

BC**FILED**
6/17/2026**MAM**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

EHAB ALLABABIDI,
Petitioner,

v.

MATT JUNKIN, Adult Probation Officer,
Lake County Adult Probation Department,
Respondent.

Case No.: **1:26-cv-01077**

Judge: *Hon. John Robert Blakey*

PETITIONER'S MOTION FOR LEAVE TO
FILE INSTANTER: RULE 60(b) MOTION
FOR RELIEF FROM MAY 29
ABSTENTION ORDER DUE TO
INTERVENING CLOSURE OF THE
STATE FORUM

Pursuant to this Court's prior directive, Petitioner seeks leave to file the attached Motion to Vacate the May 29, 2026 abstention order (Dkt. 25). Good cause exists because the May 29 order is an *interlocutory stay*, which this Court retains inherent authority to revise at any time prior to final judgment under **Fed. R. Civ. P. 54(b)**, and which warrants relief under Rule 60(b)(6). The factual presumption underpinning the stay — that an adequate state forum existed — has been empirically destroyed by intervening events. Specifically, the state court structurally blockaded Petitioner's attempt to exhaust remedies, culminating in a June 17 remote-hearing lockout and the Circuit Clerk's refusal to docket a 495-page Omnibus Petition. Leave must be granted because 28 U.S.C. § 2254(b)(1)(B)(ii) compels federal jurisdiction when state process is unavailable. *Buck v. Davis*, 580 U.S. 100 (2017) (Rule 60(b)(6) covers extraordinary circumstances).

**I. GOOD CAUSE FOR LEAVE: NEWLY DISCOVERED EVIDENCE UNDER
RULE 60(b)(2) AND (b)(6)**

1. This Court directed Petitioner to exhaust his constitutional defenses in the state forum. In strict compliance, Petitioner drafted a comprehensive, **495-page Omnibus Petition for Post-Conviction Relief**, raising thirteen documented constitutional grounds, including the Napue perjury and the void restitution order. **[Exhibits F, G].**

2. The Lake County Circuit Clerk **affirmatively refused to accept or docket this pleading** on the legally void premise that a pro se defendant requires an attorney's signature — while the appointed attorney has *constructively abandoned* the representation. A federal exhaustion directive cannot be satisfied when the state-designated repository physically bars the courthouse door. Under *Snyder v. Nolen*, 380 F.3d 279 (7th Cir. 2004), a clerk's refusal to docket a pro se filing is a deprivation of access to the courts. In this habeas context, it serves as the definitive, objective proof required by 28 U.S.C. § 2254(b)(1)(B)(ii) that the state corrective process is structurally unavailable. This blockade provides **absolute good cause** for this Court to grant leave to file and assume immediate jurisdiction.

1 3. Even if the Clerk had accepted the filing, the state judge independently terminated the forum on
2 June 17, 2026 — locking Petitioner in a Zoom waiting room for nearly two hours, conducting the
3 hearing without him, admitting on the record that he “had cases” while Petitioner waited, declaring the
4 appearance “a nullity”, and refusing to recall, quash, or stay the zero-bond warrant. The state forum has
5 thus been closed through **two independent mechanisms**: the Clerk’s administrative lockout and the
6 judge’s judicial termination. Either one alone renders exhaustion futile. Together they are dispositive.

7 **CONCLUSION**

8 Petitioner does not ask this Court to disregard the doctrines that ordinarily counsel restraint. He is
9 mindful that comity under *Younger v. Harris* favors deference to ongoing state proceedings, that the
10 Court of Appeals has addressed the posture of these matters, and that this Court’s earlier orders
11 proceeded on the premise — reasonable when entered — that the state forum remained open to hear his
12 defenses. Petitioner does not quarrel with any of that. He asks only that the Court measure those
13 premises against what the objective record now shows.

14 That record is no longer a matter of prediction or characterization; it is time-stamped. On June 17,
15 2026, in direct compliance with this Court’s directive to raise his concerns “with the state court in the
16 first instance”, Petitioner appeared. The State’s response is documented in **Exhibits H and I**: he was
17 held in a virtual waiting room for roughly two hours — admitted only after he telephoned the judge’s
18 judicial assistant to demand entry — then refused permission to speak, told the appearance was “a
19 nullity”, and disconnected — while a void, zero-bond warrant was left standing against him; and the
20 very lawsuit he filed to unlock the docket was rejected that same afternoon. Whatever doubt the earlier
21 record may have left about whether the state forum was genuinely closed, the time-stamped screenshots
22 and the rejection notice resolve it.

23 **WHEREFORE**, Petitioner respectfully requests that this Court grant leave to file the attached
24 Rule 60(b) Motion; enter a narrow, threshold order certifying, under 28 U.S.C. § 2254(b)(1)(B)(ii), that
25 Illinois’s corrective process has been rendered unavailable and ineffective, excusing any further
26 exhaustion; and afford the interim relief described therein. Should the Court instead conclude that the
27 June 17 record reflects an “adequate opportunity” to be heard within the meaning of *Younger*,
28 Petitioner respectfully asks only that the conclusion be reduced to a written order with findings, so that
the question may be presented to the Court of Appeals promptly and on a complete record. Petitioner
seeks no more than that the law be applied to facts the State itself created.

1 Respectfully submitted,

2 /s/ Ehab Allababidi

3 **EHAB ALLABABIDI**

4 Petitioner, Pro Se

5 **VERIFICATION.** I, Ehab Allababidi, declare under penalty of perjury under the laws of the
6 United States (28 U.S.C. § 1746) that the factual statements in this Motion for Leave are true and
7 correct to the best of my knowledge.
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EXHIBIT A

EXHIBIT A TO MOTION FOR LEAVE: RULE 60(b) MOTION FOR RELIEF FROM MAY 29 ABSTENTION ORDER

The substantive motion attached to the Motion for Leave; this document sets forth the complete factual and legal basis for vacating the May 29 stay order

WHY THIS EXHIBIT MATTERS:

This is the full Rule 60(b) Motion for Relief that Petitioner seeks leave to file. It documents the intervening events that have rendered the state forum structurally unavailable: the Clerk's refusal to docket the 495-page Omnibus Petition, the judge's termination of the June 17 remote hearing, the prosecutor's irreconcilable dual role as complaining witness and advocate, and the systemic mail and electronic docket blockade. It is the substantive motion for which leave is sought.

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

- Restates the complete factual and legal basis for vacating the May 29 abstention order
- Documents all six independent grounds: Advocate-Witness Conflict, Younger Bad-Faith, Ex Parte Communication, Omnibus Petition Blockade, Exhaustion Excused, and Constructive Denial
- Attaches its own exhibits packet (Exhibits A through H) containing the supporting documentary record
- Filed contemporaneously with this Motion for Leave; both documents should be treated as a single filing

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**RULE 60(b) MOTION FOR RELIEF FROM
MAY 29, 2026 ABSTENTION ORDER
DUE TO INTERVENING CLOSURE OF
THE STATE FORUM**

This Motion does not ask the Court to revisit a judgment it got wrong. It asks the Court to act on facts that did not exist when it ruled. On May 29, 2026, this Court declined to enjoin the state proceeding and directed Petitioner to raise his constitutional defenses “with the state court in the first instance” (Dkt. 25). On the record then before the Court, that was the ordinary and correct course, for comity presumes that the state forum is open. Petitioner took the Court at its word and went to that forum. What has happened since is the narrow circumstance the doctrine itself reserves for when the presumption fails: in the weeks that followed, the state court turned his filings away by hand, by certified mail, and by electronic portal; **rejected** the very lawsuit he brought to unlock its docket; and, on June 17, 2026, admitted him to a remote hearing only to refuse to hear him, declare the appearance “a nullity”, and leave a no-bond warrant standing against him. The presumption that animated the May 29 order has not been argued away — it has been overtaken by events. Petitioner therefore moves, under Fed. R. Civ. P. 54(b) and 60(b)(2) and (b)(6), for relief from that order, and states:

**I. THE ADVOCATE-WITNESS CONFLICT: SHEPHERD’S IRRECONCILABLE
DUAL ROLE**

1. Under Illinois Rule of Professional Conduct 3.7, a lawyer **shall not** act as advocate at a trial in which the lawyer is likely to be a necessary witness. By personally signing and verifying the Petition for Revocation — swearing “upon information and belief” that Petitioner tested positive for an illegal substance, knowing that the State’s own coordinate agency had already resolved that identical test as compliant — Shepherd made himself a **necessary complaining witness** under *Kalina v. Fletcher*, 522 U.S. 118, 129–31 (1997).

2. In *Kalina*, the Supreme Court held that a prosecutor who personally verifies facts in a certification of probable cause acts as a *complaining witness*, not an advocate, and forfeits absolute immunity for that conduct. Shepherd did exactly what the prosecutor in *Kalina* did: he personally attested to the truth of an allegation he knew to be false. He became *both* the complaining witness whose sworn word justified the warrant and the advocate who then prosecuted the proceeding. He

1 refused to withdraw. The state court allowed him to remain.

2 **3.** On June 17, 2026, Petitioner appeared remotely at the scheduled hearing in Courtroom T-611,
3 joined the Zoom platform at 9:17 a.m., and was *unconstitutionally held in the electronic waiting room*
4 *for nearly two hours* while the court and the State proceeded in his absence. **Upon physical admission**
5 **to the session at approximately 11:00 a.m.**, Petitioner immediately objected and stated on the record
6 that the warrant was procured through perjury. Shepherd *refused to disqualify himself*. Instead, he
7 asserted that merely “appearing” was insufficient and that Petitioner needed to “file something” —
8 knowing that his office and the Clerk had actively locked the electronic docket to pro se filings. The
9 court then engaged in an *ex parte* discussion with Public Defender Bailey C. Russell, declared the
10 entire proceeding “a nullity”, and terminated the session without permitting Petitioner to argue his
11 pending emergency filings, leaving the zero-bond warrant active.

12 **4.** Shepherd’s refusal to withdraw from a proceeding in which he is **both the complaining**
13 **witness and the advocate** renders the state tribunal structurally biased. A prosecutor cannot verify
14 perjured facts to procure a warrant, then prosecute the defendant for the same allegations, and claim the
15 proceeding is fair. *Cf. Young v. United States ex rel. Vuitton et Fils S.A.*, 481 U.S. 787, 807–09 (1987)
16 (prosecutor with personal interest in outcome creates unconstitutional structural defect).

17 **5.** The Seventh Circuit defines “bad faith” in the *Younger* context as a prosecution brought with
18 no reasonable expectation of obtaining a valid conviction, or one motivated by retaliation and
19 harassment. *Collins v. County of Kendall*, 807 F.2d 95, 98 (7th Cir. 1986). A state revocation
20 proceeding anchored by a verified charging instrument that contradicts the State’s own
21 coordinate-agency compliance records (the Weeks adjudication) constitutes objective bad faith. The
22 state tribunal further ratified this bad faith on June 17, 2026, when Respondent Stride admitted
23 Petitioner from the Zoom waiting room after nearly two hours, only to declare the appearance “a
24 nullity” and refuse to hear the Napue objection. A state proceeding utilized “as a weapon” to deprive a
25 citizen of federal rights commands immediate federal equitable intervention. *Mitchum v. Foster*, 407
26 U.S. 225, 237–38 (1972).

27 **II. THE YOUNGER BAD-FAITH EXCEPTION AND THE ADEQUATE** 28 **OPPORTUNITY REQUIREMENT**

6. This Court’s May 29, 2026 order (Dkt. 25) was predicated on the presumption that the state
forum was open and capable of adjudicating Petitioner’s constitutional defenses. The intervening
events of June 17, 2026 completely rebut that presumption. *Younger* abstention is not an absolute bar; it
yields upon a showing of bad faith, harassment, or an extraordinary circumstance where the state

1 tribunal is incapable of providing a fair hearing. *Gibson v. Berryhill*, 411 U.S. 564, 577 (1973). By
2 locking Petitioner out of the Zoom waiting room, conducting ex parte communications with abandoned
3 counsel, and declaring the statutory appearance “a nullity” while preserving a zero-bond warrant, the
4 state court has engaged in an **extraordinary breakdown of corrective processes** that demands
5 immediate federal intervention.

6 **7.** This is not a matter of a congested state docket. The concurrent actions of the State — verifying
7 a false drug allegation, conducting an ex parte hearing, manufacturing a mail delay, and refusing to
8 docket a 495-page Post-Conviction Petition — satisfy the **bad faith and harassment exception** to
9 *Younger v. Harris*. A federal court owes no equitable deference to a state tribunal that weaponizes its
10 clerk’s office to execute a jurisdictional lockout.

11 **8.** This Court’s reliance on *Younger* abstention requires that the state forum provide an “adequate
12 opportunity” to raise constitutional challenges. *Middlesex County Ethics Comm. v. Garden State Bar*
13 *Ass’n*, 457 U.S. 423, 432 (1982). That requirement is a strict condition precedent to abstention. Under
14 binding Seventh Circuit precedent, a circuit clerk’s refusal to docket a pro se pleading violates the
15 fundamental right of access to the courts. *Snyder v. Nolen*, 380 F.3d 279, 284 (7th Cir. 2004). When a
16 state clerk affirmatively blocks the filing of a 495-page Post-Conviction Petition containing federal
17 defenses, the “adequate opportunity” prong of *Younger* is destroyed as a matter of law. A federal court
18 possesses no discretion to abstain in favor of a state tribunal that has physically barricaded its docket.
19 *FreeEats.com, Inc. v. Indiana*, 502 F.3d 590, 595 (7th Cir. 2007) (reciting that *Younger* yields where
20 the state tribunal is biased or the proceeding is a sham).

21 **III. THE EX PARTE RUSSELL COMMUNICATION AND THE JUDGE’S** 22 **CONDUCT**

23 **9.** During the June 17 hearing, the State (ASA Shepherd) expressly referenced appointed counsel
24 **Bailey C. Russell** of the Lake County Public Defender’s Office in his exchange with the court — the
25 very attorney who had *constructively abandoned* Petitioner and whose continued listing on the docket
26 was the stated basis for the Clerk’s refusal to accept pro se filings. This discussion occurred *outside*
27 *Petitioner’s participation*, constituting an *ex parte communication* concerning a pending matter,
28 confirming coordination between the prosecutor’s office and the Public Defender’s Office to perpetuate
the docket lockout.

