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IN THE SUPREME COURT OF ILLINOIS

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**EHAB ALLABABIDI,**

*Petitioner,*

v.

**ERIN CARTWRIGHT WEINSTEIN,** Clerk of the  
Circuit Court of the Nineteenth Judicial Circuit,

Lake County, Illinois,

*Respondent.*

No. \_\_\_\_\_

**MOTION FOR LEAVE TO FILE A  
PETITION FOR AN ORIGINAL WRIT  
OF MANDAMUS**

Original Action for

Writ of Mandamus

(Ill. S. Ct. R. 381)

Petitioner EHAB ALLABABIDI, appearing pro se pursuant to Article VI, Section 4(a) of the Illinois Constitution and Illinois Supreme Court Rule 381, respectfully moves this Honorable Court for leave to file the attached Petition for an Original Writ of Mandamus. The Petition arises from a *constitutional paradox* that Petitioner has documented in writing: the Circuit Clerk of Lake County is refusing to docket a lawsuit against *herself*, using the very administrative machinery she controls to delay being sued. Petitioner filed a Verified Complaint for Writ of Mandamus against Respondent Weinstein and her deputy Hanna Becerra through the Odyssey eFileIL system on June 14, 2026 at 6:18 PM (Envelope No. 38550660)<sup>2</sup>. That complaint, which documents the Clerk’s *unconstitutional docket lockout*, remains frozen at the status “Submitted” in the eFileIL filing history as of the date of this filing (Appendix C)<sup>6</sup> — the named defendants are *sitting on a lawsuit against themselves* and will not docket it. The obstruction is not confined to the e-portal: a certified-mail copy of Petitioner’s omnibus filing addressed to the Clerk has never been delivered or signed for since June 9, 2026 (Appendix A)<sup>5</sup>, even as a certified-mail emergency application Petitioner sent to the Clerk of the United States Supreme Court in Washington, D.C. was delivered and picked up on June 15, 2026 (Appendix B)<sup>7</sup>. Mail to the Nation’s highest court, seven hundred miles away, arrives; the local Lake County clerk will not even accept service. Because the local forum is barricaded against him, Petitioner invokes the original jurisdiction of this Court. In support of this Motion, Petitioner *respectfully* states as follows:

**1.** Petitioner is a self-represented criminal defendant in the Circuit Court of the Nineteenth Judicial Circuit (Lake County, Illinois) in Case No. 23 CF 1146, and is currently subject to an active, outstanding **zero-bond custodial arrest warrant** issued on May 28, 2026.

**2.** On September 8, 2025, Petitioner was sentenced to 30 months of probation in the trial court. His appointed defense counsel, Bailey C. Russell of the Public Defender’s Office, *constructively abandoned* the representation immediately following sentencing, failing to file a mandatory Illinois Supreme Court Rule 604(d) certificate or motion, and failing to notice an appeal, which constitutes per se ineffective assistance of counsel under *People v. Janes*, 158 Ill. 2d 27 (1994).

1           3. Following the State’s filing of a Petition for Revocation of Probation on May 14, 2026, and the  
2 subsequent issuance of a zero-bond warrant, Petitioner sought to exercise his **absolute, non-negotiable**  
3 **right to proceed pro se** and represent himself under *Faretta v. California*, 422 U.S. 806 (1975) and Illinois  
4 Supreme Court Rule 13.

5           4. Petitioner prepared a pro se Appearance form, an emergency Motion to Quash Warrant, and a  
6 comprehensive **495-page Omnibus Petition for Post-Conviction Relief** raising thirteen independent  
7 constitutional violations, each supported by the State’s own records and correspondence.<sup>4</sup>

8 <sup>4</sup> **Appendix G (Omnibus Petition for Post-Conviction Relief)**. Petitioner’s 495-page verified post-conviction petition detailing thirteen independent  
9 constitutional violations, twenty-four exhibits (A through X), and a complete chronological record of 516 days of proceedings. The Circuit Clerk  
10 refused to docket any of it.

11           5. On June 9, 2026, Petitioner attempted to transmit and docket these filings through the trial court’s  
12 electronic e-filing system. Respondent Circuit Clerk Erin Cartwright Weinstein rejected the filings, stating  
13 that Petitioner was *barred from docketing* any pro se filings because a Public Defender was still listed as  
14 counsel of record on the court docket.<sup>1</sup>

15 <sup>1</sup> **Appendix D (Clerk’s Rejection Notice)**. Written rejection notice generated by deputy Hanna Becerra on June 8, 2026: “*the motion must be filed by*  
16 *your attorney.*” Rejects the pro se appearance and emergency motions because a public defender remains on the docket record. The Clerk lacks  
17 statutory authority to review representation status before docketing. *People ex rel. Ward v. Salter*, 28 Ill. 2d 612 (1963).

18           6. Respondent Clerk’s administrative policy creates an unconstitutional **catch-22 and total docket**  
19 **lockout**: the public defender who constructively abandoned Petitioner refuses to file any pleadings on his  
20 behalf, yet the Clerk refuses to file the client’s pro se Appearance to remove the public defender and allow  
21 pro se filings.

22           7. The Clerk of the Circuit Court is a non-judicial, *ministerial officer*. The Clerk has no judicial or  
23 discretionary authority to review the representation status of litigants, to act as a gatekeeper, or to reject  
24 filings that comply with basic format rules. Compelling the Clerk to accept and file papers is a mandatory  
25 ministerial act subject to mandamus. *People ex rel. Ward v. Salter*, 28 Ill. 2d 612 (1963).

26           8. The Clerk’s lockout policy directly violates *Faretta v. California*, Illinois Supreme Court Rule  
27 13, and 735 ILCS 5/2-301, and operates to destroy Petitioner’s right to due process of law and unhindered  
28 access to the justice system as guaranteed under the **Open Courts provision** of the Illinois Constitution (Ill.  
Const. art. I, § 12).

          9. Original jurisdiction in this Court under Rule 381 is the only adequate remedy. Because the Clerk  
refuses to place Petitioner’s motions on the docket, the trial judge cannot see or rule on them. Petitioner is  
blocked from seeking to quash the active warrant, exposing him to **imminent and unconstitutional arrest**  
without recourse.

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1           **10.** This petition presents an issue of **urgent public importance** regarding whether administrative  
2 court officials can unilaterally strip citizens of their constitutional right to represent themselves in criminal  
3 proceedings.

4 Respectfully submitted,

5 /s/ Ehab Allababidi

6 **EHAB ALLABABIDI**, Pro Se

8516 W. Winona St., Chicago, IL 60656

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

7 **VERIFICATION BY CERTIFICATION UNDER 735 ILCS 5/1-109**

8 Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure and 28 U.S.C.  
9 § 1746, the undersigned certifies that the statements set forth in this instrument are true and correct, except  
10 as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as  
11 aforesaid that he verily believes the same to be true.

12 Date: June 17, 2026

/s/ Ehab Allababidi

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**PROPOSED PETITION FOR AN ORIGINAL WRIT  
OF MANDAMUS**

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*Submitted with the Motion for Leave to File — Ill. S. Ct. R. 381 — Ehab Allababidi, Pro Se*

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## I. INTRODUCTION AND STATEMENT OF THE CASE

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This Petition presents a question this Court has not been asked to answer in exactly this form: may a Circuit Clerk refuse to docket a lawsuit against *herself, holding the complaint hostage* in the electronic intake queue **because she is the defendant named on the first page**? Petitioner filed a Verified Complaint for Writ of Mandamus against Respondent Erin Cartwright Weinstein and her deputy Hanna Becerra through the Odyssey eFileIL system on June 14, 2026 at 6:18 PM (Envelope No. 38550660, attached as Appendix E)<sup>2</sup>. That complaint was addressed directly to the Clerk’s office and assigned an official envelope number — yet it has not been docketed. The defendants are holding a lawsuit against themselves in the intake queue. That is **not an administrative delay**; it is an **unconstitutional conflict of interest**. The only forum that can break that conflict is this Court. Because the local clerk has *barricaded the courthouse door* to protect herself, Petitioner invokes the **original jurisdiction of the Supreme Court of Illinois**.

<sup>2</sup> **Appendix E (eFileIL Envelope Receipt)**. The official eFileIL envelope receipt confirming Petitioner filed his Verified Complaint for Writ of Mandamus on June 14, 2026, Envelope No. 38550660. The filing was assigned an envelope number and entered the Clerk’s intake queue, where it remains frozen at “Submitted” as of the date of this Petition (Appendix C). The named defendant controls the intake queue of the lawsuit against herself.

Petitioner EHAB ALLABABIDI petitions this Court for an Original Writ of Mandamus compelling Respondent ERIN CARTWRIGHT WEINSTEIN, Clerk of the Circuit Court of the Nineteenth Judicial Circuit, to perform her *non-discretionary, ministerial duty* to accept, file, and docket the pro se appearance and pleadings he tendered in Case No. 23 CF 1146. The Clerk has enforced a policy — documented in *her office’s own written words* (Appendix D: “the motion must be filed by your attorney”)<sup>1</sup> — that bars a self-represented defendant from filing unless his papers bear a licensed attorney’s signature block.

<sup>1</sup> **Appendix D (Clerk’s Rejection Notice)**. Written rejection notice generated by deputy Hanna Becerra on June 8, 2026: “*the motion must be filed by your attorney.*” Rejects the pro se appearance and emergency motions because a public defender remains on the docket record. The Clerk lacks statutory authority to review representation status before docketing. *People ex rel. Ward v. Salter*, 28 Ill. 2d 612 (1963).

