Emergency Applications Attorney

EXHIBIT QQ

SUPREME COURT OF THE UNITED STATES, NO. 26-5055, ALLABABIDI V. ILLINOIS — PETITION FOR A WRIT OF CERTIORARI, COVER AND QUESTIONS PRESENTED

WHAT THIS EXHIBIT ESTABLISHES

A petition for a writ of certiorari to the Supreme Court of Illinois, arising from the same judgment of conviction entered September 8, 2025 in Lake County No. 23 CF 1146, was file-stamped February 27, 2026 and docketed July 10, 2026. Its first question concerns the procedural architecture — a post-plea motion as a strict jurisdictional prerequisite to appeal — that produced the dismissal of the direct appeal from that judgment.

VISIBLE ON THE FACE OF THE DOCUMENT

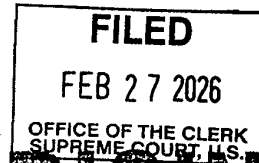
- Cover page bears the Clerk’s file stamp **FEB 27 2026** and the caption *Ehab Allababidi, Petitioner, v. People of the State of Illinois, Respondent*, “ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF ILLINOIS.”
- Docketed as **No. 26-5055** on **July 10, 2026**.
- **Question 1**, in part: whether a State “functionally circumvent[s] *Garza* [*v. Idaho*, 586 U.S. 232 (2019)] when its procedural architecture mandates a post-plea motion as a strict jurisdictional prerequisite to appeal, thereby converting court-appointed counsel’s omission into an unreviewable, non-consensual constructive appellate waiver.”
- **Question 2** concerns the Unconstitutional Conditions doctrine as applied to a state administrative agency.

HOW THIS EXHIBIT FITS THE RECORD

Appellant states the limit of this exhibit himself, because he has stated it before to this Court and will not now state it differently. No. 26-5055 arises from Appeal No. 2-25-0440 and **does not concern the order of June 17, 2026 under review here**. It is not offered to enlarge this Court’s jurisdiction, to suggest that any question in it is before this Court, or to suggest that any person intends any consequence for it. It is offered for one arithmetical proposition stated in Part XV of the accompanying motion: that a 180-day term commencing August 6, 2026 runs to February 2, 2027, and that the interval reaches every proceeding arising from the judgment entered September 8, 2025.

SOURCE AND AUTHENTICATION

SOURCE	Record of the Supreme Court of the United States
PAGES	Complete document
AUTHENTICATION	Certified by Appellant under 735 ILCS 5/1-109 and Illinois Supreme Court Rule 328 as a true and correct copy of the identified record.



26-5055 ORIGINAL
No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

EHAB ALLABABIDI,
Petitioner,

v.

PEOPLE OF THE STATE OF ILLINOIS,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
SUPREME COURT OF ILLINOIS

PETITION FOR A WRIT OF CERTIORARI

EHAB ALLABABIDI
Petitioner, Pro Se
8516 W. Winona St., Chicago, IL 60656
(773) 920-0030

QUESTIONS PRESENTED

QUESTION 1: In *Garza v. Idaho*, 586 U.S. 232 (2019), this Court held that counsel’s failure to file a requested notice of appeal constitutes *per se* ineffective assistance, resulting in presumed prejudice. Does a State functionally circumvent *Garza* when its procedural architecture mandates a post-plea motion as a strict jurisdictional prerequisite to appeal, thereby converting court-appointed counsel’s omission into an unreviewable, non-consensual constructive appellate waiver that permanently insulates Sixth Amendment claims from Article III review?

QUESTION 2: Under the Unconstitutional Conditions doctrine, does a state administrative agency execute an impermissible exaction when it indefinitely revokes a citizen’s physical transit privileges—their sole lawful means of accessing a state courthouse—and conditions the restoration of that fundamental benefit on the citizen’s affirmative waiver of their enumerated Fifth Amendment privilege against self-incrimination in parallel administrative proceedings?

QUESTION 3: Does a State violate the Fourteenth Amendment’s Due Process guarantee of meaningful court access when it mechanically enforces a jurisdictional filing deadline against an unrepresented litigant, while the State’s own hybrid digital-physical infrastructure creates a structural impossibility—specifically, the categorical exclusion of criminal litigants from the digital e-filing portal combined with a state-enforced administrative barrier to physical transit—thereby resulting in the state-created unavailability of the appellate forum?