10. Respondent Stride’s own conduct at the June 17 hearing independently terminated the state
forum. After keeping Petitioner locked in the Zoom waiting room for **nearly two hours** — from 9:17
a.m. until approximately 11:00 a.m., and relenting only after Petitioner telephoned the judge’s judicial

assistant to demand entry — while the hearing proceeded without him, Respondent finally admitted Petitioner only to: (a) *refuse to let him speak*, cutting him off at every turn and accusing him of “harassing my staff” for stating a single sentence; (b) admit on the record that he “had cases” — acknowledging that he was *aware* Petitioner was in the waiting room and *chose* to prioritize other matters over the emergency filing and the perjured warrant; (c) declare the hearing “a nullity” and terminate the Zoom session without permitting Petitioner to be heard; and (d) *refuse to recall, quash, or stay the warrant*. That is the **deliberate, knowing termination of the state forum** by the very judge who was supposed to provide the hearing this Court directed Petitioner to seek.

IV. THE OMNIBUS PETITION BLOCKADE: STATUTORY UNAVAILABILITY OF THE STATE FORUM UNDER § 2254(b)(1)(B)(ii)

11. In direct compliance with this Court’s May 29 directive to raise claims “with the state court in the first instance”, Petitioner drafted and attempted to file a **495-page Omnibus Petition for Post-Conviction Relief** stating thirteen independent constitutional violations, all supported by the State’s own documentary records [**Exhibits A, B**]. The Lake County Circuit Clerk **affirmatively refused to accept or docket this pleading**, stating in writing that “the motion must be filed by your attorney” [**Exhibit C**].

12. A federal exhaustion directive cannot be satisfied when the state-designated repository physically bars the courthouse door. Under *Snyder v. Nolen*, 380 F.3d 279 (7th Cir. 2004), a clerk’s refusal to docket a pro se filing is a deprivation of access to the courts; in the habeas context, it renders the state corrective process **functionally non-existent** under § 2254(b)(1)(B)(ii).

13. The state apparatus blocked this filing through **every available channel**:

Channel	Date	Result
Clerk’s written email refusal	June 8, 2026	“the motion must be filed by your attorney” [Ex. C]
Faretta invocation demanding emergency docketing	June 8, 2026	No hearing set; no response [Ex. D]
Certified Mail (USPS 9402 6118 9876 5528 9340 61)	June 7, 2026	<i>NEVER DELIVERED</i> — stalled at Palatine since June 9 [Ex. A]
[Proposed] Order to Quash via Court Portal	June 12, 2026	“Submitted”; never ruled on [Ex. F]
[Proposed] Order re Notice via Court Portal	June 12, 2026	“Submitted”; never ruled on [Ex. F2]
Verified Complaint for Writ of Mandamus (eFileIL Env. 38550660)	June 14–17	“Submitted”, then REJECTED June 17 [Ex. E, I]
495-page Omnibus Petition for Post-Conviction Relief	June 14, 2026	Rejected by Clerk; not docketed [Ex. A, B]
Emergency Motion to Stay (served on all parties)	June 16, 2026	Never ruled on; warrant remains active [Ex. G]
Remote appearance + oral argument (Courtroom T-611)	June 17, 2026	Locked out 2 hours; silenced; hearing declared “a nullity” [Ex. H]

14. The State cannot shield the Circuit Clerk’s refusal to docket the Omnibus Petition as a routine enforcement against “hybrid representation”. When appointed counsel constructively abandons a defendant, the defendant’s only remedy is to invoke *Faretta*. Petitioner formally invoked *Faretta* and documented the abandonment on June 8, 2026. The Clerk refused to docket that invocation, demanding an attorney’s signature to file it. It is a **mathematical paradox** to require an attorney to sign the motion to discharge the attorney who refuses to communicate. A clerk’s substantive rejection of a pro se *Faretta* invocation is *ultra vires*. *Snyder v. Nolen*, 380 F.3d 279, 284 (7th Cir. 2004). This is not hybrid representation; it is a **closed-loop procedural trap** that renders the state forum structurally unavailable under § 2254(b)(1)(B)(ii).

15. The certified-mail comparison confirms the systemic obstruction:

Event	To: LAKE COUNTY CLERK USPS 9402 6118 9876 5528 9340 61 Omnibus filing packet [Ex. A]	To: U.S. SUPREME COURT USPS 9402 8118 9876 5520 8548 73 Emergency Application [Ex. B]
Recipient	Clerk Erin Cartwright Weinstein Office of the Circuit Clerk 18 N. County St., Waukegan, IL 60085	Clerk, Supreme Court of the U.S. 1 First Street, NE Washington, DC 20543
Distance	≈ 35 miles	≈ 700 miles
Label created	June 7, 2026, 6:17 PM	June 9, 2026, 8:28 PM
USPS possession	June 8, 2026, 10:00 AM	June 10, 2026, 9:59 AM
Final status	NEVER DELIVERED Last scan: June 9, 7:55 AM Status: “In Transit” <i>STILL NOT DELIVERED</i>	DELIVERED / PICKED UP June 15, 8:00 AM Washington, DC 20543 Signed for at post office
Days in transit	10+ days — and counting	6 days — completed
Mailed first?	YES — two days earlier	No — two days later

16. Petitioner’s submission of a Verified Complaint for Writ of Mandamus on June 14, 2026 — which the Clerk **rejected** on June 17, 2026 (Ex. I) — is not evidence of an ongoing corrective process. Under *Castille v. Peoples*, 489 U.S. 346, 351 (1989), § 2254 exhaustion requires only the pursuit of ordinary appellate review, not extraordinary writs. That Petitioner was driven to seek an extraordinary writ merely to force a clerk to perform a ministerial duty — a writ the same office then rejected — is **definitive proof** that the ordinary corrective process has completely failed.

17. The **absolute paralysis** of both the physical mail to the Circuit Clerk (stalled 10+ days at Palatine) and the electronic portal (submitted June 14, then **rejected** June 17, 2026) demonstrates a **systemic, state-created impediment**. Where inordinate and unjustified delay leaves the state corrective process unacted-upon, that process is rendered ineffective and exhaustion is excused. *Lane v. Richards*, 957 F.2d 363, 365 (7th Cir. 1992).

18. A document that reaches Washington, D.C. — the Supreme Court of the United States — but cannot reach Waukegan, Illinois — a county courthouse thirty-five miles from the sender — has not

1 been lost to the ordinary friction of the mails. **Something at the destination is refusing it.** The contrast
2 is dispositive: the local forum is unavailable by electronic portal, by certified mail, by emergency
3 submission, by personal appearance, and by every other channel Petitioner has attempted.

4 **V. EXHAUSTION IS EXCUSED: FUTILITY AND STATE-CREATED** 5 **IMPEDIMENT**

6 **19.** The requirement to exhaust state remedies does not require a petitioner to pursue remedies that
7 are unavailable or that would be futile. *28 U.S.C. § 2254(b)(1)(B)(ii)* (exhaustion excused where state
8 process is unavailable or ineffective); *Duckworth v. Serrano*, 454 U.S. 1, 3 (1981).

9 **20.** Moreover, the prosecuting attorney — Shepherd — is a named defendant in Petitioner’s
10 related § 1983 action, 1:26-cv-06738 (Kennelly, J.). His refusal to withdraw from the state proceeding
11 creates an *irreconcilable structural conflict*. A state tribunal in which the prosecutor is simultaneously
12 the complaining witness, the advocate, and a named federal civil-rights defendant being sued by the
13 same person he is prosecuting **cannot provide a fair proceeding** as a matter of law. *Bracy v. Gramley*,
14 520 U.S. 899, 904–05 (1997); *In re Murchison*, 349 U.S. 133, 136 (1955).

15 **VI. CONSTRUCTIVE DENIAL OF INJUNCTIVE RELIEF: PRESERVING** 16 **APPELLATE REVIEW**

17 **21.** Petitioner respectfully notes the active, zero-bond warrant executing against his physical
18 liberty. Should this Court decline to rule on this Rule 60(b) Motion within a reasonable time, Petitioner
19 will recognize the inaction as a **constructive denial of injunctive relief** under 28 U.S.C. § 1292(a)(1)
20 and will immediately petition the Seventh Circuit Court of Appeals for a Writ of Mandamus to compel
21 a ruling.

22 **VII. THE OBJECTIONS THE COURT MAY BE WEIGHING, AND WHY EACH** 23 **YIELDS**

24 Petitioner does not pretend the relief he seeks is routine, and he meets head-on the four objections
25 that fairly occur to a court asked to revisit an abstention order it entered three weeks ago.

26 **A. That Rule 60(b) is the wrong vehicle.** The label does not control the relief. The May 29 order
27 was a *stay* premised on an open state forum, not a final judgment, and this Court retains inherent
28 authority to revise it at any time before final judgment under **Rule 54(b)**. To the extent it is treated as
final, the intervening and documented closure of the state forum is precisely the “extraordinary
circumstance” Rule 60(b)(6) exists to address. *Buck v. Davis*, 580 U.S. 100 (2017).

B. That Younger still commands abstention. Younger commands abstention only while its
predicate holds: an open forum affording an “adequate opportunity” to raise federal defenses, and the

1 absence of bad faith. *Middlesex*, 457 U.S. at 432; *Gibson v. Berryhill*, 411 U.S. at 577. Petitioner does
2 not ask the Court to assume those exceptions; he documents them — a clerk who rejected the suit
3 against herself, a judge who declared the appearance “a nullity”, and a verified petition that contradicts
4 the State’s own records. When the predicate fails, abstention does not merely end; it must.

5 **C. That Petitioner has not exhausted and should return to state court.** He cannot return to a
6 forum that has barred the door. 28 U.S.C. § 2254(b)(1)(B)(ii) excuses exhaustion where circumstances
7 render the state process “ineffective to protect” the petitioner’s rights, and inordinate, unjustified state
8 inaction does exactly that. *Lane v. Richards*, 957 F.2d 363, 365 (7th Cir. 1992). To send Petitioner back
9 is to order him to re-enter the very queue the defendant controls, while the warrant runs.

10 **D. That comity forbids interference with a state criminal warrant.** Comity is owed to
11 functioning courts, not to closed ones; and Congress made § 1983 an express exception to the federal
12 anti-injunction policy precisely so that federal courts could halt state action that violates federal rights.
13 *Mitchum v. Foster*, 407 U.S. 225, 237–38 (1972). Petitioner asks for the most modest intervention
14 available — a stay of execution pending an evidentiary hearing, not dismissal of the state case. And the
15 Court is not asked to take anyone’s word for any of this: it is asked to read the documents the State
16 itself generated — the rejection notice, the USPS tracking, the portal receipts, and counsel’s own
17 emails.

18 **E. That this is the wrong habeas vehicle (§ 2254 versus § 2241).** It makes no difference to the
19 result. Petitioner is “in custody” for habeas purposes either way: one on probation and subject to an
20 outstanding arrest warrant is restrained within the meaning of the Great Writ. *Jones v. Cunningham*,
21 371 U.S. 236, 243 (1963). And whether the petition is taken under § 2254 (custody pursuant to a state
22 judgment) or § 2241 (pre-adjudication custody), federal review opens on the identical condition this
23 Motion satisfies — that the available state corrective process has been exhausted or shown to be
24 unavailable. *Braden v. 30th Judicial Circuit Court of Ky.*, 410 U.S. 484, 489–92 (1973). The label on
25 the petition does not change the one fact that controls: the state door is closed.

26 **VIII. THE WEAPONIZATION OF THE COURT’S PRE-EVIDENTIARY** 27 **FINDINGS, AND THE STATE-COURT IMPUNITY THAT FOLLOWED**

28 **22.** When this Court entered its orders of May 28 and May 29, 2026, it did two things the state
court would later seize upon. First, it characterized as “frivolous” a single, specific claim —
Petitioner’s “claim of being unable to litigate his case while in jail” — reasoning that “detainees
traditionally and consistently litigate their cases while in custody” (Dkt. 25; Dkt. 17 in No.
1:25-cv-15181). Second, it directed that if Petitioner “has legitimate concerns about the state case he

1 must raise them with the state court in the first instance” (*id.*). Petitioner does not ask this Court to
2 disown either statement. On the record then before the Court, each was unremarkable, and the second
3 was a direct instruction Petitioner obeyed to the letter. The difficulty is not what this Court wrote. It is
4 what the state court did with it.

5 **23.** The premise underlying the “frivolous” finding was that a defendant — even a detained one
6 — would be able to litigate. The June 17, 2026 record refutes that premise on its own terms, and then
7 exceeds it. Petitioner was **not detained** on June 17. He was at liberty and appeared remotely, in the
8 precise forum and manner this Court directed. He still could not litigate. He was held in the electronic
9 waiting room from 9:18 a.m. — the time-stamped screenshots in **Exhibit H** document the lockout
10 continuously through 10:05 a.m., and Petitioner attests that it persisted for approximately **two hours**,
11 until he was finally admitted at about 11:00 a.m., and then only after he telephoned the judge’s judicial
12 assistant to demand entry. When at last admitted, he was refused permission to speak, told the
13 appearance was “a nullity”, and disconnected, with a void zero-bond warrant left standing against him.
14 If a defendant *at liberty*, appearing exactly as ordered, cannot be heard for the length of a single
15 sentence, then the assumption that a *detained* one would “traditionally and consistently” litigate is no
16 longer a reasonable premise. It has been empirically disproved — not by Petitioner’s argument, but by
17 the State’s own conduct, recorded and time-stamped.