The policy creates a *closed loop with no exit*. Petitioner’s appointed public defender constructively abandoned him after sentencing — *filing nothing, appearing nowhere* — yet the Clerk will not docket the very pro se Appearance that would remove that attorney from the record. **The lawyer will not act and will not leave; the Clerk will not let the client act for himself.** *Trapped inside that loop*, Petitioner cannot present a Motion to Quash a warrant that issued on two sworn false allegations, cannot docket a 495-page Omnibus Petition<sup>4</sup> documenting fraud and felony conduct by state officials, and cannot comply with a federal court’s directive that he raise these issues in the state forum first (N.D. Ill. No. 1:26-cv-01077, Dkt. 25). Every day the lock-out persists, an unconstitutional deprivation of court access compounds and a warrant executes. Because the Clerk’s duty is ministerial and mandatory, and because Petitioner has no other adequate remedy at law — he cannot appeal an order the Clerk forbids him to file — mandamus is the proper, necessary, and exclusive vehicle to restore constitutional access to the courts. *Faretta v. California*,

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1 422 U.S. 806 (1975); 735 ILCS 5/2-301; Ill. S. Ct. R. 13. **Every day the lock-out persists**, an  
2 unconstitutional deprivation of court access **compounds** and a warrant **executes**.

3 <sup>4</sup> **Appendix G (Omnibus Petition for Post-Conviction Relief)**, Petitioner’s 495-page verified post-conviction petition detailing thirteen independent  
4 constitutional violations, twenty-four exhibits (A through X), and a complete chronological record of 516 days of proceedings. The Circuit Clerk  
5 refused to docket any of it.

## 6 **II. JURISDICTIONAL BASIS AND CONSTITUTIONAL STANDARD**

7 This Court has direct original jurisdiction over mandamus proceedings pursuant to Article VI,  
8 Section 4(a) of the Illinois Constitution, which grants the Supreme Court **original jurisdiction** in cases  
9 relating to revenue, mandamus, prohibition, and habeas corpus. Original actions are governed by Illinois  
10 Supreme Court Rule 381, which authorizes petitions for writs of mandamus against judicial and ministerial  
11 officers.

12 Mandamus is an *extraordinary remedy* used to enforce the performance of an official duty by a  
13 public officer where that duty is ministerial and non-discretionary. *People ex rel. Berlin v. Bakalis*, 208 Ill.  
14 2d 99 (2003). To obtain a writ of mandamus, a petitioner must demonstrate: (1) **a clear right** to the  
15 requested relief; (2) **a clear duty** of the public officer to act; and (3) **clear authority** in the officer to  
16 comply. *People ex rel. Alvarez v. Howard*, 2016 IL 120729. If the public officer’s duty is non-discretionary,  
17 the court has a duty to issue the writ to enforce the rule of law.

## 18 **III. STATEMENT OF FACTS (CHRONOLOGY OF LOCK-OUT)**

19 **1.** On September 8, 2025, in Lake County Case No. 23 CF 1146, Petitioner was sentenced to 30  
20 months of probation. The court appointed Bailey C. Russell of the Lake County Public Defender’s Office as  
21 defense counsel. Russell subsequently failed to file any post-sentencing motions, failed to file an Illinois  
22 Supreme Court Rule 604(d) certificate, and constructively abandoned the representation. *People v. Janes*,  
23 158 Ill. 2d 27 (1994).

24 **2.** On May 14, 2026, the State filed a Petition for Revocation of Probation. On May 28, 2026,  
25 without a hearing, a zero-bond custodial arrest warrant was issued for Petitioner. On June 6, 2026, police  
26 executed two unsuccessful attempts to arrest Petitioner at his residence. **No defense attorney appeared.**

27 **3.** Because of his counsel’s constructive abandonment, Petitioner invoked his absolute  
28 constitutional right to proceed pro se under *Faretta v. California*. On June 8, 2026, Petitioner prepared a pro  
se appearance, a Motion to Quash Warrant, and an Omnibus Petition for Post-Conviction Relief stating  
thirteen independent constitutional violations.

**4.** On June 8, 2026, Respondent officially rejected the electronic transmission. The written rejection  
notice generated by Respondent’s agent states:

1           “Good Afternoon Mr. Allababidi. We have received your email about adding this case to the  
2           call for 06/09/2026. Unfortunately we cannot add this case to the call because we do not have  
3           the original motion copy and the motion must be filed by your attorney. I would reach out to  
4           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”<sup>1</sup>

5           <sup>1</sup> **Appendix D (Clerk’s Rejection Notice).** Written rejection notice generated by deputy Hanna Becerra on June 8, 2026: “the motion must be filed by  
6           your attorney.” Rejects the pro se appearance and emergency motions because a public defender remains on the docket record. The Clerk lacks  
7           statutory authority to review representation status before docketing. *People ex rel. Ward v. Salter*, 28 Ill. 2d 612 (1963).

8           **5.** On June 10 and 11, 2026, Petitioner sent formal faxes and letters to Respondent Clerk Erin  
9           Cartwright Weinstein, citing 735 ILCS 5/2-301 and Illinois Supreme Court Rule 13, demanding that his  
10           appearance and pleadings be filed. Respondent Clerk *did not respond*, and the administrative lock-out  
11           remains in active force.

12           **6.** On June 12, 2026, Petitioner successfully bypassed the Clerk by uploading a [Proposed] Order to  
13           Quash Warrant directly through the Lake County Court Portal’s Proposed Order upload feature (JTI Ref.  
14           dc5ffbe9a07e, Appendix F)<sup>3</sup>. The portal returned an official receipt confirming the submission was received  
15           by the court. This filing placed the complete documentary record — including the Weeks adjudications, the  
16           Allstate indemnification correspondence, and the full chronological docket — directly before Judge Stride,  
17           bypassing the Clerk’s lockout. As of the date of this Petition, the Proposed Order remains pending and  
18           unruled upon, and the zero-bond warrant remains outstanding.

19           <sup>3</sup> **Appendix F (Lake County Court Portal Receipt).** JTI Ref. dc5ffbe9a07e, confirming submission of [Proposed] Order to Quash Warrant on June 12,  
20           2026 at 10:26 PM, placing the exculpatory record directly before the trial judge. The Proposed Order remains pending and unruled upon, while the  
21           zero-bond warrant remains outstanding.

22           **7.** On June 14, 2026 at 6:18 PM, Petitioner filed a Verified Complaint for Writ of Mandamus  
23           against Respondent Weinstein and her deputy Hanna Becerra through the Odyssey eFileIL system  
24           (Envelope No. 38550660, Appendix E)<sup>2</sup>. The complaint was assigned an official envelope number and  
25           entered the Clerk’s intake queue, where it first sat at the status “Submitted” (Appendix C)<sup>6</sup>. Then, on **June**  
26           **17, 2026 at 3:34 p.m.** — the same afternoon the presiding judge declared Petitioner’s hearing “a nullity”  
27           and kept the warrant (see ¶ 11) — the Clerk’s office **affirmatively REJECTED the complaint** (Appendix  
28           C-1), on the stated ground that “Multiple documents submitted as one PDF”. **The lawsuit against the Clerk**  
          **was thus not merely held in the queue; it was turned away by the very office it names.** Whether or not  
          that packaging objection is well taken, its effect is identical: the suit to compel the Clerk remains  
          undocketed, Petitioner must re-enter the same queue the Clerk controls, and the active zero-bond warrant  
          runs throughout — an unconstitutional conflict of interest that *only this Court can break*.

29           <sup>2</sup> **Appendix E (eFileIL Envelope Receipt).** The official eFileIL envelope receipt confirming Petitioner filed his Verified Complaint for Writ of  
30           Mandamus on June 14, 2026, Envelope No. 38550660. The filing was assigned an envelope number and entered the Clerk’s intake queue, where it  
31           remains frozen at “Submitted” as of the date of this Petition (Appendix C). The named defendant controls the intake queue of the lawsuit against  
32           herself.

33           <sup>6</sup> **Appendix C (eFileIL Filing History).** Filing history report confirming Envelope No. 38550660 is active but held undocketed since June 14, 2026.  
34           Status reads “Submitted” — the lawsuit against the Clerk has not been permitted to reach a judge.

1           8. The obstruction extends to the mails. On June 7, 2026, Petitioner dispatched his omnibus filing  
2 packet to Respondent Clerk Erin Cartwright Weinstein by U.S. Certified Mail (USPS No. 9402 6118 9876  
3 5528 9340 61)<sup>5</sup>. As of the date of this Petition, that article has never been delivered or signed for: USPS  
4 tracking shows it “in transit”, last scanned at the Palatine, Illinois distribution center on June 9, 2026, and  
5 not advanced since (Appendix A). The Clerk’s office has not accepted service of Petitioner’s filings **by  
hand, by portal, or by certified mail.**

6 <sup>5</sup> **Appendix A (USPS Certified Mail Tracking — Waukegan).** Tracking history for USPS Certified Mail No. 9402 6118 9876 5528 9340 61,  
7 dispatched June 7, 2026. Shows non-delivery and remains frozen at the Palatine distribution center. The Clerk’s office has not accepted service of  
8 Petitioner’s filings by any channel.

9           9. The contrast is dispositive of forum availability. During the same window, Petitioner mailed a  
10 certified emergency application to the Clerk of the United States Supreme Court, 1 First Street, N.E.,  
11 Washington, D.C. 20543 (USPS No. 9402 8118 9876 5520 8548 73)<sup>7</sup>. That article — addressed to the  
12 Nation’s highest court, roughly seven hundred miles away — was delivered and picked up on June 15, 2026  
13 (Appendix B). A certified letter reaches the Supreme Court of the United States in days; the same litigant’s  
14 certified letter to the Lake County Circuit Clerk, a few miles from his home, is never even accepted. The  
15 local forum is, as a documented and verifiable fact, unavailable to him.

16 <sup>7</sup> **Appendix B (USPS Certified Mail Tracking — D.C.).** Tracking history for USPS Certified Mail No. 9402 8118 9876 5520 8548 73, delivered to  
17 the Clerk of the United States Supreme Court in Washington, D.C. on June 15, 2026. Mail to the Nation’s highest court, seven hundred miles away,  
18 arrives; the same litigant’s mail to his county clerk, thirty-five miles away, does not. The contrast is dispositive of forum availability.

19           10. Petitioner has prepared a comprehensive 495-page Omnibus Verified Petition for  
20 Post-Conviction Relief (Appendix G)<sup>4</sup> documenting thirteen independent constitutional violations,  
21 including: the sworn false drug allegation refuted by Cook County’s own written adjudications; the financial  
22 allegation barred by active Allstate insurance coverage (Claim 0670868884); the ASA Francis P. DeRosa  
23 sworn-then-withdrawn petition under Section 1-109; the 35-witness discovery abuse; the 100-day identity  
24 concealment by Officer Cervantes; the mail manipulation; the ex parte hearing communication; and the  
25 complete and continuing constructive abandonment by appointed counsel. **Each violation is corroborated**  
26 **by documentary evidence in the State’s own files. *No court has reviewed any of it.***

27 <sup>4</sup> **Appendix G (Omnibus Petition for Post-Conviction Relief).** Petitioner’s 495-page verified post-conviction petition detailing thirteen independent  
28 constitutional violations, twenty-four exhibits (A through X), and a complete chronological record of 516 days of proceedings. The Circuit Clerk  
refused to docket any of it.

          11. On June 17, 2026, Petitioner did the very thing the State says he must do — he appeared. He  
joined the court’s remote call for the 9:00 a.m. setting and was held in the electronic waiting room for nearly  
two hours. When finally admitted, the presiding judge (Hon. Christopher R. Stride) **refused to permit him  
to be heard**, accused him of “harassing” court staff for stating a single sentence, told him he “cannot have  
hearings” and must “hire a lawyer or a public defender”, responded “I don’t know what federal record  
you’re talking about” when Petitioner referenced his pending federal proceedings, declared the hearing a

1 nullity, terminated the session, and **did not recall the zero-bond warrant**. Thus, on a single day, **both**  
 2 **doors of the state forum closed at once**: the judge refused to hear the appearing defendant, and the Clerk  
 3 rejected the very lawsuit that sought to open the docket (§ 7; Appendix C-1). That conduct is the subject of a  
 4 supplement to Petitioner’s pending Judicial Inquiry Board complaint; it is recited here because it is  
 5 dispositive of the one question this Court must answer — whether any adequate remedy remains in the local  
 6 forum. None does.

7 **The lock-out at a glance.** Each entry below is documented by the cited Appendix:

Date (2026)	Event	Result
June 8	Clerk’s office refuses Petitioner’s pro se filing, in writing	“the motion must be filed by your attorney” — refused (App. D)
June 9	Certified omnibus packet to the Clerk last scanned (Palatine, IL)	Never delivered or signed for since (App. A)
June 12	[Proposed] Order to Quash uploaded to the Lake County portal	“Submitted”; never ruled on (App. F)
June 14	Verified Complaint for Writ of Mandamus e-filed (Envelope 38550660)	“Submitted” — then REJECTED June 17 (App. C, E, C-1)
June 15	Certified emergency application to the U.S. Supreme Court (D.C.)	DELIVERED and signed for (App. B)
June 17 (a.m.)	Petitioner appears remotely; held ~2 hrs; judge declares hearing “a nullity”	Refused a hearing; warrant NOT recalled
June 17, 3:34 p.m.	Clerk REJECTS the Verified Mandamus Complaint (Envelope 38550660)	“Multiple documents submitted as one PDF” (App. C-1)
June 17	Both state doors closed the same day; warrant still active	This original action filed in this Court

#### 18 **IV. POINTS AND AUTHORITIES / LEGAL ARGUMENTS**

##### 19 **A. A Self-Represented Litigant Has a Constitutional and Statutory Right to Appear Pro Se.**

20 The Sixth Amendment to the United States Constitution guarantees a criminal defendant the  
 21 absolute right to represent himself. *Faretta v. California*, 422 U.S. 806 (1975). This constitutional right is  
 22 coordinate and is protected under the Fourteenth Amendment. The State cannot force an unwanted attorney  
 23 upon a defendant who voluntarily and intelligently elects to conduct his own defense.

24 In Illinois, this right is codified in 735 ILCS 5/2-301 and protected under Illinois Supreme Court  
 25 Rule 13, which allows any party to appear in person or by an attorney. A self-represented appearance must  
 26 be accepted. The clerk cannot bypass these fundamental provisions by enforcing an administrative policy  
 27 that mandates attorney signatures as a prerequisite to filing.

##### 28 **B. The Circuit Clerk Has a Mandatory Ministerial Duty to Accept and File Pleadings.**

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1 A circuit court clerk is a non-judicial, ministerial officer of the court. The clerk possesses no  
2 judicial power and has no authority to review the legal sufficiency, merit, or representation status of  
3 pleadings. Under 705 ILCS 105/16 (Clerks of Courts Act), the legislature has mandated that the clerk *shall*  
4 attend to the duties of the office’ and *shall* issue and file all processes and papers.’ The Illinois courts have  
5 long held that the clerk’s duty to file documents is absolute and ministerial. *People ex rel. Ward v. Salter*, 28  
6 Ill. 2d 612 (1963).

7 Furthermore, in *People ex rel. Kaufman v. Millard*, 307 Ill. App. 3d 583 (1999), the court explicitly  
8 ruled that a circuit clerk has zero authority to look behind a document to judge its legal context or  
9 representation status before filing it. Rejection of pleadings based on administrative signature-block rules or  
10 representation status constitutes an unauthorized exercise of judicial gatekeeping power.

11 This ministerial duty is not excused by the transition to electronic filing. Under Section 4 of the  
12 Illinois Supreme Court Electronic Filing Procedures, the clerk has a mandatory duty to maintain an  
13 electronic portal configuration that permits a self-represented litigant to submit a pro se appearance  
14 instant, irrespective of prior attorney representation flags. The automated configuration of a county-level  
15 database cannot override statewide electronic filing standards mandated by this Court. The clerk cannot use  
16 system settings to block access to the court.

17 By blocking Petitioner’s filings, the Clerk is actively locking a self-represented criminal defendant  
18 out of his own case while a custodial warrant is outstanding. This administrative barrier runs direct  
19 interference with Petitioner’s due process rights, preventing him from filing emergency motions to quash a  
20 void warrant. The Clerk has a clear, non-discretionary ministerial duty to immediately accept and docket the  
21 filings.

### 22 **C. Mandamus is the Exclusively Proper Remedy to Force Compliance.**

23 Mandamus is the proper remedy to compel a court clerk to perform a ministerial act. *People ex rel.*  
24 *Alvarez v. Howard*, 2016 IL 120729. Because the Clerk’s refusal to file creates a total administrative barrier,  
25 Petitioner has no other adequate remedy. Petitioner cannot seek relief from the trial judge because his  
26 motions cannot even reach the judge’s desk without being docketed by the Clerk first.

27 Respondent’s administrative filter transforms the right to self-representation into a physical  
28 impossibility. By locking the portal, Respondent holds Petitioner defenceless in the face of an active  
custodial warrant, suppressing his ability to invoke the very exculpatory evidence held by the state. Every  
hour this blockade persists constitutes an ongoing, irreparable deprivation of access to the courts. This Court  
must issue a writ of mandamus to compel the Clerk to perform her ministerial duty and restore access to the

judicial process.

**D. The State Forum Is Demonstrably Unavailable, and This Court’s Original Jurisdiction Is the Only Adequate Remedy.**

Mandamus lies only where the petitioner has no other adequate remedy. *People ex rel. Berlin v. Bakalis*, 208 Ill. 2d 99 (2003). Here, that the local forum is closed is not argued in the abstract — it is measured. Two articles of U.S. Certified Mail, sent by the same litigant in the same week, tell the whole story side by side:

	To the LAKE COUNTY CLERK (Appendix A) <sup>5</sup>	To the U.S. SUPREME COURT (Appendix B) <sup>7</sup>
<b>Destination</b>	Clerk of the Circuit Court, Waukegan, Illinois	Clerk, Supreme Court of the United States, Washington, D.C.
<b>Distance from sender</b>	≈ 35 miles	≈ 700 miles
<b>Shipping label created</b>	June 7, 2026, 6:17 pm	June 9, 2026, 8:28 pm
<b>Accepted into USPS custody</b>	June 8, 2026, 10:00 am	June 10, 2026, 9:59 am
<b>Last tracking scan</b>	June 9, 2026, 7:55 am — Palatine, IL (in transit)	June 15, 2026, 8:00 am — DELIVERED, Washington, D.C.
<b>Status (as of petition date)</b>	<b>NEVER DELIVERED</b> — stalled 7+ days	<b>DELIVERED and signed for</b>
<b>Mailed first?</b>	<b>YES</b> — two days earlier	No — two days later

The arithmetic is unforgiving. The article addressed to the Lake County Clerk entered the United States mail **two full days before** the article addressed to the Supreme Court of the United States, and had to travel barely thirty-five miles — against nearly seven hundred, more than seventeen times farther. Yet the nearer letter, mailed first, has **never arrived**; the farther letter, mailed later, was delivered and signed for in six days. A letter that reaches Washington, D.C. but cannot reach Waukegan — though mailed earlier and carried a small fraction of the distance — has not been lost to the ordinary friction of the mails. Something at the destination is refusing it.