18 **24.** Worse, the state court did not treat this Court’s abstention as deference to be honored. It
19 treated it as a shield to be brandished. When Petitioner attempted to state on the record that an Article
20 III court was examining these very matters, the state judge did not pause, inquire, or accommodate. He
21 disclaimed the federal proceeding outright — stating that he did not know “what federal record”
22 Petitioner was “talking about” — before declaring the appearance a nullity and ending the session.
23 Petitioner attests to these statements of his own firsthand knowledge; they are preserved on the state
24 court’s own June 17, 2026 audio recording, which Petitioner has formally requested and will
25 supplement upon receipt. That is not the conduct of a tribunal honoring a federal court’s restraint. It is
26 the conduct of one that understood that restraint as a guarantee that nothing it did would be reviewed.

27 **25.** *Younger* abstention rests on reciprocal comity — the trust that the state forum will hear the
28 federal questions the federal court has, for the moment, declined to reach. *Younger v. Harris*, 401 U.S.
37, 43–44 (1971). A state court that openly disclaims awareness of the federal record while refusing to
let the litigant speak has not honored that trust; it has forfeited it. Comity is not owed to a forum that
treats the abstaining court’s restraint as license. Whatever this Court intended on May 29 — and
Petitioner assumes it intended nothing more than ordinary deference — the objective consequence is

1 now documented: its restraint has been converted, in the hands of the state court, into impunity. Rule
2 60(b) exists for precisely this circumstance — to relieve a party from an order whose factual premise
3 intervening events have destroyed. The premise here has not been argued away. It has been overtaken,
4 on the record, by the State.

5 **IX. PRAYER FOR RELIEF**

6 1. **VACATE or MODIFY** its May 29, 2026 order (Dkt. 25) enforcing *Younger* abstention, based
7 on the intervening, extraordinary breakdown of state processes documented herein;

8 2. **ENTER a threshold statutory determination** under 28 U.S.C. § 2254(b)(1)(B)(ii) certifying
9 that the State of Illinois’s corrective processes are structurally unavailable, ineffective, and
10 systematically blocked, thereby excusing Petitioner from any further exhaustion requirements;

11 3. **ASSUME immediate jurisdiction** over the underlying Petition for Writ of Habeas Corpus;
12 and

13 4. **STAY the execution** of the state-court zero-bond bench warrant issued on May 28, 2026,
14 pending an expedited evidentiary hearing in this Court.

15 Respectfully submitted,

16 /s/ Ehab Allababidi

17 **EHAB ALLABABIDI**

Petitioner, Pro Se

18 **VERIFICATION.** I, Ehab Allababidi, declare under penalty of perjury under the laws of the
19 United States (28 U.S.C. § 1746) that the factual statements in this Rule 60(b) Motion are true and
20 correct to the best of my knowledge.
21
22
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EXHIBIT A

LAKE COUNTY CERTIFIED MAIL TO THE CIRCUIT CLERK — NEVER DELIVERED OR SIGNED FOR

USPS Certified No. 9402 6118 9876 5528 9340 61 — stalled at Palatine since June 9, 2026; as of this filing, still not delivered

WHY THIS EXHIBIT MATTERS:

This is the objective USPS tracking record of Petitioner's certified-mail omnibus filing packet to Clerk Erin Cartwright Weinstein. The tracking data proves the article entered the USPS system on June 8, 2026, arrived at the Palatine distribution center on June 9, 2026 at 7:55 AM, and has not moved since.

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

- Recipient: Clerk Erin Cartwright Weinstein, Office of the Circuit Clerk, 18 N. County St., Waukegan, IL 60085
- Last tracking scan: June 9, 2026, 7:55 AM — Palatine, IL Distribution Center
- Status: "In Transit to Next Facility" — unchanged for 10+ days
- Never delivered, never signed for

Hello, Ehab User# 196903  Dashboard Balance: \$1.04
[Logout](#)  Shopping Cart

Certified Mail Labels.com



Certified Mail Tracking Summary Report Detail

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Ehab Allababidi
8516 W WINONA ST
CHICAGO IL 60656-2720

US POSTAGE AND FEES PAID
PRIORITY MAIL IMI
Jun 08 2026
Mailed from ZIP 60656
1 LB PRIORITY MAIL RATE
ZONE 1
11923275
Commercial



Office of the Clerk of the Circuit Court
Clerk of the Court Erin Cartwright Weinstein
18 N COUNTY ST
WAUKEGAN IL 60085-4369



Reference	
USPS #	9402611898765528934061
USPS Mail Class	Certified with Electronic Delivery Confirmation

Feedback & Support


USPS Status	Your item arrived at our USPS facility in PALATINE IL DISTRIBUTION CENTER on June 9, 2026 at 7:55 am. The item is currently in transit to the destination.
USPS History	Arrived at USPS Facility, PALATINE IL DISTRIBUTION CENTER, June 9, 2026, 7:55 am Arrived at USPS Facility, CAROL STREAM IL DISTRIBUTION CENTER, June 9, 2026, 12:08 am Departed Post Office, HARWOOD HEIGHTS, IL 60706, June 8, 2026, 7:32 pm USPS in possession of item, HARWOOD HEIGHTS, IL 60706, June 8, 2026, 10:00 am Shipping Label Created, CHICAGO, IL 60656, June 7, 2026, 6:17 pm
Updated Date	06/16/2026 01:00:38
Transaction ID	29815880
Transaction Date	06/07/2026 23:17:35
User #	196903
Account #	196903
Electronic Delivery Confirmation	
Return Receipt (Signature)	
Delivery Information	
To Name	Clerk of the Court Erin Cartwright Weinstein
To Company	Office of the Clerk of the Circuit Court
To Address1	18 N. County St
To Address2	


Feedback & Support

To City	Waukegan
To State	IL
To Zip	60656

Get in Touch

CONTACT US

 **Address:** 950 Celebration Blvd Suite A
Celebration, FL 34747
USA

 **Phone:** 800-406-1792

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[Electronic Delivery Confirmation Report](#)

[Electronic Signature Report](#)

Feedback & Support

EXHIBIT B

U.S. SUPREME COURT CERTIFIED MAIL — DELIVERED AND PICKED UP IN WASHINGTON, D.C.

USPS Certified No. 9402 8118 9876 5520 8548 73 — delivered June 15, 2026; the control case proving obstruction, not delay

WHY THIS EXHIBIT MATTERS:

During the same window, Petitioner's certified Emergency Application to the Clerk of the United States Supreme Court was delivered. Mail to the Nation's highest court arrives; the same litigant's mail to his county clerk does not.

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

- Recipient: Clerk, Supreme Court of the United States, 1 First Street, NE, Washington, DC 20543
- Delivered / picked up June 15, 2026, 8:00 AM
- Establishes that Petitioner's mail moves normally — except to Lake County

Hello, Ehab User# 196903 Dashboard Balance: \$1.04
 Logout Shopping Cart

Certified Mail Labels.com



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USPS CERTIFIED MAIL™

Ehab Allababidi
8516 W WINONA ST
CHICAGO IL 60656-2720

US POSTAGE AND FEES PAID
PRIORITY MAIL IMI
Jun 10 2026
Mailed from ZIP 60656
1 LB PRIORITY MAIL RATE
ZONE 4
11923275
Commercial



endicia.

063S0010282490

USPS CERTIFIED MAIL



9402 8118 9876 5520 8548 73

Supreme Court of the United States
Clerk of the Court
1 1ST ST NE
WASHINGTON DC 20543-0001



Reference	
USPS #	9402811898765520854873
USPS Mail Class	Certified with Return Receipt (Signature)
USPS Status	Your item was picked up at the post office at 8:00 am on June 15, 2026 in WASHINGTON, DC 20543.

Feedback & Support

<p>USPS History</p>	<p>Delivered, Individual Picked Up at Post Office, WASHINGTON, DC 20543, June 15, 2026, 8:00 am Redelivery Scheduled for Next Business Day, WASHINGTON, DC 20543, June 14, 2026, 11:02 am Arrived at Hub, WASHINGTON, DC 20018, June 14, 2026, 9:26 am Arrived at USPS Facility, WASHINGTON DC DISTRIBUTION CENTER, June 12, 2026, 11:10 am In Transit to Next Facility, June 12, 2026, 10:28 am Departed USPS Facility, GAITHERSBURG MD DISTRIBUTION CENTER, June 12, 2026, 10:03 am In Transit to Next Facility, June 12, 2026, 9:41 am Arrived at USPS Facility, GAITHERSBURG MD DISTRIBUTION CENTER, June 12, 2026, 9:39 am In Transit to Next Facility, June 12, 2026, 6:58 am Departed USPS Facility, WARRENDALE PA DISTRIBUTION CENTER, June 12, 2026, 4:45 am Arrived at USPS Facility, WARRENDALE PA DISTRIBUTION CENTER, June 11, 2026, 4:58 pm In Transit to Next Facility, June 11, 2026, 12:11 pm In Transit to Next Facility, June 11, 2026, 8:36 am Departed USPS Facility, CHICAGO IL DISTRIBUTION CENTER, June 11, 2026, 5:35 am Arrived at USPS Facility, CHICAGO IL DISTRIBUTION CENTER, June 11, 2026, 1:19 am Departed Post Office, HARWOOD HEIGHTS, IL 60706, June 10, 2026, 6:55 pm USPS in possession of item, HARWOOD HEIGHTS, IL 60706, June 10, 2026, 9:59 am Shipping Label Created, CHICAGO, IL 60656, June 9, 2026, 8:28 pm</p>
<p>Updated Date</p>	<p>06/16/2026 06:28:29</p>
<p>Transaction ID</p>	<p>29843328</p>
<p>Transaction Date</p>	<p>06/10/2026 01:28:07</p>


Feedback & Support


User #	196903
Account #	196903
Electronic Delivery Confirmation	Click To View
Return Receipt (Signature)	Click To View
Delivery Information	
To Name	Clerk of the Court
To Company	Supreme Court of the United States
To Address1	1 First Street, NE
To Address2	
To City	Washington
To State	DC
To Zip	20543

Feedback & Support

Get in Touch

CONTACT US

 **Address:** 950 Celebration Blvd Suite A
 Celebration, FL 34747
 USA

 **Phone:** 800-406-1792

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EXHIBIT C

THE CIRCUIT CLERK'S WRITTEN REFUSAL OF THE PRO SE FILING

Hanna Becerra, Clerk's Office, June 8, 2026: "the motion must be filed by your attorney"

WHY THIS EXHIBIT MATTERS:

The Clerk's own written words refusing to docket Petitioner's pro se filing.

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

- Clerk's representative Hanna Becerra, for Clerk Erin Cartwright-Weinstein
- States: "the motion must be filed by your attorney" — conditions docketing on attorney signature
- The ministerial refusal that renders state process unavailable under § 2254(b)(1)(B)(ii)



Ehab Hilfiger <defcon5ready@gmail.com>

Motion

CC No Reply <CCNoReply@lakecountyil.gov>

Mon, Jun 8, 2026 at 6:48 PM

To: "defcon5ready@gmail.com" <defcon5ready@gmail.com>

Good Afternoon Mr. Allababidi

We have received your email about adding this case to the call for 06/09/2026, Unfortunately we cannot add this case to the call because we do not have the original motion copy and the motion must be filed by your attorney. I would reach out to your public defender to have this matter added to the call.

Thank you.

Hanna Becerra
Criminal/Traffic Court Services Representative
Clerk of The Circuit Court Erin Cartwright-Weinstein
[18 N. County St](#)
Waukegan IL 60085
(847)377-3282

EXHIBIT D

FARETTA INVOCATION AND CONSTRUCTIVE ABANDONMENT NOTICE

Served June 8, 2026 — demanded emergency docketing for June 9, 2026 — no response

WHY THIS EXHIBIT MATTERS:

After the Clerk refused his filing, Petitioner served the court with this written notice formally invoking self-representation.

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

-
- Formally invokes Faretta v. California, 422 U.S. 806 (1975)
 - Documents constructive abandonment under United States v. Cronin, 466 U.S. 648 (1984)
 - Demands emergency docketing for June 9, 2026 — no hearing was ever set



Ehab Hilfiger <defcon5ready@gmail.com>

RESPONSE TO PROCEDURAL DENIAL (Case 23 CF 1146): NOTICE OF FARETTA INVOCATION & CONSTRUCTIVE ABANDONMENT

1 message

Ehab Hilfiger <defcon5ready@gmail.com>

Mon, Jun 8, 2026 at 7:08 PM

To: Circuit Clerk <CircuitClerk@lakecountyil.gov>, courts@lakecountyil.gov
Cc: "nshepherd@lakecountyil.gov" <nshepherd@lakecountyil.gov>, Lake County State's Attorney <statesattorney@lakecountyil.gov>, Bailey Russell <BRussell@lakecountyil.gov>

Ms. Becerra,

I am in receipt of your email regarding the Omnibus Filing. Please be advised of the following regarding my procedural standing and this emergency matter:

1. Constructive Abandonment: My appointed public defender, Bailey Russell, has been contacted repeatedly and is refusing to communicate, file motions, or provide representation during an active custodial warrant execution. This constitutes constructive abandonment under United States v. Cronin. I cannot rely on counsel that has ceased to perform their constitutional duties.
2. Faretta Invocation: I have formally invoked my constitutional right to proceed pro se under Faretta v. California. A clerk's office policy cannot override a defendant's Sixth Amendment right to self-representation. Your refusal to accept filings based on the lack of an attorney's signature is a denial of my constitutional rights.
3. Mailing Compliance: The original physical Omnibus Filing was placed into USPS custody at 10:00 AM on June 8, 2026 (Tracking No: 9402 6118 9876 5528 9340 61). It is currently in transit to your office as requested.

Directive: I am requesting that this motion be placed on the emergency call docket for June 9, 2026, at 9:00 AM based on this electronic notice, pending the arrival of the physical motion via USPS. I demand the Zoom/WebEx telephonic infrastructure link be transmitted to my email (defcon5ready@gmail.com) no later than 4:00 PM today, June 8, 2026.

If this office persists in refusing to docket an emergency motion from a pro se defendant whose appointed counsel has constructively abandoned them, please provide a written statement of the specific policy being applied so I may include it in my immediate federal filing regarding the inadequacy of the state forum.