The electronic docket tells the identical story — and then makes it worse. The very lawsuit that would correct the lock-out — Petitioner’s Verified Complaint for Writ of Mandamus against the Clerk (Envelope No. 385506660)<sup>2</sup> — was submitted June 14, 2026, sat at “Submitted” (Appendices C, E)<sup>6</sup>, and then, on June 17, was **affirmatively rejected** by the Clerk’s own office (Appendix C-1): the defendant controls the intake queue of the suit against herself and used it to turn that suit away. Every channel into the local forum has been closed by the very officer to be sued — by hand she refused the filing in writing (Appendix D)<sup>1</sup>; by certified mail her office never accepted it (Appendix A)<sup>5</sup>; by electronic portal she first froze and then rejected it (Appendices C, C-1)<sup>6</sup>. Three independent routes, one identical result. And the

capstone fell on a single day: on June 17, 2026 the presiding judge admitted Petitioner only to refuse to hear him, declare the hearing “a nullity”, and keep the warrant, while **that same afternoon** the Clerk rejected the mandamus complaint. Both doors of the state forum closed the same day. When that is the record, the forum is not merely slow — it is unavailable, and the original jurisdiction of this Court is the only avenue left open.

<sup>1</sup> **Appendix D (Clerk’s Rejection Notice)**. Written rejection notice generated by deputy Hanna Becerra on June 8, 2026: “*the motion must be filed by your attorney.*” Rejects the pro se appearance and emergency motions because a public defender remains on the docket record. The Clerk lacks statutory authority to review representation status before docketing. *People ex rel. Ward v. Salter*, 28 Ill. 2d 612 (1963).

<sup>2</sup> **Appendix E (eFileIL Envelope Receipt)**. The official eFileIL envelope receipt confirming Petitioner filed his Verified Complaint for Writ of Mandamus on June 14, 2026, Envelope No. 38550660. The filing was assigned an envelope number and entered the Clerk’s intake queue, where it remains frozen at “Submitted” as of the date of this Petition (Appendix C). The named defendant controls the intake queue of the lawsuit against herself.

<sup>5</sup> **Appendix A (USPS Certified Mail Tracking — Waukegan)**. Tracking history for USPS Certified Mail No. 9402 6118 9876 5528 9340 61, dispatched June 7, 2026. Shows non-delivery and remains frozen at the Palatine distribution center. The Clerk’s office has not accepted service of Petitioner’s filings by any channel.

<sup>6</sup> **Appendix C (eFileIL Filing History)**. Filing history report confirming Envelope No. 38550660 is active but held undocketed since June 14, 2026. Status reads “Submitted” — the lawsuit against the Clerk has not been permitted to reach a judge.

## V. PRAYER FOR RELIEF

WHEREFORE, Petitioner EHAB ALLABABIDI respectfully requests that this Honorable Court:

1. ISSUE a Writ of Mandamus commanding Respondent ERIN CARTWRIGHT WEINSTEIN, Clerk of the Circuit Court of Lake County, to immediately ACCEPT, FILE, and DOCKET Petitioner’s pro se Appearance in Case No. 23 CF 1146, instanter;
2. ISSUE a Writ of Mandamus commanding Respondent to immediately ACCEPT, FILE, and DOCKET Petitioner’s 495-page Omnibus Petition for Post-Conviction Relief, Motion to Dismiss Revocation, and Motion to Quash Warrant, and to docket the Verified Complaint for Writ of Mandamus (Envelope No. 38550660), notwithstanding any counsel-of-record flag or administrative policy;
3. DEEM the foregoing filings filed as of June 8, 2026, the date first tendered to the Clerk;
4. DECLARE void, as applied to self-represented parties, any policy conditioning the docketing of a pleading on an attorney signature block, under 705 ILCS 105/16, 735 ILCS 5/2-301, Illinois Supreme Court Rule 13, and *Faretta v. California*, 422 U.S. 806 (1975);
5. ISSUE a Supervisory Order directing the Honorable Christopher R. Stride to rule on the pending [Proposed] Order to Quash Warrant (JTI Ref. dc5ffbe9a07e) within seven (7) days, or, in the alternative, to STAY execution of the May 28, 2026 zero-bond warrant pending this Court’s further order; and
6. GRANT expedited consideration given the active zero-bond warrant, and such further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, Petitioner, Pro Se

8516 W. Winona St., Chicago, IL 60656

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

---

1                   **VERIFICATION BY CERTIFICATION UNDER 735 ILCS 5/1-109**

2                   Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure and 28 U.S.C.  
3                   § 1746, the undersigned certifies that the statements set forth in this instrument are true and correct, except  
4                   as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as  
5                   aforesaid that he verily believes the same to be true.

6                   Date: June 17, 2026

/s/ Ehab Allababidi

7                   **CERTIFICATE OF COMPLIANCE**

---

8                   I certify that this Petition conforms to the form requirements of Illinois Supreme Court Rules 341  
9                   and 361. Excluding the cover, the certificate of compliance, the proof of service, and the attached  
10                  appendices, the Petition contains fewer than the words permitted by Rule 341(b). The supporting documents  
11                  are appended, each behind its own cover page, in ascending order of length so the dispositive records appear  
12                  first: **Appendix A** (Lake County certified mail, never delivered), **Appendix B** (U.S. Supreme Court certified  
13                  mail, delivered), **Appendix C** (eFileIL filing history showing the Verified Mandamus Complaint frozen at  
14                  “Submitted”), **Appendix D** (the Circuit Clerk’s June 8, 2026 written refusal), **Appendix E** (the June 14,  
15                  2026 eFileIL envelope receipt), **Appendix F** (the Lake County portal receipt for the [Proposed] Order to  
16                  Quash), and **Appendix G** (the 495-page Omnibus Petition the Clerk refused to docket).

17                  **NOTICE OF FILING**

---

18                  PLEASE TAKE NOTICE that on June 17, 2026, Petitioner filed the foregoing Motion for Leave to  
19                  File a Petition for an Original Writ of Mandamus, and the attached Petition, with the Clerk of the Supreme  
20                  Court of Illinois. Electronic courtesy copies of the complete filing packet were served concurrently via the  
21                  TylerTech Odyssey eFileIL cloud backend infrastructure upon all parties identified in the Omnibus  
22                  Certificate of Service and Courtesy Copy Distribution Register, including the primary statutory respondents,  
23                  the presiding judge and chief judge of the Nineteenth Judicial Circuit, all hostile prosecutors and adverse  
24                  counsel of record, cross-jurisdictional probation infrastructure personnel, the Illinois Attorney Registration  
25                  and Disciplinary Commission, the Illinois Judicial Inquiry Board, the United States Department of Justice  
26                  Civil Rights Division, the Federal Bureau of Investigation Chicago Field Office, the United States Court of  
27                  Appeals for the Seventh Circuit, the Administrative Office of the Illinois Courts, and Tyler Technologies,  
28                  Inc. as the Odyssey eFileIL software provider. Service by electronic transmission through the TylerTech  
  portal establishes actual notice and constitutes service of process to the maximum extent permitted under  
  Illinois Supreme Court Rules 11 and 13.

---

1       **PROOF OF SERVICE**

2               The undersigned certifies under penalties of law (735 ILCS 5/1-109) and 28 U.S.C. § 1746 that on  
3       June 17, 2026, all foregoing documents were electronically transmitted through the TylerTech Odyssey  
4       eFileIL cloud backend infrastructure to every entity and individual identified in the Omnibus Certificate of  
5       Service and Courtesy Copy Distribution Register. Service was effected by the automated electronic filing  
6       service provider (EFSP) network and by direct electronic mail courtesy copies to each listed recipient. Due  
7       to the active zero-bond warrant and the extreme financial indigency of the Petitioner as demonstrated by  
8       multiple concurrent federal and state in forma pauperis determinations, physical service by process server  
9       was neither feasible nor required. Electronic service through the Court’s own eFileIL portal constitutes  
10      service of process consistent with Illinois Supreme Court Rules 11 and 13. Under 735 ILCS 5/1-109, the  
11      undersigned certifies that the statements herein are true and correct.

12      /s/ Ehab Allababidi — EHAB ALLABABIDI, Petitioner, Pro Se — Dated: June 17, 2026

**IN THE SUPREME COURT OF ILLINOIS**

<p><b>EHAB ALLABABIDI,</b> <i>Petitioner,</i> v. <b>ERIN CARTWRIGHT WEINSTEIN,</b> Clerk of the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, <i>Respondent.</i></p>	<p>No. _____</p> <p><b>OMNIBUS CERTIFICATE OF SERVICE AND COURTESY COPY DISTRIBUTION REGISTER</b></p> <p>Original Action for Writ of Mandamus (Ill. S. Ct. R. 381)</p>
---	--

The undersigned certifies under penalties of law pursuant to 735 ILCS 5/1-109 and 28 U.S.C. § 1746 that on June 17, 2026, the Motion for Leave to File a Petition for an Original Writ of Mandamus and the Proposed Petition for an Original Writ of Mandamus were filed electronically with the Clerk of the Supreme Court of Illinois via the Odyssey eFileIL system. Due to documented administrative blockades, an active zero-bond warrant, and the extreme financial indigency of the Petitioner as demonstrated by multiple concurrent federal and state in forma pauperis determinations, physical process server routing is impossible. Accordingly, service is executed via electronic transmission through the electronic filing service provider (EFSP) network and direct electronic mail as authorized courtesy copies under Illinois Supreme Court Rules 11 and 13 to the maximum expanded grid of interested, adverse, and supervising entities listed below:

**I. PRIMARY RESPONDENTS AND STATUTORY PARTIES**

Entity Name & Title	Core Service Address / Agency Routing	Primary Electronic Mail Vector
<b>Erin Cartwright Weinstein</b> <i>Clerk of the Circuit Court</i>	Nineteenth Judicial Circuit 18 N. County St., Waukegan, IL 60085	CircuitClerk@lakecountyil.gov
<b>Office of the Illinois Attorney General</b> <i>Counsel for Public Officers</i>	Civil Appeals Division 100 W. Randolph St., Chicago, IL 60601	civilappeals@ilag.gov Katherine.Doersch@ilag.gov
<b>Eric Rinehart</b> <i>State's Attorney</i>	Lake County State's Attorney 18 N. County St., Waukegan, IL 60085	statesattorney@lakecountyil.gov

**II. HOSTILE PROSECUTORS AND ADVERSE COUNSEL OF RECORD**

Name & Title	Address / Agency	Email Vector
<b>Nicholas Shepherd</b> <i>Assistant State's Attorney</i>	Lake County State's Attorney's Office 18 N. County St., Waukegan, IL 60085	nshepherd@lakecountyil.gov
<b>Francis P. DeRosa IV</b> <i>Assistant State's Attorney</i>	Lake County State's Attorney's Office 18 N. County St., Waukegan, IL 60085	fderosa@lakecountyil.gov
<b>Bailey C. Russell</b> <i>Appointed Defense Counsel</i>	Law Offices of the Lake County Public Defender 18 N. County St., Waukegan, IL 60085	brussell@lakecountyil.gov PD@lakecountyil.gov
<b>Gregory C. Ticsay</b> <i>Chief Public Defender</i>	Law Offices of the Lake County Public Defender 18 N. County St., Waukegan, IL 60085	GTicsay@lakecountyil.gov

**III. JUDICIAL OFFICERS AND COURT ADMINISTRATION (SUPERVISORY REVIEW MATRIX)**

Name & Title	Address / Agency	Email Vector
<b>Hon. Christopher R. Stride</b> <i>Presiding Judge</i>	Courtroom T-611 Circuit Court of the 19th Judicial Circuit Lake County, Illinois	cstride@lakecountyil.gov courts@lakecountyil.gov
<b>Hon. Daniel B. Shanes</b> <i>Chief Judge</i>	Circuit Court of the 19th Judicial Circuit Lake County, Illinois	dshanes@lakecountyil.gov

<b>Cynthia Pruitt</b> <i>Court Administrator</i>	Circuit Court of the 19th Judicial Circuit Lake County, Illinois	cpruitt@lakecountyil.gov
<b>Hanna Becerra</b> <i>Criminal/Traffic Court Services Representative</i>	Clerk of the Circuit Court of Lake County 18 N. County St., Waukegan, IL 60085	hbecerra@lakecountyil.gov CCNoReply@lakecountyil.gov

#### IV. CROSS-JURISDICTIONAL PROBATION INFRASTRUCTURE AND SUPERVISORY PERSONNEL

Officer / Agent Name	Departmental Affiliation	Electronic Mail Vector
<b>Marisa Cervantes</b>	Division of Adult Probation Services (Lake County)	mcervantes@lakecountyil.gov
<b>Matthew T. Junkin</b>	Division of Adult Probation Services (Lake County)	mjunkin@lakecountyil.gov
<b>Lori Carrier</b>	Adult Probation Supervisor (Lake County)	lcarrier@lakecountyil.gov
<b>Margaret K. Fontana</b>	Director, Division of Adult Probation Services (Lake County)	mfontana@lakecountyil.gov
<b>Adison Weeks</b>	Cook County Adult Probation Department	adison.weeks@cookcountyil.gov
<b>Destiny Lee</b>	Cook County Adult Probation Department	destiny.lee@cookcountyil.gov

#### V. EXTERNAL DISCIPLINARY, CIVIL RIGHTS, AND LAW ENFORCEMENT MONITORS

Entity / Office	Address / Routing	Email Vector
<b>Attorney Registration and Disciplinary Commission (ARDC)</b> <i>State of Illinois Oversight Agency</i>	130 E. Randolph Dr., Chicago, IL 60601	inquiries@iardc.org
<b>U.S. Department of Justice</b> <i>Public Integrity Section, Criminal Division</i>	Washington, D.C. 20530	pin@usdoj.gov
<b>U.S. Attorney's Office for the Northern District of Illinois</b> <i>Civil Rights Section</i>	219 S. Dearborn St., Chicago, IL 60604	usails.civilrights@usdoj.gov
<b>Chief of Police</b> <i>Lincolnshire Police Department</i> (Arresting Agency of Record)	1 Olde Half Day Rd., Lincolnshire, IL 60069	chief@lincolnshireil.gov police@lincolnshireil.gov
<b>John Idleburg</b> <i>Lake County Sheriff</i> Warrants and Civil Process Divisions	25 S. Martin Luther King Jr. Ave., Waukegan, IL 60085	sheriff@lakecountyil.gov warrants@lakecountyil.gov
<b>U.S. Department of Justice</b> <i>Criminal Section, Civil Rights Division</i> (Color of Law Violations Enforcement)	950 Pennsylvania Ave. NW Washington, D.C. 20530	Criminal.CRT@usdoj.gov
<b>Federal Bureau of Investigation</b> <i>Chicago Field Office</i> (Civil Rights/Public Corruption Squad)	2111 W. Roosevelt Rd. Chicago, IL 60608	chicago@fbi.gov
<b>Illinois Judicial Inquiry Board (JIB)</b> <i>Active Misconduct Investigation Monitor</i>	555 W. Monroe Street, Suite 800N Chicago, IL 60661	jib.info@illinois.gov
<b>United States Court of Appeals for the Seventh Circuit</b> <i>Office of the Clerk</i> (Pending Emergency Injunction Monitor)	Everett McKinley Dirksen U.S. Courthouse 219 S. Dearborn St., Room 2722 Chicago, IL 60604	Transmit via CM/ECF / Direct Mail

#### VI. SYSTEMIC E-FILING INFRASTRUCTURE & VENDOR OVERSIGHT

Entity / Office	Address / Routing	Email Vector
<b>Administrative Office of the Illinois Courts (AOIC)</b> <i>e-Filing and Access to Justice Division</i> (Statewide Odyssey eFileIL Supervisor)	222 N. LaSalle Street, 13th Floor Chicago, IL 60601	efileil@illinoiscourts.gov courtech@illinoiscourts.gov

Tyler Technologies, Inc.  
Corporate Legal Counsel / Odyssey eFileLL  
(Software Provider Liability Notice)

1 Tyler Drive  
Yarmouth, ME 04096

info@tylertech.com  
legal@tylertech.com

## VII. SYSTEMIC E-FILING ATTESTATION AND VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure and 28 U.S.C. § 1746, the undersigned certifies that the statements set forth in this instrument are true and correct. Electronic courtesy copy routing to the designated federal law enforcement and civil rights monitors has been finalized concurrently with the automated transmission generated by the TylerTech cloud backend infrastructure to primary state respondents, thereby establishing actual notice of systemic constitutional deprivations across concurrent state and federal dockets.

Respectfully submitted,

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, Petitioner, Pro Se

8516 W. Winona St., Chicago, IL 60656

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

Dated: June 17, 2026

## APPENDIX TO THE PETITION

*Appendices A–G follow, beginning with the certified-mail and electronic-docket records that establish the state forum is unavailable*

# APPENDIX A

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

*USPS Certified No. 9402 6118 9876 5528 9340 61 — in transit since June 9, 2026; never delivered*

### **WHY THIS APPENDIX MATTERS:**

---

Petitioner's certified-mail omnibus packet to Clerk Erin Cartwright Weinstein has never been delivered or signed for. USPS tracking shows it stalled at the Palatine, IL distribution center on June 9, 2026 and not advanced since. The Clerk's office will not even accept service.

### **KEY POINTS:**

---

- Addressed to Clerk Erin Cartwright Weinstein, Office of the Clerk of the Circuit Court
- Last scan: Palatine, IL distribution center, June 9, 2026 — status in transit
- Never delivered, never signed for — read directly against Appendix B

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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



USPS CERTIFIED MAIL



9402 6118 9876 5528 9340 61

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	<p>Arrived at USPS Facility, PALATINE IL DISTRIBUTION CENTER, June 9, 2026, 7:55 am</p> <p>Arrived at USPS Facility, CAROL STREAM IL DISTRIBUTION CENTER, June 9, 2026, 12:08 am</p> <p>Departed Post Office, HARWOOD HEIGHTS, IL 60706, June 8, 2026, 7:32 pm</p> <p>USPS in possession of item, HARWOOD HEIGHTS, IL 60706, June 8, 2026, 10:00 am</p> <p>Shipping Label Created, CHICAGO, IL 60656, June 7, 2026, 6:17 pm</p>
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)	
<b>Delivery Information</b>	
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

---

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# APPENDIX B

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

---

*USPS Certified No. 9402 8118 9876 5520 8548 73 — delivered and picked up June 15, 2026*

## **WHY THIS APPENDIX MATTERS:**

---

During the same window, Petitioner’s certified emergency application to the Clerk of the United States Supreme Court, 1 First Street NE, Washington, D.C., was delivered and picked up on June 15, 2026. Mail to the Nation’s highest court arrives; the same litigant’s mail to his county clerk does not. This is the control case proving obstruction, not mere delay.

## **KEY POINTS:**

---

- Addressed to Clerk of the Court, Supreme Court of the United States, Washington, D.C. 20543
- Delivered / picked up at the post office June 15, 2026, 8:00 a.m.
- Establishes that Petitioner’s mail moves normally — except to Lake County

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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



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



Feedback & Support

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.