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

--



Ehab Allababidi
Personal Signature

Phone: 773-920-0030 (CAGE 16QC7)
Email: defcon5ready@gmail.com

LEGAL NOTICE & CONFIDENTIALITY

This email (and any attachments) is intended solely for the named recipient and may contain confidential, privileged, or proprietary information. Disclosure, distribution, copying, or use without the sender's prior written consent is prohibited. If you received this in error, delete it and notify the sender immediately.

1. Unauthorized use may violate privacy, contract, and intellectual-property laws.
2. No rights, privileges, or defenses are waived by this transmission.
3. Instructions and directives herein constitute written notice for compliance and recordkeeping.
4. This communication is restricted to the designated recipient and is not to be forwarded or archived without authorization.

EXHIBIT E

eFileIL FILING HISTORY — VERIFIED MANDAMUS COMPLAINT FROZEN AT SUBMITTED

Envelope No. 38550660 — filed June 14, 2026; never docketed

WHY THIS EXHIBIT MATTERS:

The eFileIL filing history shows Petitioner's Verified Complaint for Writ of Mandamus frozen at status "Submitted".

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

-
- Envelope 38550660 — Filing Code: Complaint
 - Status: "Submitted" — never accepted or docketed
 - Filing Date: June 14, 2026, 11:18:02 PM

You are signed in as
ehabhilfiger@gmail.com

Filing History

Sort By
Newest to Oldest

118 results

Actions

Submitted: Jun 14, 2026 11:18:02 PM



Envelope # 38550660

Submitted By
Ehab Allababidi

Envelope # 38550660

Filing Status	Submitted	×
Filing Code	Complaint	
Filing Type	eFile and Serve	
Filing Description	Verified Complaint for Writ of Mandamus and Declaratory Relief (735 ILCS 5/14-101)	
Client Ref #	FED-1:26-cv-06738	

Filing Status	Submitted	×
Filing Code	Application Waiver of Court Fees (Civil)	
Filing Type	eFile Only	
Filing Description	Application for Waiver of Court Fees (Civil) - Full Waiver (SNAP Recipient)	
Client Ref #		

Actions

Submitted: May 23, 2026 9:13:21 AM



EHAB ALLABABIDI-vs-ALEXI GIANNOULIAS, Secretary of State of the State of Illinois,L. PAL...

Case # 2026CH01421

Envelope # 38233642

Support b Allababidi

Judge **Calendar, 3**

EXHIBIT F

LAKE COUNTY PORTAL FILING RECEIPT — [PROPOSED] ORDER TO QUASH WARRANT

Received June 12, 2026, 10:26:03 PM — JTI Ref. dc5ffbe9a07e — never ruled on

WHY THIS EXHIBIT MATTERS:

This portal receipt proves Petitioner submitted the [Proposed] Order to Quash Warrant to the court on June 12, 2026. The court has never ruled on it.

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

- Case Number: 23CF00001146 — Status: “Submitted”
- Filed By: Ehab Allababidi; JTI Ref. No.: dc5ffbe9a07e
- The complete documentary record was before the court; the court declined to act



Circuit Court of the Nineteenth Judicial Circuit

Lake County, Illinois

Receipt

Your filing has been received.
Case Number: 23CF00001146



Filing Sent
Filing Title File_1
Status Submitted
Filing Date 06/12/2026 10:26:03 pm
Filed By ehab Allababidi
JTI Ref. No. dc5ffbe9a07e
Received By Lake County Portal

[+ Start Another Submission](#)

[🔍 My Account](#)

[🖨️ Print This Page](#)

EXHIBIT G

EMERGENCY MOTION TO STAY — NOTICE, MOTION, PROPOSED ORDER, AND CERTIFICATE OF SERVICE

Served June 16, 2026 on Shepherd, Ticsay, Russell, and the Clerk — never ruled on

WHY THIS EXHIBIT MATTERS:

This 5-page packet was served the day before the June 17 hearing. It gave notice of appearance and requested an emergency stay.

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

- 5 pages: Notice of Motion, Emergency Motion to Stay, [Proposed] Order, Certificate of Service
- Served on: ASA Shepherd, Gregory Ticsay, Bailey Russell, and Circuit Clerk
- Certificate of Service proves service on all parties

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS — CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff,

v.

EHAB ALLABABIDI,
Defendant, Pro Se.

General No.: **23 CF 1146**

Circuit Court, 19th Judicial Circuit
Lake County, Illinois

Judge: **HON. CHRISTOPHER R. STRIDE**
Courtroom: **T-611**

NOTICE OF MOTION — EMERGENCY

Emergency Motion to Stay Execution of the Zero-Bond Warrant Pending Hearing

TO: Nicholas Shepherd, Assistant State’s Attorney (nshepherd@lakecountyil.gov); Lake County Public Defender’s Office — Gregory C. Ticsay (GTicsay@lakecountyil.gov) and Bailey C. Russell (BRussell@lakecountyil.gov); and the Clerk of the Circuit Court of Lake County (CircuitClerk@lakecountyil.gov; Lake County Court Portal).

PLEASE TAKE NOTICE that on **June 17, 2026, at 9:00 a.m.**, or as soon thereafter as the matter may be heard, the undersigned Defendant, appearing *pro se*, will appear before the Honorable Christopher R. Stride at the 9:00 a.m. call of Courtroom T-611 and present the attached **EMERGENCY MOTION TO STAY EXECUTION OF THE ZERO-BOND WARRANT PENDING HEARING**, together with a one-page [Proposed] Order, a copy of each being served upon you herewith. Defendant will appear **telephonically** via the Court’s authorized infrastructure for Courtroom T-611 (Dial-in (312) 626-6799, Meeting ID 835 2271 3472, Passcode 206126).

This matter is presented on an **emergency basis and shortened notice** because the zero-bond warrant is active **today** and Defendant may be taken into custody at any moment — including before his Emergency Motion to Quash can be heard the week of June 22, 2026. The Clerk and Court Coordinator are requested to confirm the 9:00 a.m. setting and transmit verified remote-access credentials to defcon5ready@gmail.com forthwith.

Respectfully submitted,

/s/ Ehab Allababidi

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

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

THE PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff,

v.

EHAB ALLABABIDI,
Defendant, Pro Se.

General No.: **23 CF 1146**

Circuit Court, 19th Judicial Circuit
Lake County, Illinois

Judge: **HON. CHRISTOPHER R. STRIDE**
Courtroom: **T-611**

**EMERGENCY MOTION TO STAY EXECUTION OF THE
ZERO-BOND WARRANT PENDING HEARING**

Submitted Pro Se — Interim Relief Only, Pending the Hearing on Defendant’s Motion to Quash

EMERGENCY NATURE OF THIS MOTION.

A zero-bond bench warrant issued May 28, 2026 is **active now**; armed officers attempted to execute it at Defendant’s residence on June 6, 2026. Defendant has a separate Emergency Motion to Quash that warrant, which the Court has set to be heard the week of June 22, 2026. Without an immediate stay, Defendant can be arrested at any time during the intervening week — including on his way to the very hearing at which the warrant would be quashed — which would moot that hearing and inflict the exact harm the quash motion seeks to prevent. This motion asks only for **interim protection**: a stay of execution until the quash motion is heard.

BACKGROUND.

1. Defendant has proceeded *pro se* since October 6, 2025. The Lake County Public Defender’s Office confirmed in writing on June 16, 2026 that it does not represent him, and the Court acknowledged his *pro se* status on the record that day.
2. The zero-bond warrant issued May 28, 2026 recites “PD APPOINTED” on its face, and the Circuit Clerk has refused Defendant’s *pro se* filings on the ground that the Public Defender’s Office remains counsel of record — an office that disclaims representing him.
3. Defendant’s Emergency Motion to Quash the warrant (filed separately) is set for hearing the week of June 22, 2026. This stay is sought solely to preserve that hearing from being mooted by an intervening arrest.

ARGUMENT.

A. The Court has inherent authority to stay execution of its own warrant. A court retains control over its own process and may recall or stay execution of a bench warrant it has issued. A brief interim stay — lasting only until the already-scheduled quash hearing — is the most modest exercise of that authority, and it preserves rather than alters the status quo.

B. A stay is necessary to protect the Court’s own hearing and Defendant’s right to be heard. Due process guarantees a meaningful opportunity to be heard, *Morrissey v. Brewer*, 408 U.S. 471 (1972), and the Sixth Amendment guarantees Defendant the right to conduct his own defense, *Faretta v. California*, 422 U.S. 806 (1975). Both are defeated if Defendant is taken into custody on the warrant before the quash motion is heard. The State suffers no prejudice from a one-week stay: the matter is already set, and Defendant is not a flight risk — he is the party seeking the hearing.

RELIEF REQUESTED.

1 Defendant respectfully requests that the Court enter the attached one-page [Proposed] Order: (1)
2 staying execution of the May 28, 2026 zero-bond warrant until the hearing on Defendant’s Emergency
3 Motion to Quash; (2) directing the Clerk to notify the Lake County Sheriff and the Illinois State Police that
4 no arrest shall be made under the warrant pending that hearing; (3) recognizing Defendant’s pro se status
5 and directing the Clerk to accept his filings; and (4) granting leave to appear by telephone and directing
6 transmission of verified credentials at least 48 hours before any setting.

7 **VERIFICATION (735 ILCS 5/1-109).** Under penalties as provided by law pursuant to Section 1-109 of the
8 Code of Civil Procedure, the undersigned certifies that the statements set forth in this Motion are true and
9 correct, except as to matters stated on information and belief, and as to such matters the undersigned certifies
10 that he verily believes the same to be true.

11 Respectfully submitted,

12 /s/ Ehab Allababidi

13 **EHAB ALLABABIDI**, Defendant, Pro Se
14 8516 W. Winona St., Chicago, IL 60656
15 (773) 920-0030 | defcon5ready@gmail.com
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IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS — CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff,

v.

EHAB ALLABABIDI,
Defendant, Pro Se.

General No.: **23 CF 1146**

Circuit Court, 19th Judicial Circuit
Lake County, Illinois

Judge: **HON. CHRISTOPHER R. STRIDE**
Courtroom: **T-611**

[PROPOSED] ORDER STAYING EXECUTION OF THE ZERO-BOND WARRANT

Interim Relief Pending the Hearing on Defendant’s Emergency Motion to Quash

THIS MATTER coming before the Court on Defendant’s Emergency Motion to Stay Execution of the Zero-Bond Warrant Pending Hearing, Defendant appearing *pro se*, due notice having been given, and the Court being fully advised, **IT IS HEREBY ORDERED:**

- 1. Warrant Execution STAYED.** Execution of the zero-bond bench warrant issued May 28, 2026 in this cause is STAYED until the hearing on Defendant’s Emergency Motion to Quash, set for the week of June 22, 2026. No arrest or detention shall be made under this warrant pending that hearing.
- 2. Law-Enforcement Notice.** The Clerk shall immediately transmit notice of this stay to the Lake County Sheriff and the Illinois State Police, directing that the warrant not be executed pending further order of the Court.
- 3. Pro Se Status Recognized.** Defendant is recognized as proceeding *pro se*, effective October 6, 2025. The Clerk shall accept and docket Defendant’s submissions without requiring an attorney’s signature block as a condition of filing.
- 4. Remote Appearance.** Defendant is granted leave to appear by telephone or video. The Clerk and Court Coordinator shall transmit verified remote-access credentials, and the date and time of the hearing, to defcon5ready@gmail.com no later than forty-eight (48) hours in advance.

ENTERED: _____

HON. CHRISTOPHER R. STRIDE
Circuit Judge, 19th Judicial Circuit, Lake County, Illinois

*Prepared and submitted by Ehab Allababidi, Defendant, Pro Se — 8516 W. Winona St., Chicago, IL 60656 —
defcon5ready@gmail.com*

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS — CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff,

v.

EHAB ALLABABIDI,
Defendant, Pro Se.

General No.: **23 CF 1146**

Circuit Court, 19th Judicial Circuit
Lake County, Illinois

Judge: **HON. CHRISTOPHER R. STRIDE**
Courtroom: **T-611**

CERTIFICATE OF SERVICE

The undersigned certifies that on June 16, 2026, he served the foregoing **Notice of Motion, Emergency Motion to Stay Execution of the Zero-Bond Warrant Pending Hearing**, and **[Proposed] Order** by electronic mail upon the persons listed below. **Service by electronic mail is an authorized and the default manner of service under Illinois Supreme Court Rule 11(c)**, and proof of service is made under Illinois Supreme Court Rule 12. The foregoing documents were additionally tendered for filing of record through the Lake County Court electronic portal, including the **[Proposed] Order** submitted via the portal's proposed-order upload:

- **Nicholas Shepherd**, Assistant State's Attorney, Lake County — nshepherd@lakecountyil.gov
- **Gregory C. Ticsay**, Chief Public Defender — GTicsay@lakecountyil.gov
- **Bailey C. Russell**, Assistant Public Defender — BRussell@lakecountyil.gov
- **Clerk of the Circuit Court of Lake County** — CircuitClerk@lakecountyil.gov; and tendered via the Lake County Court Portal for filing of record

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure and 28 U.S.C. § 1746, the undersigned certifies that the foregoing is true and correct.

Respectfully submitted,

/s/ Ehab Allababidi

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

EXHIBIT H

JUNE 17 REMOTE HEARING — ZOOM WAITING-ROOM LOCKOUT RECORD

Joined 9:17 AM; held in waiting room ≈ 2 hours; admitted ≈ 11:00 AM only after calling the judge’s judicial assistant; then silenced; hearing declared “a nullity”

WHY THIS EXHIBIT MATTERS:

The contemporaneous record of Petitioner’s June 17 remote hearing. The Zoom platform confirmed throughout that the host was present. Respondent knew Petitioner was waiting. He conducted the hearing without him.