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

Feedback & Support


User #	196903
Account #	196903
Electronic Delivery Confirmation	<a href="#">Click To View</a>
Return Receipt (Signature)	<a href="#">Click To View</a>
<b>Delivery Information</b>	
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

---

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 USA

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# APPENDIX C

## eFileIL FILING HISTORY — VERIFIED MANDAMUS COMPLAINT FROZEN AT SUBMITTED

*Envelope No. 38550660 — Verified Complaint for Writ of Mandamus (735 ILCS 5/14-101) — not docketed*

### **WHY THIS APPENDIX MATTERS:**

---

The eFileIL filing history shows Petitioner's Verified Complaint for Writ of Mandamus against the Clerk (Envelope 38550660, filed June 14, 2026) frozen at the status Submitted. The named defendant controls the intake queue of the lawsuit against herself and will not docket it.

### **KEY POINTS:**

---

- Envelope 38550660 — Filing Code Complaint; Verified Complaint for Writ of Mandamus
- Status: Submitted — never accepted or docketed
- Client Ref. FED-1:26-cv-06738; full-fee waiver application filed alongside

You are signed in as ehabhilfiger@gmail.com

# Filing History

Filter

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

# APPENDIX C-1

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

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

### WHY THIS APPENDIX MATTERS:

---

This is the Clerk’s official rejection of the Verified Complaint for Writ of Mandamus against the Clerk. The complaint did not merely sit; on June 17, 2026 it was affirmatively rejected — the same afternoon the presiding judge declared Petitioner’s hearing “a nullity” and kept the warrant. Whether or not the packaging objection is well taken, its effect is that the suit to compel the Clerk remains undocketed while the defendant (the Clerk) controls the queue and the no-bond warrant runs — the very definition of no adequate remedy at law.

### KEY POINTS:

---

- Filing: Verified Complaint for Writ of Mandamus (735 ILCS 5/14-101) — Filing Code Complaint
- Rejected June 17, 2026, 3:34 p.m. — reason: “Multiple documents submitted as one PDF”
- Comment: the docketing statement must be a separate lead document
- Rejected the same day the judge refused to hear Petitioner and kept the warrant



Ehab Hilfiger &lt;ehabhilfiger@gmail.com&gt;

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

1 message

no-reply@efilingmail.tylertech.cloud &lt;no-reply@efilingmail.tylertech.cloud&gt;

Wed, Jun 17, 2026 at 3:34 PM

To: ehabhilfiger@gmail.com

**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](#).

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


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

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

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# APPENDIX D

## 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 APPENDIX MATTERS:**

---

The Clerk's own written words refusing to docket Petitioner's pro se filing: the case could not be added because the motion must be filed by your attorney. That is the unconstitutional ministerial refusal this Petition seeks to compel her to cure.

### **KEY POINTS:**

---

- Clerk's representative Hanna Becerra, for Clerk Erin Cartwright-Weinstein
- Conditions docketing on an attorney signature — barred by Faretta and 735 ILCS 5/2-301
- The ministerial refusal at the heart of the mandamus



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

---

**Motion**

---

**CC No Reply** <CCNoReply@lakecountyil.gov>

Mon, Jun 8, 2026 at 6:48 PM

To: "defcon5ready@gmail.com" &lt;defcon5ready@gmail.com&gt;

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

# APPENDIX E

## eFileIL ENVELOPE RECEIPT — VERIFIED MANDAMUS COMPLAINT FILED JUNE 14, 2026

*Envelope No. 38550660 — official acceptance of the transmission into the Clerk's intake queue*

### **WHY THIS APPENDIX MATTERS:**

---

The official eFileIL envelope receipt confirming Petitioner filed his Verified Complaint for Writ of Mandamus on June 14, 2026 — the filing that, per Appendix C, remains frozen at Submitted.

### **KEY POINTS:**

---

- Envelope No. 38550660 — transmitted June 14, 2026
- Fixes the filing date against which the non-docketing (Appendix C) is measured



Ehab Hilfiger &lt;ehabhilfiger@gmail.com&gt;

**Filing Submitted for Case: 38550660; ; Envelope Number: 38550660**

2 messages

no-reply@efilingmail.tylertech.cloud &lt;no-reply@efilingmail.tylertech.cloud&gt;

Sun, Jun 14, 2026 at 11:20 PM

To: ehabhilfiger@gmail.com


**Filing Submitted**

Envelope Number: 38550660

Case Number: 38550660

Case Name:

The filing below has been submitted to the clerk's office for review and assigned **Envelope Number: 38550660**. You will be notified by email in approximately 24-48 hours\* if your filing has been accepted or rejected. \*Note: Some notifications may take longer. To see the most up-to-date information about the filing, log back into your e-filing account and review the filing history.

Filing Details	
<b>Court</b>	Lake County
<b>Date/Time Submitted</b>	6/14/2026 6:18 PM CST
<b>Filing Type</b>	EFileAndServe
<b>Filing Description</b>	Verified Complaint for Writ of Mandamus and Declaratory Relief (735 ILCS 5/14-101)
<b>Filing Code</b>	Complaint
<b>Filed By</b>	Ehab Allababidi
<b>Filing Attorney</b>	

Fee Details	
Your account is never charged until your filing is accepted. If you see any pending charges on your account prior to acceptance, this is an authorization hold to ensure the funds are available so your filing can be accepted without delay.	
If the filing is canceled or rejected these funds will be released and will return to your account according to your financial institution's policies (typically 3-10 business days).	
Waiver Selected	
Case Fees	\$0.00
Complaint	\$0.00
Application Waiver of Court Fees (Civil)	\$0.00
Grand Total	\$0.00
<b>Total:\$0.00</b>	

Document Details	
<b>Lead Document</b>	CHANCERY_MANDAMUS_COMPLAINT_FEDERALMANDATE.pdf
<b>Lead Document Page Count</b>	323

<b>File Copy</b>	<a href="#">Download Document</a>
This link is active for 548 days.	

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<https://illinois.tylertech.cloud/ViewDocuments.aspx?FID=106ad508-8981-4ce1-a871-04ddf34406f5>

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To: ehabhilfiger@gmail.com

Sun, Jun 14, 2026 at 11:20 PM



## Filing Submitted

Envelope Number: 38550660

Case Number: 38550660

Case Name:

The filing below has been submitted to the clerk's office for review and assigned **Envelope Number: 38550660**. You will be notified by email in approximately 24-48 hours\* if your filing has been accepted or rejected. \*Note: Some notifications may take longer. To see the most up-to-date information about the filing, log back into your e-filing account and review the filing history.

Filing Details	
<b>Court</b>	Lake County
<b>Date/Time Submitted</b>	6/14/2026 6:18 PM CST
<b>Filing Type</b>	EFile
<b>Filing Description</b>	Application for Waiver of Court Fees (Civil) - Full Waiver (SNAP Recipient)
<b>Filing Code</b>	Application Waiver of Court Fees (Civil)
<b>Filed By</b>	Ehab Allababidi
<b>Filing Attorney</b>	

Fee Details	
Your account is never charged until your filing is accepted. If you see any pending charges on your account prior to acceptance, this is an authorization hold to ensure the funds are available so your filing can be accepted without delay.	
If the filing is canceled or rejected these funds will be released and will return to your account according to your financial institution's policies (typically 3-10 business days).	
Waiver Selected	
Case Fees	\$0.00
Complaint	\$0.00

Application Waiver of Court Fees (Civil) \$0.00
Grand Total \$0.00
<b>Total:\$0.00</b>

Document Details	
Lead Document	applicationfeewaiver.pdf
Lead Document Page Count	4
File Copy	<a href="#">Download Document</a>
This link is active for 548 days.	

If the link above is not accessible, copy this URL into your browser's address bar to view the document:  
<https://illinois.tylertech.cloud/ViewDocuments.aspx?FID=89598d3e-150a-4ae2-8663-b1195b1a44fd>

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[Quoted text hidden]

# APPENDIX F

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

---

*JTI Ref. dc5ffbe9a07e — submitted June 12, 2026, 10:26 p.m. — placed directly before the court*

### **WHY THIS APPENDIX MATTERS:**

---

The portal receipt proving Petitioner placed the [Proposed] Order to Quash Warrant directly before the court on June 12, 2026, bypassing the Clerk's lockout — and that it remains unruled upon while the zero-bond warrant stands.

### **KEY POINTS:**

---

- Filed By ehab Allababidi; Status Submitted; JTI Ref. dc5ffbe9a07e
- Time-stamped June 12, 2026, 10:26:03 p.m.



# Circuit Court of the Nineteenth Judicial Circuit

Lake County, Illinois

## Receipt

Your filing has been received.  
Case Number: 23CF00001146



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

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# APPENDIX G

## OMNIBUS VERIFIED PETITION FOR POST-CONVICTION RELIEF (495 PAGES)

---

*The full filing the Clerk refused to docket — thirteen constitutional grounds, twenty-four exhibits (A–X)*

### **WHY THIS APPENDIX MATTERS:**

---

This is the complete filing the Clerk refused to accept. It is reproduced in full so this Court has the entire record the lockout has kept off the docket. It is the bulky exhibit, and is placed last by design so the dispositive records (Appendices A–C) are read first.

### **KEY POINTS:**

---

- Thirteen independent constitutional grounds; twenty-four exhibits (A–X)
- The very document the writ of mandamus seeks to compel the Clerk to docket
- Reproduced in full as the concluding appendix

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

THE PEOPLE OF THE STATE OF ILLINOIS,  
*Plaintiff-Respondent,*  
v.  
EHAB ALLABABIDI,  
*Defendant-Petitioner, Pro Se.*

General No.: 23 CF 1146  
Circuit Court, 19th Judicial Circuit  
Lake County, Illinois  
Judge: *Hon. Christopher R. Stride*  
Courtroom: T-611

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF,  
MOTION TO DISMISS REVOCATION PETITION, AND  
MOTION FOR IMMEDIATE DISCHARGE AND VACATUR OF WARRANT**

*Submitted by Defendant-Petitioner Ehab Allababidi, Pro Se — Lake County Court Portal*

**PRELIMINARY STATEMENT.** Read in sequence, the State's own file does not describe a probationer who fell behind. It records a *prosecution that could not prevail on its merits* and so prevailed by *other means* — by attrition, by over-charging, by sworn assertions the State's own documents had already disproved, and at last by a custodial warrant issued upon a *debt that does not exist*. Petitioner does not explain himself in the pages that follow; he sets the State's *record* beside the State's *conduct* and lets the two refuse to reconcile.

Begin where the case began. Across 516 days and nineteen court appearances, Assistant State's Attorney Francis P. DeRosa IV advanced a single felony toward no trial — naming thirty-five witnesses, subpoenaing the records of seventeen physicians he would never call, and then disposing of the matter by negotiated plea. That was not a prosecution carried to proof; it was a *war of attrition* waged with a medical-records dragnet assembled for leverage (Exhibit V). In the middle of it, DeRosa verified under oath a petition swearing that Petitioner had “committed” a Cook County felony the same instrument, on the same page, called “pending” — then withdrew that petition thirty-nine days later, once the oath had purchased its detention (Exhibit V). The conviction that followed was not earned at trial. It was *ground out*.

What the prosecution *wore down*, appointed counsel *finished*. Bailey C. Russell never filed the one-page Rule 604(d) certificate that alone preserves an appeal from a guilty plea, and then went silent — *extinguishing, by a single omission*, every avenue of review Petitioner possessed, from the Appellate Court of Illinois to the Supreme Court of the United States (Ground 1).

The revocation now before this Court is *that same machine, restarted*. Assistant State's Attorney Nicholas Shepherd swore that a November 2025 specimen revealed an “illegal substance” — five months after Cook County's own probation officer, Adison Weeks, had adjudicated that identical specimen the *lawful product* of a prescribed medication, in writing (Ground 3). Probation Officer Marisa Cervantes withheld her own identity for one hundred consecutive days while authoring the violations she would then report, the exculpatory clearance nowhere within them (Ground 5). A second officer, Destiny Lee, *excised* that written clearance from the cross-jurisdictional record before it could reach anyone with power to credit it (Ground 3). **Not one** of these acts is pleaded on information and belief. Each is **sworn, dated, and contradicted** by a document the State held in its own hand at the moment it acted.

1  
2 The debt at the center of the warrant is a *fiction* the State preserved only by declining to open its own  
3 insurer's file. The same active Allstate policy that paid \$16,557.00 on this precise May 23, 2022 collision  
4 covers in full the \$2,670.86 the State now brands an unpaid obligation; three separate tribunals have already  
5 found Petitioner indigent (Exhibit W). **There is no debt. There was no willful refusal to pay. There is  
only a sworn allegation that every record the State itself created stands against.**

6 This Petition therefore **asks no indulgence** and **assumes no good faith** it cannot document. It lays a *closed*  
7 *record* before the Court — the State's charging instruments set against the State's own adjudications,  
8 payments, and dates — and requests the single disposition that record permits: the warrant vacated, the  
9 revocation dismissed, the restitution order voided, and the conduct of the named officials referred to the  
10 authorities empowered to examine it. That conduct does not stop at the borders of this case. It implicates 18  
11 U.S.C. §§ 241, 242, 1512(b), 1519, 1621, and 1623; it is pleaded under oath in a pending federal civil-rights  
12 action (No. 1:26-cv-06738); and it is already before disciplinary and prosecuting authorities by referrals  
13 transmitted of record. Each of the thirteen grounds below is independently dispositive. Together they  
14 describe *no malfunction* and *no misunderstanding* — they describe a *sequence of deliberate acts*, each  
15 performed by an official sworn to the opposite, and each preserved, to the smallest date, in the State's own  
16 writing.

17 Ultimately, the timing of this revocation is its own confession. For 175 days, the State sat dormant on a drug  
18 test it already knew was cleared. But exactly thirty-one days after an Article III federal tribunal ordered the  
19 State to answer for this underlying conviction, the machinery suddenly woke up. The State filed a zero-bond  
20 custodial petition, stripped the prosecutor's contact information to prevent notice, engineered a multi-day  
21 mail delay over the Memorial Day holiday, and scheduled an arraignment precisely eight days before the  
22 federal deadline expired. This is not a routine probation violation—it is a mathematically calculated  
23 jurisdictional race condition designed to physically incapacitate a federal litigant before he could be heard,  
24 turning a state courtroom into an active instrument of federal witness tampering.

25 Petitioner EHAB ALLABABIDI, appearing pro se pursuant to the Illinois Post-Conviction Hearing  
26 Act (725 ILCS 5/122-1 et seq.), 735 ILCS 5/2-1401, and 725 ILCS 5/114-1, respectfully petitions this Court  
27 for **immediate relief** from the unconstitutional probation conditions imposed September 8, 2025, for  
28 dismissal with prejudice of the May 14, 2026 Petition for Revocation of Probation, and for immediate  
discharge from all probation supervision. This petition presents **thirteen independent constitutional  
grounds**. Each ground standing alone is **dispositive**. Together they establish a comprehensive record of  
constitutional deprivation that is *irrefutable, documented*, and demands the immediate, unconditional relief  
requested. The operative facts are sworn to concurrently in the United States District Court for the Northern  
District of Illinois (No. 1:26-cv-06738), and the authenticated, CM/ECF-stamped federal filings are attached  
as Exhibits O through Q. This Petition is filed in direct compliance with the **federal exhaustion directive** of  
Hon. John Robert Blakey, who ordered that Petitioner raise his concerns about the state case “with the state  
court in the first instance” (No. 1:26-cv-01077, Dkt. 25).

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730 ILCS 5/5-5-6 (Restitution Order)	22
735 ILCS 5/1-109 (Verification Under Penalty of Perjury)	17, 31
735 ILCS 5/2-1401 (Petition for Relief from Judgment)	6, 28
735 ILCS 5/2-301 (Pro Se Appearance)	11, 23

## COURT RULES

Ill. R. Prof. Conduct 3.7 (Lawyer as Witness)	17, 30
Ill. R. Prof. Conduct 3.8 (Special Duties of a Prosecutor)	17, 25
Illinois Administrative Code tit. 20 § 1610	18
Illinois Supreme Court Rule 13	10, 11, 20, 23, 25, 29
Illinois Supreme Court Rule 131(b)	10, 20, 25, 29
Illinois Supreme Court Rule 604(d)	7, 8, 12, 13, 14, 19, 24, 25, 28, 29

## CONSTITUTIONAL PROVISIONS

U.S. Const. Amend. I (First Amendment)	passim
U.S. Const. Amend. IV (Fourth Amendment)	15
U.S. Const. Amend. VI (Sixth Amendment)	12, 21
U.S. Const. Amend. XIV (Fourteenth Amendment)	16, 18, 20, 22, 24

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## I. JURISDICTION AND PROCEDURAL POSTURE

This Court has jurisdiction under the Illinois Post-Conviction Hearing Act (725 ILCS 5/122-1 through 122-8), which authorizes any person imprisoned in the penitentiary or on probation who claims their conviction or sentence was based on a substantial denial of constitutional rights to petition the sentencing court for relief. This Court also has jurisdiction under 735 ILCS 5/2-1401 to vacate any order or judgment procured by fraud or misrepresentation. Relief from the pending Petition for Revocation is additionally cognizable under 725 ILCS 5/114-1 (motion to dismiss) and the Fourth, Sixth, and Fourteenth Amendments to the United States Constitution via 42 U.S.C. § 1983.

**A. Cognizability and the Correct Procedural Vehicle for Each Claim.** Each claim is brought under the vehicle that fits its posture, and no claim depends on any other for cognizability. (i) The challenges to the September 8, 2025 judgment and sentence — ineffective assistance of counsel (Ground 1), the Faretta denial (Ground 9), and the void/excessive restitution condition (Ground 10) — are cognizable under the Post-Conviction Hearing Act (725 ILCS 5/122-1), which extends to a petitioner still serving a probation sentence, and, to the extent the restitution order is a void or unauthorized sentence, may be attacked at any time. (ii) The challenges to the May 14, 2026 Petition for Revocation and the May 28, 2026 warrant (Grounds 2, 3, 4, 5, 6, 7, 8) are cognizable as a motion to dismiss under 725 ILCS 5/114-1 and as constitutional defenses to a pending, not-yet-adjudicated revocation — a posture in which pre-hearing dismissal and immediate vacatur of a custodial warrant are proper. (iii) To the extent any 2025 order was procured by fraud or misrepresentation, relief is independently available under 735 ILCS 5/2-1401, filed well within the two-year period. Procedural default does not bar these claims: the failure to raise them earlier was caused by counsel’s constructive abandonment (Ground 1), which is itself cause-and-prejudice, and a void order is not subject to forfeiture.

**B. First-Stage Standard — The Petition May Not Be Summarily Dismissed.** At the first stage, a post-conviction petition may be dismissed only if it is frivolous or patently without merit — that is, only if it has no arguable basis in law or fact. *People v. Hodges*, 234 Ill.2d 1 (2009); 725 ILCS 5/122-2.1. The threshold is deliberately low: a pro se petitioner need only present the *gist* of a constitutional claim and need not make legal arguments or cite authority. *People v. Edwards*, 197 Ill. 2d 239, 244 (2001). A petition that states the *gist* of a constitutional claim, supported by the record and attached exhibits, must be docketed and advanced. This Petition does not merely state the gist of thirteen claims — it documents each with the State’s own records. It cannot be summarily dismissed.