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

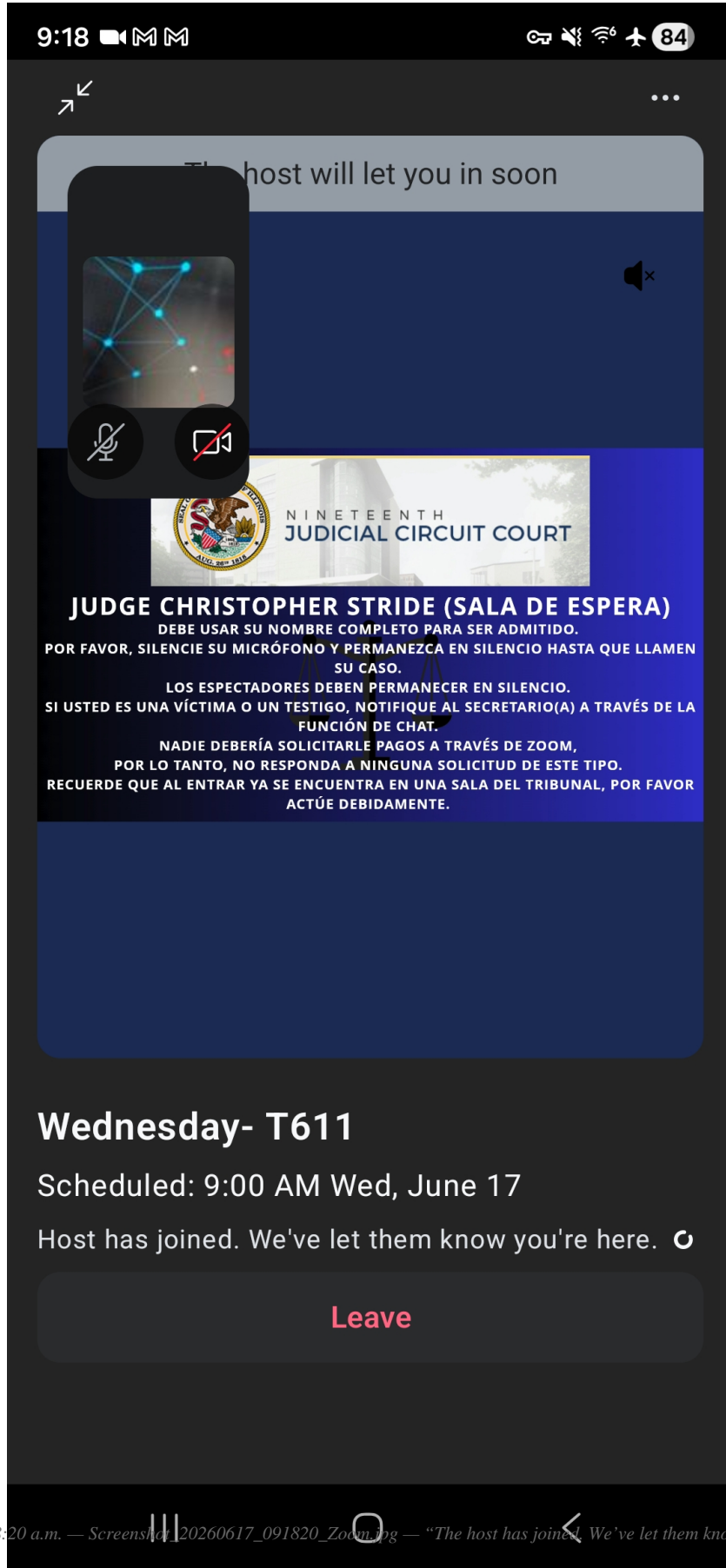
- Time-stamped screenshots document continuous presence in the waiting room from 9:18 AM through 10:05 AM
- Lockout persisted until ≈ 11:00 AM; Petitioner was admitted only after telephoning the judge’s judicial assistant to demand entry
- Platform displayed: “The host has joined” throughout
- Proves Respondent was aware of Petitioner’s presence and chose to proceed without him
- Email sent at 10:25 AM from the waiting room demanding admission and warrant recall

EXHIBIT H — INDEX OF SCREENSHOTS (ZOOM WAITING ROOM, JUNE 17, 2026)

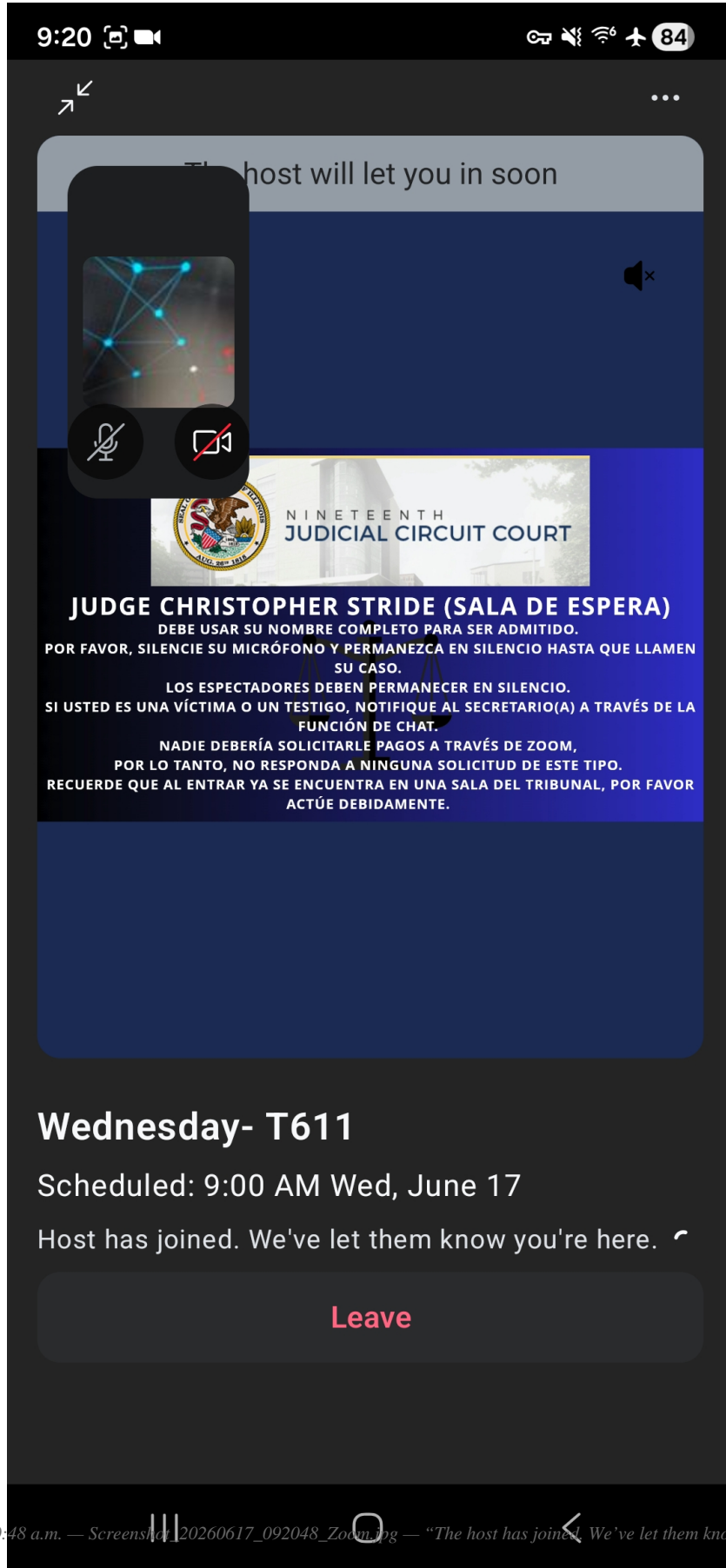
Courtroom T-611 — each image is time-stamped by the capturing device

#	Time captured	File
1	9:18:20 a.m.	Screenshot_20260617_091820_Zoom.jpg
2	9:20:48 a.m.	Screenshot_20260617_092048_Zoom.jpg
3	9:25:12 a.m.	Screenshot_20260617_092512_Zoom.jpg
4	9:31:37 a.m.	Screenshot_20260617_093137_Zoom.jpg
5	9:35:48 a.m.	Screenshot_20260617_093548_Zoom.jpg
6	9:41:17 a.m.	Screenshot_20260617_094117_Zoom.jpg
7	9:46:28 a.m.	Screenshot_20260617_094628_Zoom.jpg
8	9:50:48 a.m.	Screenshot_20260617_095048_Zoom.jpg
9	9:53:00 a.m.	Screenshot_20260617_095300_Zoom.jpg
10	9:56:31 a.m.	Screenshot_20260617_095631_Zoom.jpg
11	9:59:41 a.m.	Screenshot_20260617_095941_Zoom.jpg
12	10:01:24 a.m.	Screenshot_20260617_100124_Zoom.jpg
13	10:03:45 a.m.	Screenshot_20260617_100345_Zoom.jpg
14	10:05:51 a.m.	Screenshot_20260617_100551_Zoom.jpg

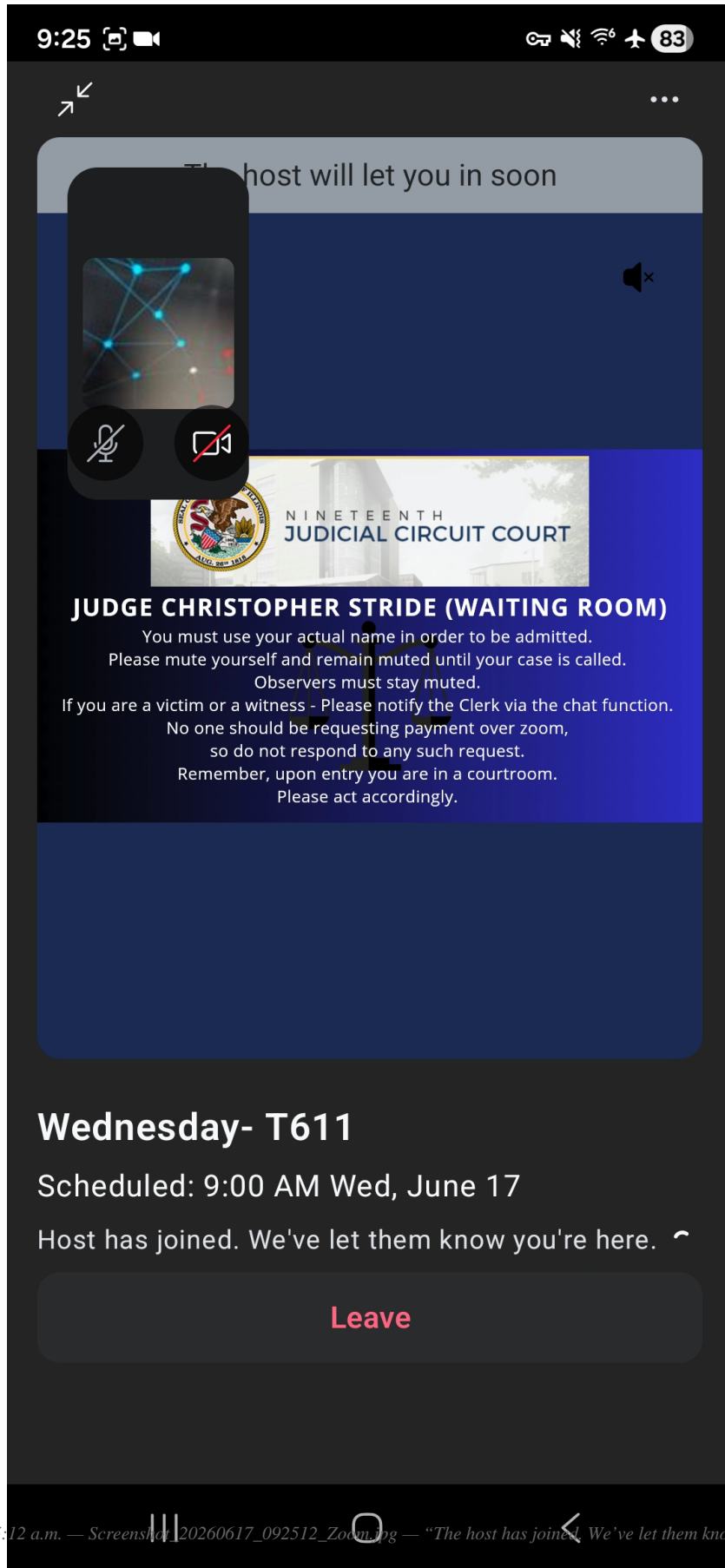
Summary: 14 screenshots, **9:18:20 a.m.** to **10:05:51 a.m.** — documenting the first 48 minutes of a continuous waiting-room lockout that lasted until approximately **11:00 a.m.**, when Petitioner was admitted only after telephoning the judge’s judicial assistant to demand entry.



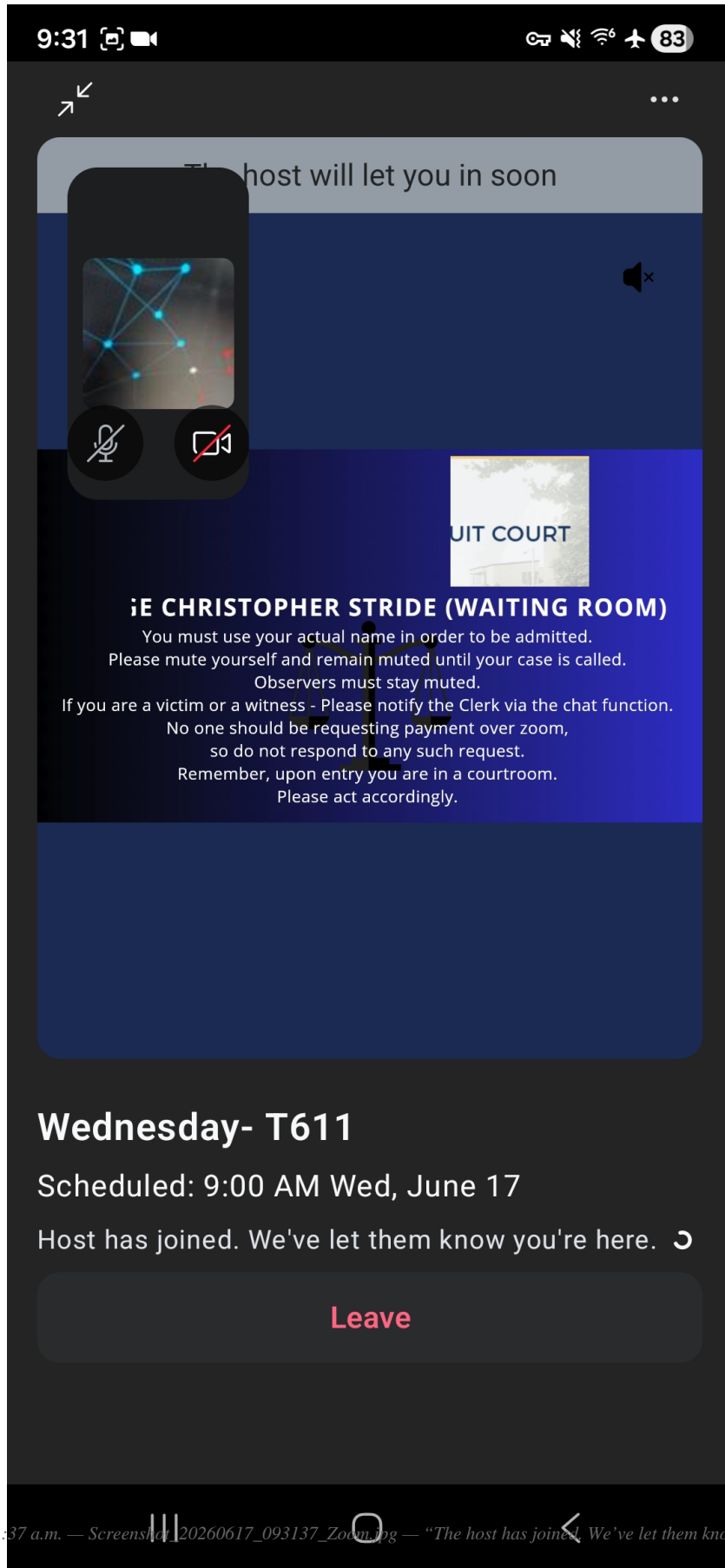
Captured 9:18:20 a.m. — Screenshot_20260617_091820_Zoom.jpg — “The host has joined. We’ve let them know you’re here.”



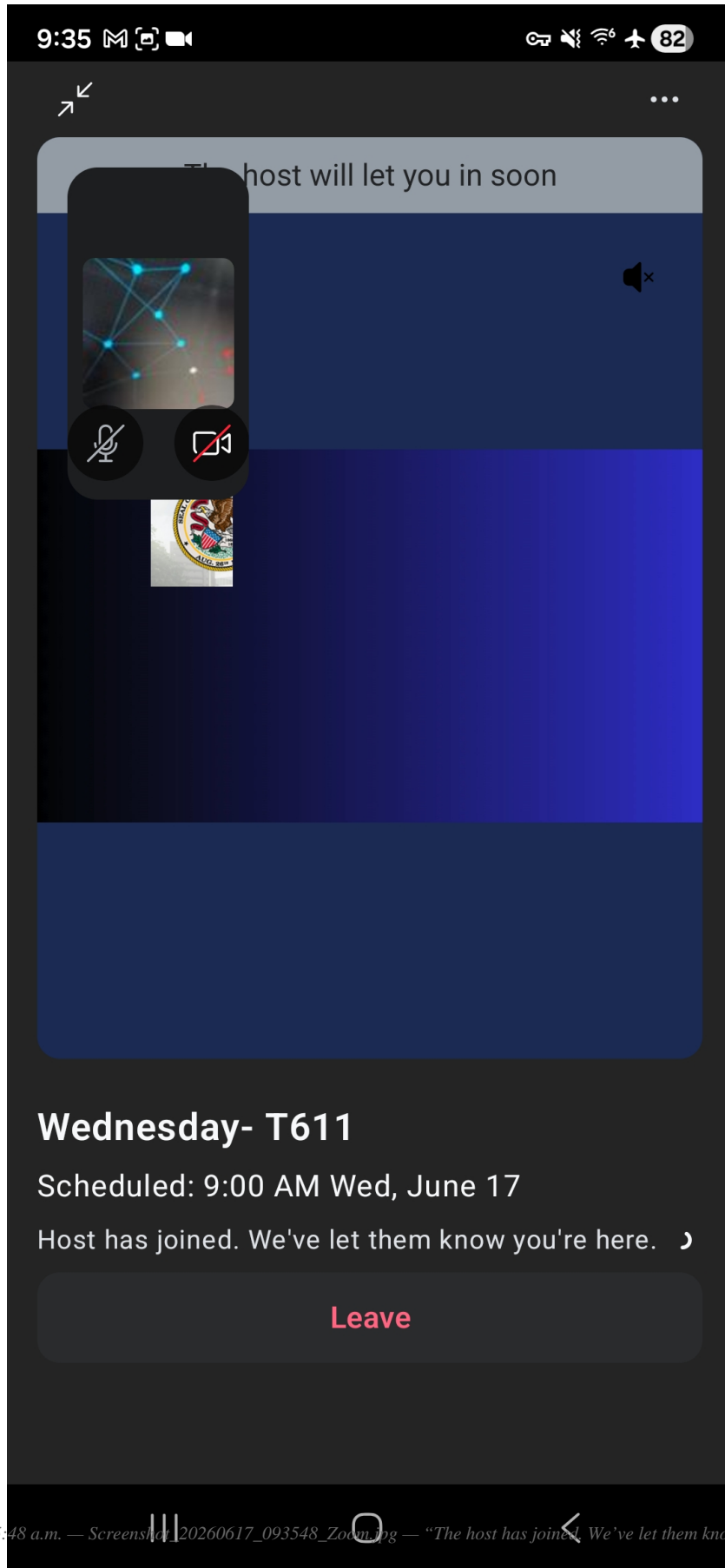
Captured 9:20:48 a.m. — Screenshot_20260617_092048_Zoom.jpg — "The host has joined. We've let them know you're here."



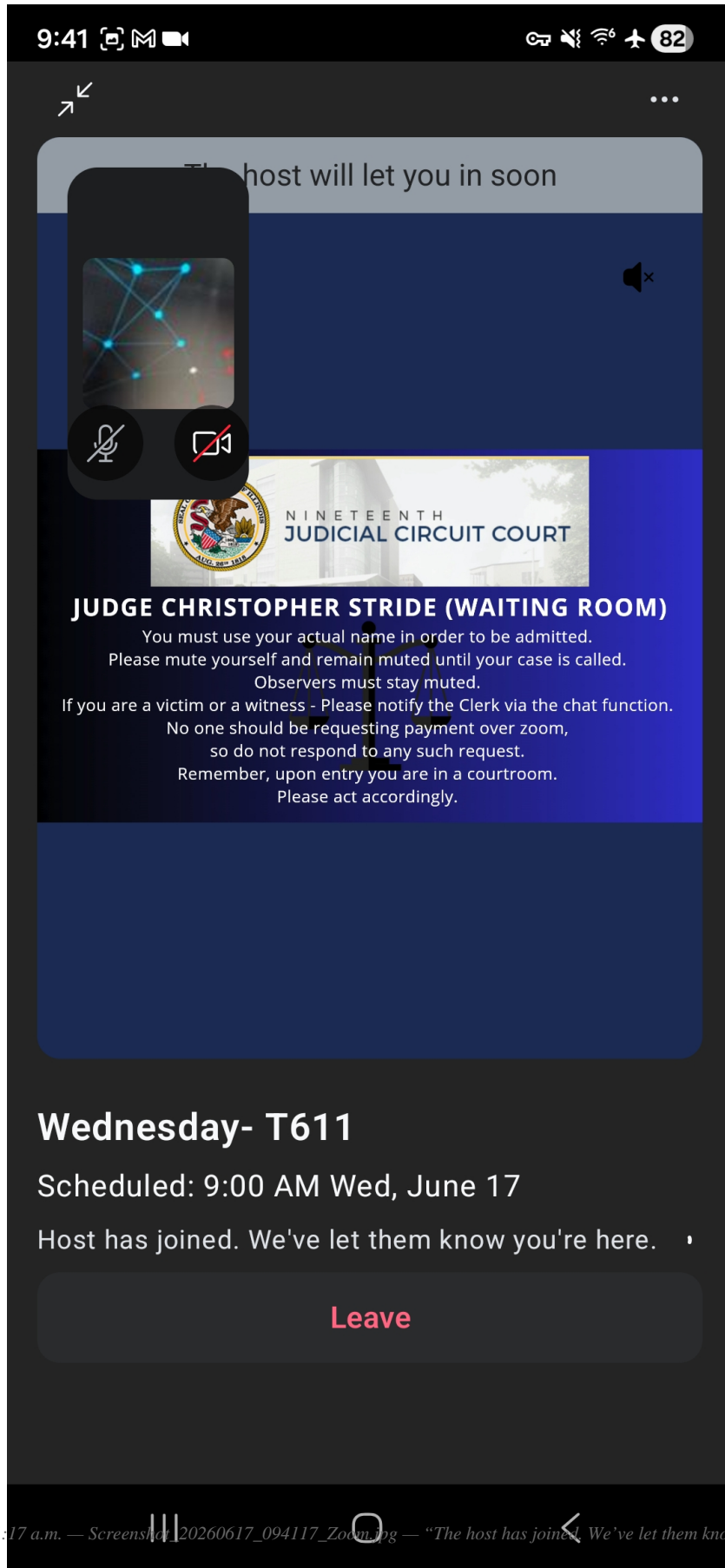
Captured 9:25:12 a.m. — Screenshot_20260617_092512_Zoom.jpg — "The host has joined. We've let them know you're here."



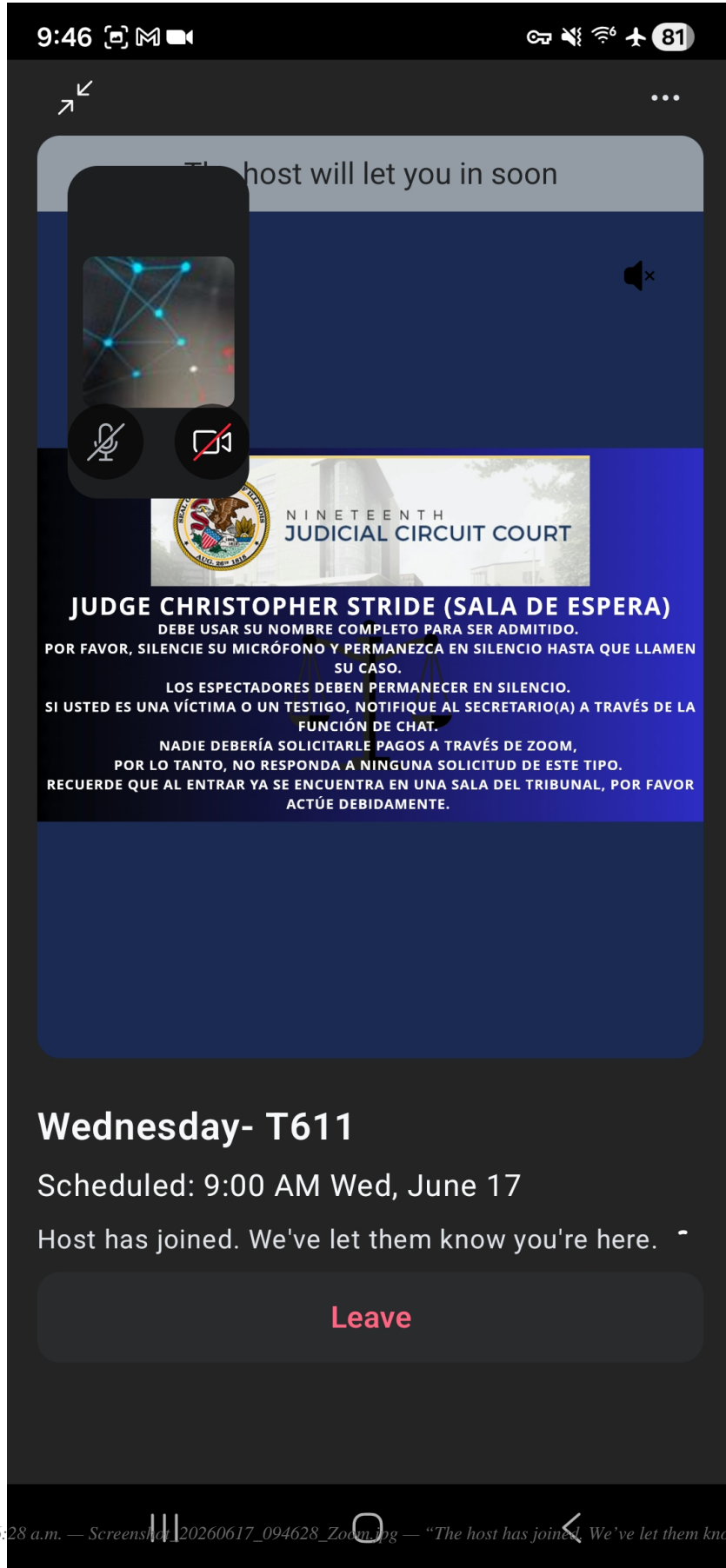
Captured 9:31:37 a.m. — Screenshot_20260617_093137_Zoom.jpg — "The host has joined. We've let them know you're here."



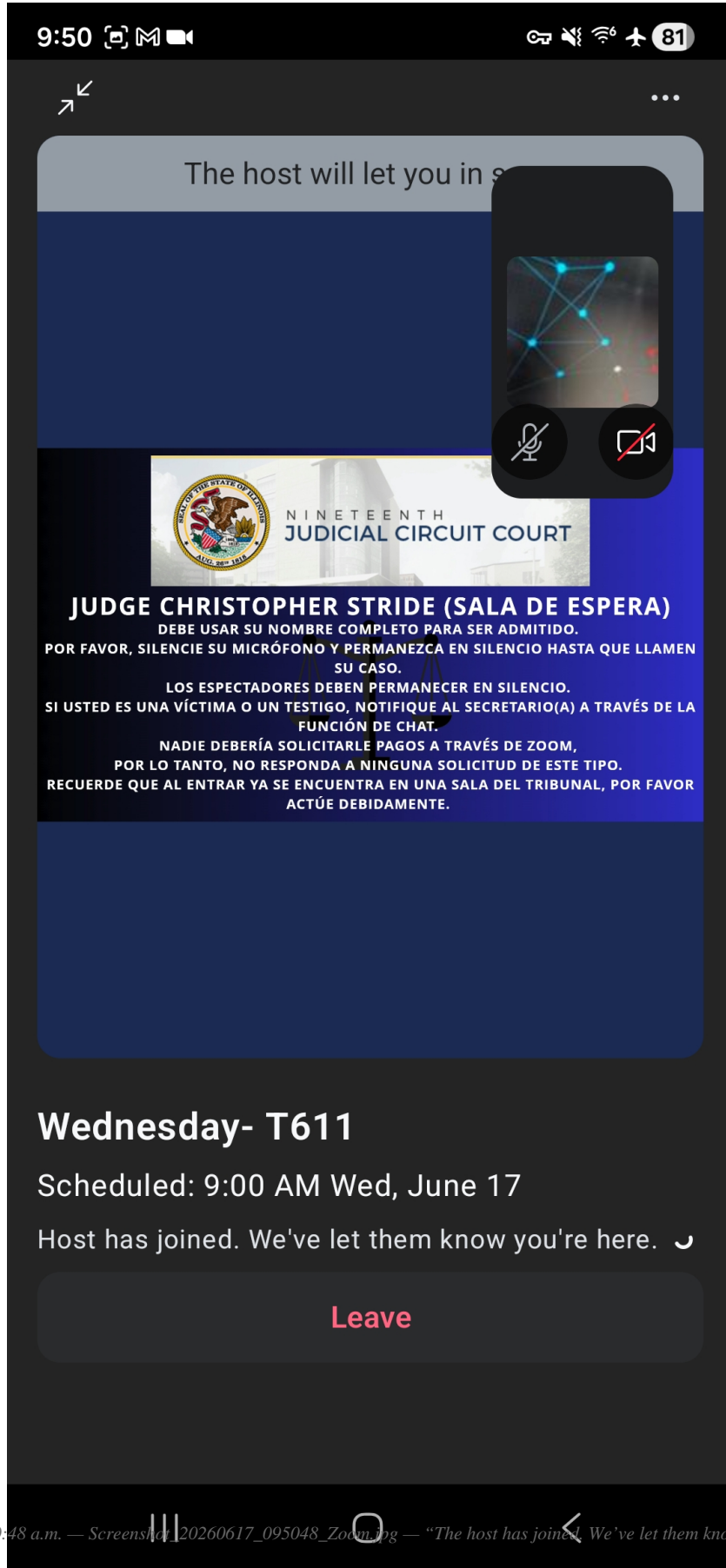
Captured 9:35:48 a.m. — Screenshot_20260617_093548_Zoom.jpg — "The host has joined. We've let them know you're here."



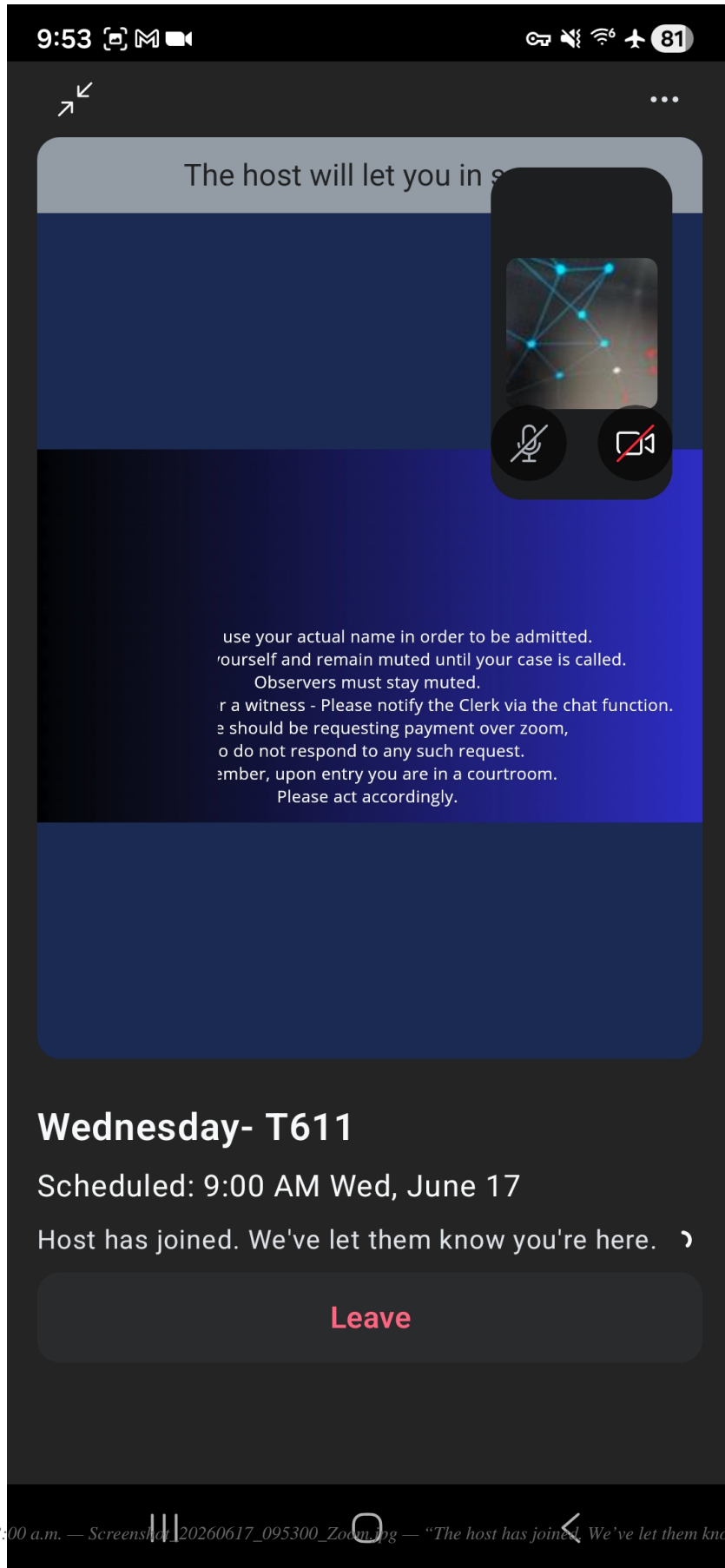
Captured 9:41:17 a.m. — Screenshot_20260617_094117_Zoom.jpg — "The host has joined. We've let them know you're here."



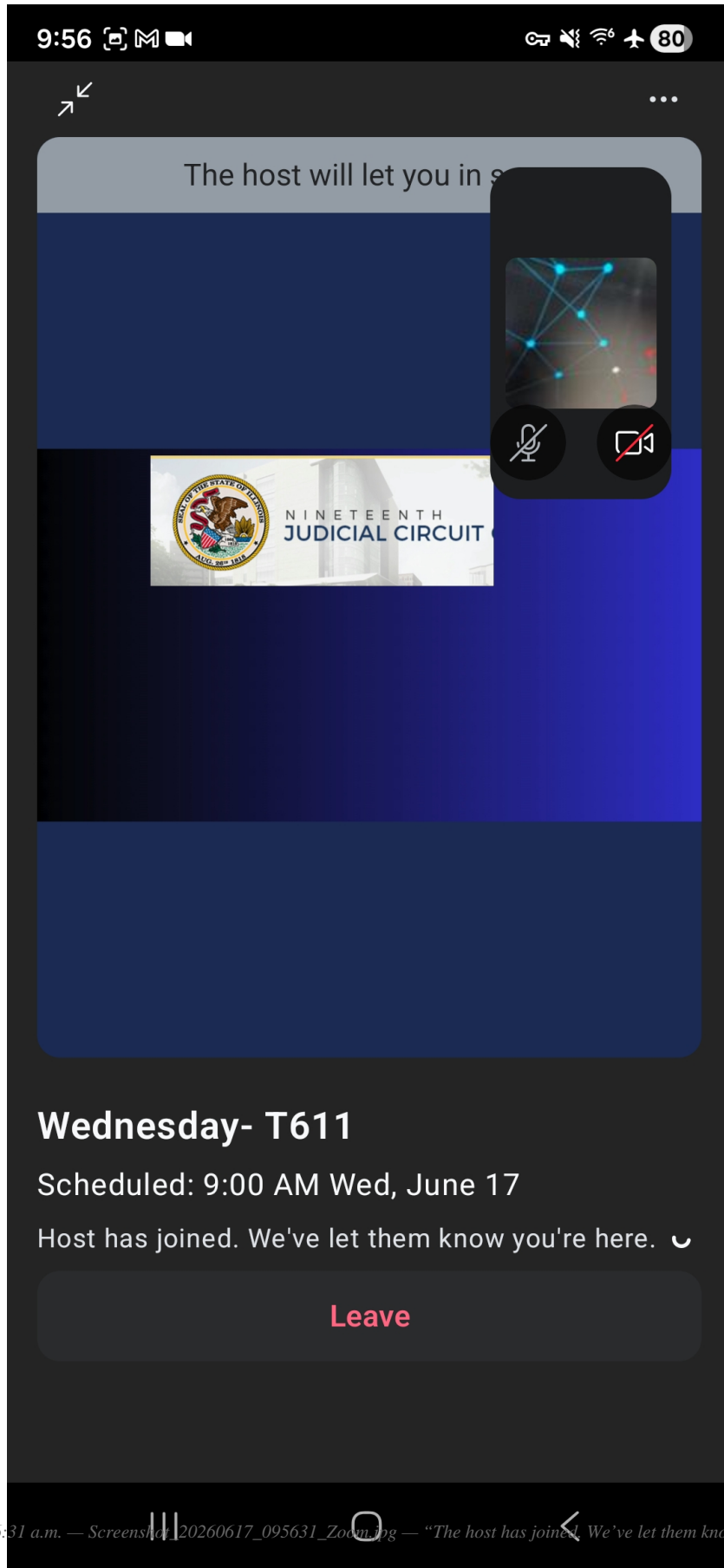
Captured 9:46:28 a.m. — Screenshot_20260617_094628_Zoom.jpg — "The host has joined. We've let them know you're here."



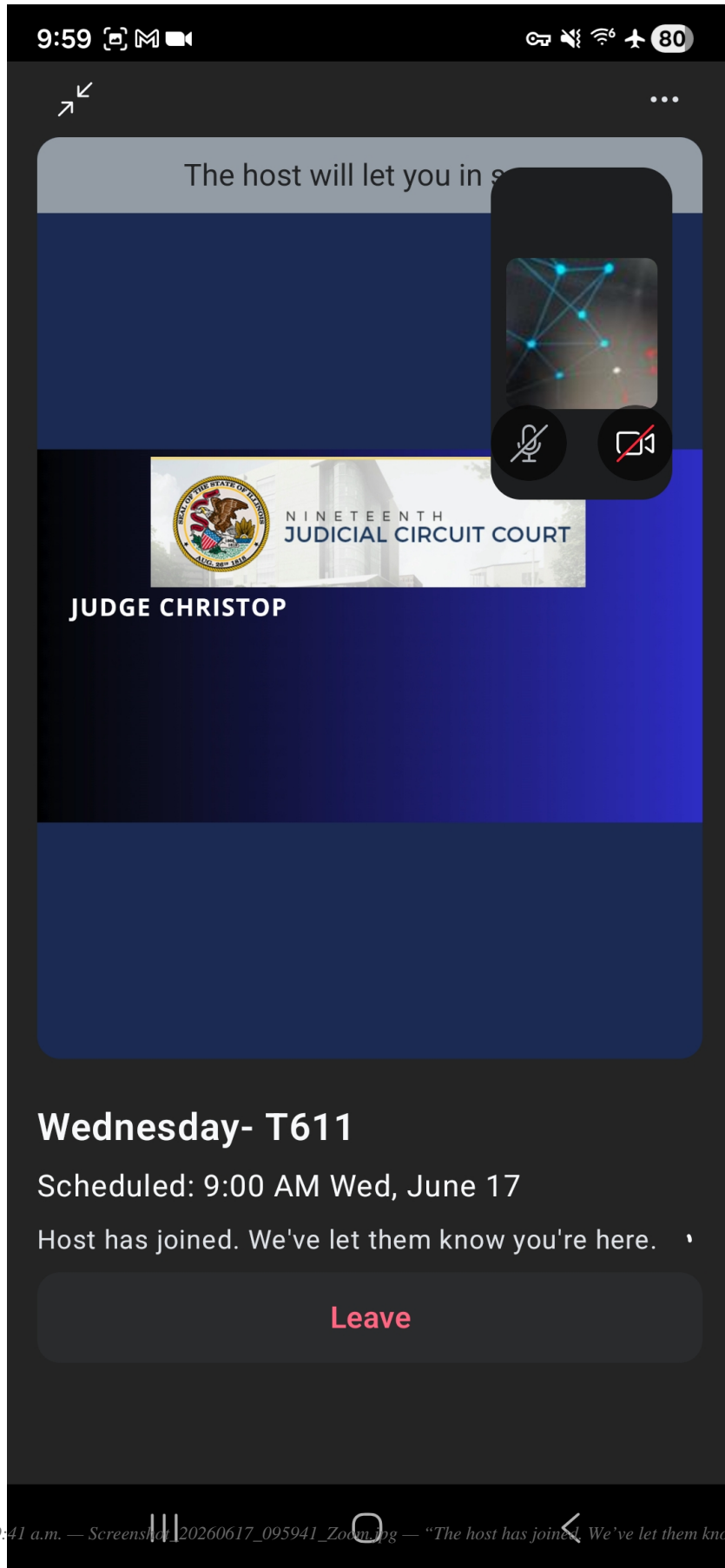
Captured 9:50:48 a.m. — Screenshot_20260617_095048_Zoom.jpg — "The host has joined. We've let them know you're here."



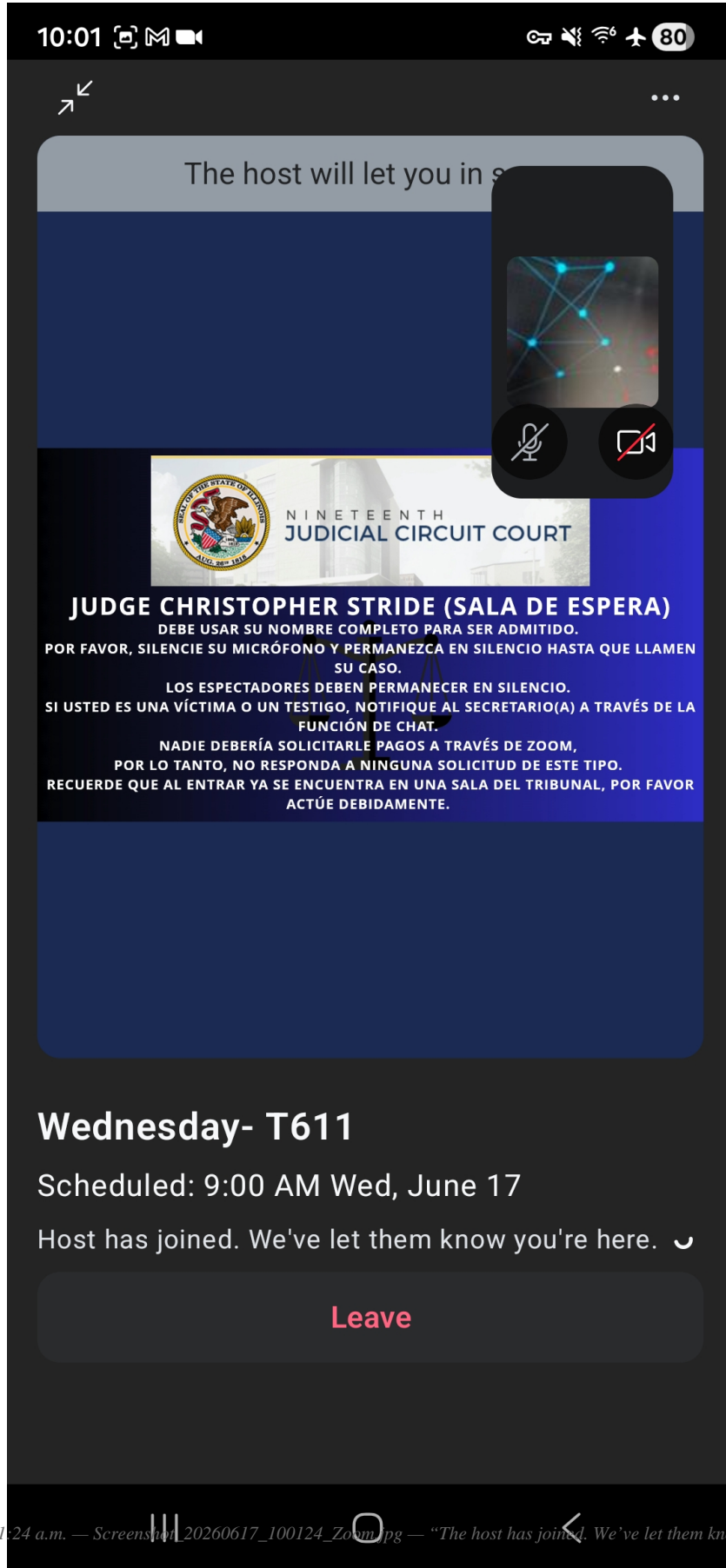
Captured 9:53:00 a.m. — Screenshot_20260617_095300_Zoom.jpg — “The host has joined. We’ve let them know you’re here.”



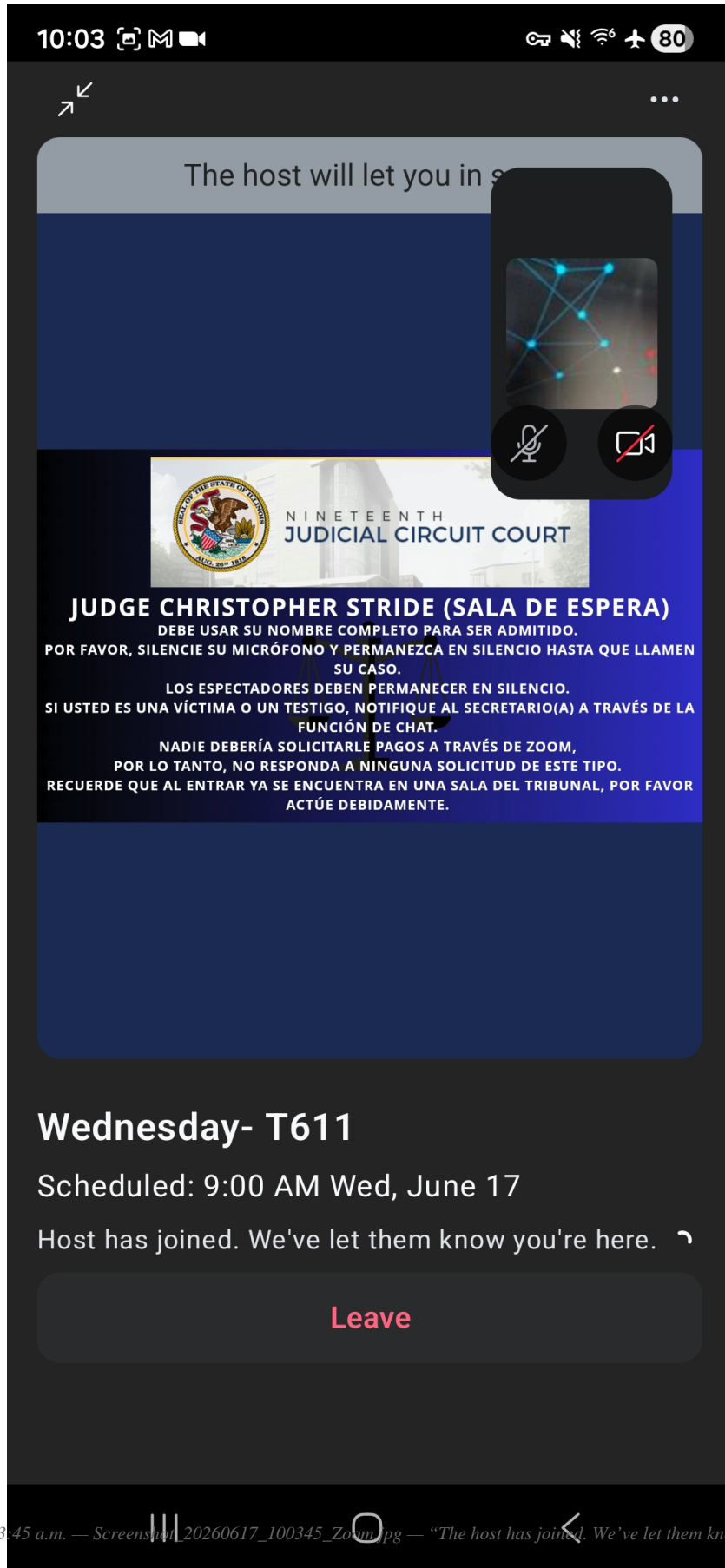
Captured 9:56:31 a.m. — Screenshot_20260617_095631_Zoom.jpg — "The host has joined. We've let them know you're here."



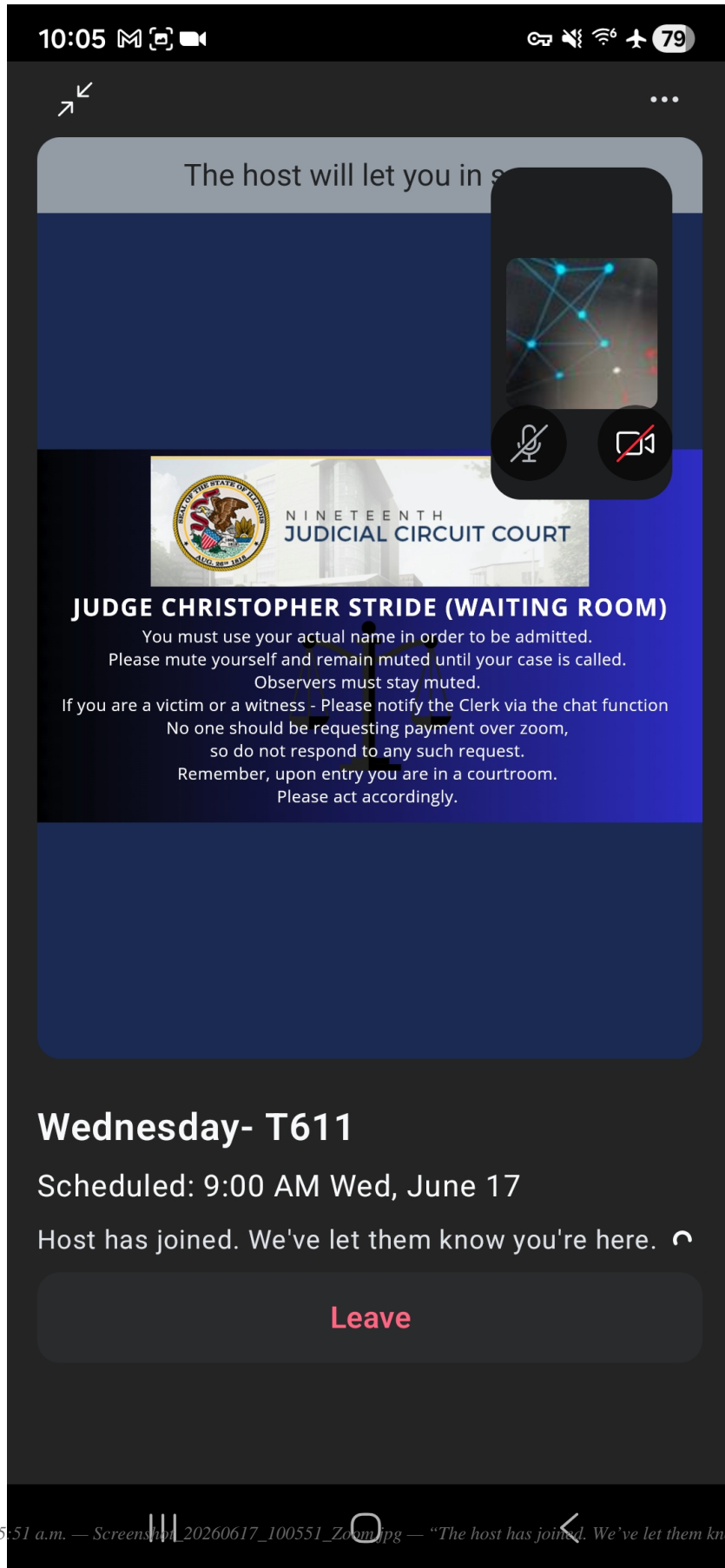
Captured 9:59:41 a.m. — Screenshot of 20260617_095941_Zoom.jpg — "The host has joined. We've let them know you're here."



Captured 10:01:24 a.m. — Screenshot_20260617_100124_Zoom.jpg — "The host has joined. We've let them know you're here."



Captured 10:03:45 a.m. — Screenshot_20260617_100345_Zoom.jpg — "The host has joined. We've let them know you're here."



Captured 10:05:51 a.m. — Screenshot_20260617_100551_Zoom.jpg — "The host has joined. We've let them know you're here."

EXHIBIT I

eFileIL REJECTION OF THE VERIFIED MANDAMUS COMPLAINT (JUNE 17, 2026)

Envelope No. 38550660 — REJECTED June 17, 2026, 3:34 PM — “Multiple documents submitted as one PDF”

WHY THIS EXHIBIT MATTERS:

This is the Clerk's official rejection of the Verified Complaint for Writ of Mandamus against the Clerk. The suit Petitioner brought to unlock the docket was itself turned away by the office it names — the same afternoon the judge declared the hearing a nullity and left the warrant standing.

KEY FACTS ESTABLISHED BY THIS EXHIBIT:

- Filing: Verified Complaint for Writ of Mandamus (735 ILCS 5/14-101) — Filing Code: Complaint
- Rejected June 17, 2026, 3:34 PM — reason: “Multiple documents submitted as one PDF”
- Rejected the same day the judge refused to hear Petitioner and kept the warrant
- Confirms the state corrective process is closed by affirmative act, not mere delay



Ehab Hilfiger <ehabhilfiger@gmail.com>

Filing Rejected for Envelope Number: 38550660 in Case: 38550660, for filing Complaint

1 message

no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
To: ehabhilfiger@gmail.com

Wed, Jun 17, 2026 at 3:34 PM



Filing Rejected

Envelope Number: 38550660
Case Number: 38550660
Case Name:

The document below has been rejected for the reason(s) stated. Please correct and resubmit. If the corrected document will be late, [Illinois Supreme Court Rule 9](#) permits you to file a motion asking the court to treat the corrected document as filed on the date/time it was originally submitted. If you intend to do so, you must file that motion within 5 court days of this notice.

If you need further information, contact the [court clerk](#).

Rejection Reason(s) from Clerk's Office	
Court	Lake County
Rejection Reason	Multiple documents submitted as one PDF.
Rejection Comments	The Complaint needs to be the first page of this document. The Docketing statement needs to be a separate lead document. YA

Document Details	
Case Number	38550660
Case Name	
Date/Time Submitted	6/14/2026 6:18 PM CST
Filing Type	EFileAndServe
Filing Description	Verified Complaint for Writ of Mandamus and Declaratory Relief (735 ILCS 5/14-101)
Filing Code	Complaint
Filed By	Ehab Allababidi
Filing Attorney	

To learn how to copy the rejected filing so that you can make changes to refile, [click here](#).

If you are not represented by a lawyer, we want to improve your e-filing experience. Please [click here](#) to fill out a short survey.