**C. Federal-State Coordination and Concurrent CM/ECF Filing.** On May 29, 2026, Hon. John Robert Blakey (N.D. Ill.), presiding over Petitioner’s federal habeas corpus action, directed that Petitioner raise his concerns about the state case “with the state court in the first instance” (No. 1:26-cv-01077, Dkt. 25). This Petition is the direct fulfillment of that exhaustion directive; abstention doctrines (e.g., *Younger*) are therefore inapplicable and, in any event, the federal court has expressly deferred the state issues to this Court. The same operative facts are pleaded under oath in Petitioner’s separate § 1983 civil-rights action before Hon. Matthew F. Kennelly (No. 1:26-cv-06738) — a distinct case from the habeas action in which the exhaustion directive issued — and the authenticated, CM/ECF-stamped federal filings — the § 1983 Complaint (Doc. 1), the Declaration (Doc. 8), and the Evidentiary Dossier (Doc. 9) — are attached as Exhibits O, P, and Q and incorporated by reference. Their CM/ECF stamps are the federal court’s own

1 authentication that these documents are of record in a coordinate Article III tribunal.

2 **C-1. The Measure of the Breakdown: Escalation to the Supreme Court of the United States.**

3 How completely the ordinary state channels failed Petitioner is measured by what they forced. After the  
4 federal habeas court deferred the state questions to this Court (Dkt. 25), and after the Circuit Clerk sealed the  
5 docket against his pro se filings, Petitioner was driven to seek emergency relief in the Supreme Court of the  
6 United States. On June 10, 2026 he filed an **Emergency Application for an Injunction Pending Appellate  
7 Review**, addressed to the Honorable Amy Coney Barrett, Circuit Justice for the Seventh Circuit, under 28  
8 U.S.C. § 1651 and Supreme Court Rules 22 and 23, asking the Circuit Justice to enjoin execution of the  
9 same May 28, 2026 zero-bond warrant at issue here (*Allababidi v. Junkin*, No. 1:26-cv-01077; 7th Cir. No.  
10 26-2212). That Application is attached in full as **Exhibit X**. It is offered not to invoke any authority this  
11 Court lacks, but as proof of a single proposition this Court can verify on its face: that a probationer in one  
12 county case had to ask the highest court in the Nation to stay a county warrant is itself the measure of how  
13 completely the ordinary channels broke. The certified copy of that Application reached the Clerk of the  
14 Supreme Court of the United States in Washington, D.C.; the parallel certified mailing to this county's own  
15 Clerk, posted earlier, was never even accepted. This Court can render that escalation unnecessary by doing  
16 the one thing the Clerk would not: docketing this Petition and reaching its merits.

17 **D. Pro Se Status, the Krankel Exception to the Hybrid-Representation Bar, and the Correct  
18 Forum.** Petitioner appears pro se because appointed counsel constructively abandoned him (Ground 1).  
19 Although a represented defendant ordinarily has no right to hybrid representation, Illinois recognizes a  
20 mandatory exception: a defendant's pro se claim that counsel was ineffective triggers the trial court's duty to  
21 conduct a preliminary inquiry into the claim, and such a filing may not be stricken as an unauthorized hybrid  
22 submission. *People v. Krankel*, 102 Ill. 2d 181 (1984); *People v. Serio*, 357 Ill. App. 3d 806 (2005). Because  
23 this Petition squarely alleges the ineffective assistance and constructive abandonment of appointed counsel  
24 Bailey C. Russell, it falls within the *Krankel* exception: it must be docketed and addressed on the record, not  
25 returned. The forum is correct for an independent reason. Where counsel fails to file the Rule 604(d) motion  
26 that is a condition precedent to a direct appeal from a guilty plea, the defendant's appeal is precluded and the  
27 Post-Conviction Hearing Act becomes his appropriate avenue of relief. *People v. Wilk*, 124 Ill. 2d 93,  
28 107-09 (1988). Russell's failure to file that motion (Ground 1) thus placed Petitioner in the precise posture  
for which the Act exists; he is in the only forum the law leaves open to him.

Event	Date	Significance
Probation sentence imposed	September 8, 2025	30 months probation; \$2,670.86 restitution; drug testing conditions
Russell files nothing post-sentencing	Sep. 8 – present	604(d) motion never filed; per se reversible error; never noticed appeal
Cervantes anonymity begins	February 19, 2026	Identity concealed 100 consecutive days; all 5 charges fall within window
Federal § 1983 deadline order vs. Shepherd	April 13, 2026	Shepherd personally named; June 5 deadline set; AG withdraws April 28
Cervantes Memorandum filed	April 8, 2026	Petition predicate by anonymous officer; Weeks adjudication omitted
Petition for Revocation filed	May 14, 2026	31 days post-deadline; two sworn false allegations; R. 131(b) defect
Petition metered but held	May 15 → May 18	3-day manufactured delay over Memorial Day weekend
Emergency Notice filed by Petitioner	May 28, 2026 7:00 AM	Weeks adjudication delivered to Shepherd 2 hours before hearing

Zero-bond bench warrant issued	May 28, 2026 9:00 AM	No hearing, no testimony, no response to exculpatory submission
Federal habeas deadline	June 5, 2026	Deadline passed; warrant execution attempts followed next day
Warrant execution attempts	June 6, 2026 (2×)	1:03 PM and 5:51 PM at Petitioner’s residence
This petition filed	June 14, 2026	Pro se; active zero-bond warrant outstanding

## II. COMPLETE STATEMENT OF FACTS

1. On September 8, 2025—1,204 days after the collision that gave rise to this prosecution—Petitioner EHAB ALLABABIDI stood before Hon. Christopher R. Stride in Courtroom T-611. He had no lawyer who spoke for him, though the docket said otherwise. He had no funds to retain one, though the State would later prosecute him for not paying a debt the law recognizes he was never obligated to bear. The court imposed 30 months of intensive felony probation, conditioned on drug testing, \$2,670.86 restitution to O’Brien Landscape. ASA FRANCIS P. DE ROSA IV represented the State at sentencing.

2. At the time of sentencing, ALLSTATE FIRE AND CASUALTY INSURANCE COMPANY (Claim No. 0670868884) had already paid \$16,557.00 to SENTRY INSURANCE for the James W. Smith Printing Company subrogation arising from the same May 23, 2022 collision underlying Case No. 23 CF 1146. The court ordered \$0.00 restitution to Smith Printing Company on this basis. The IDENTICAL Allstate policy on the IDENTICAL claim number covers O’Brien Landscape from the identical collision. The restitution order of \$2,670.86 to O’Brien was imposed in error; Russell drafted it and failed to verify the insurance coverage that renders it uncollectable. It is constitutionally infirm under *Bearden v. Georgia*.

3. Following sentencing, Russell filed no Illinois Supreme Court Rule 604(d) motion to reconsider the sentence or certificate of compliance. Under *People v. Janes*, 158 Ill. 2d 27 (1994), and the mandatory language of Rule 604(d), this failure is per se reversible error. Russell thereafter took no further action in the case, communicated nothing to Petitioner regarding appellate rights, and constructively abandoned the representation. Petitioner’s repeated Faretta invocations were submitted and ignored.<sup>10</sup>

<sup>10</sup> **Exhibit I (Faretta Invocation).** Documents Petitioner’s October 6, 2025 Faretta hearing and the Public Defender’s continued docket designation as counsel despite pro se status.

4. On or about October 1, 2025, COOK COUNTY ADULT PROBATION OFFICER ADISON WEEKS became Petitioner’s supervising officer. On November 20, 2025<sup>23</sup>, Petitioner underwent urinalysis. The result showed amphetamine — attributable to Petitioner’s active Adderall prescription. On December 8, 2025, Officer Weeks confirmed in writing that the results were “all negative”. On December 10, 2025, Weeks issued a second formal written adjudication.

<sup>23</sup> For the avoidance of doubt: the operative charging Memorandum (Exhibit E) dates this single screen November 20, 2025; to the extent any document in the record references a November 10 toxicology, it denotes the same November 2025 urinalysis. The November 10, 2025 date refers separately and exclusively to the probation-fee indigency suspension on the official docket (Exhibit N) — a distinct event. There is no second test and no inconsistency.

*“Your drug test results were positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall.”*

This is the State’s own written adjudication of the November 20, 2025 test result as compliant for purposes of probation.<sup>12</sup>

<sup>12</sup> **Exhibit C (Weeks Adjudication).** December 8–10, 2025 Cook County emails adjudicating the drug test as compliant due to Adderall prescription. Directly contradicts Shepherd’s sworn allegation of an illegal substance.

1           5. Beginning on or about February 19, 2026, Lake County Adult Probation Officer MARISA  
2 CERVANTES assumed supervision of Petitioner. From February 19 through May 29, 2026 — a period of  
3 100 consecutive days — Cervantes concealed her identity from Petitioner. She placed calls from anonymous  
4 numbers without identifying herself as a probation officer. On February 19, 2026, Petitioner transmitted a  
5 formal written demand for Cervantes’s identification to Director MARGARET K. FONTANA, the Lake  
6 County State’s Attorney’s Office, and the Circuit Court Clerk.<sup>16</sup> No identification was provided.  
7 Cervantes’s identity was not disclosed until May 29, 2026 — the day after the warrant issued.

8 <sup>16</sup> **Exhibit F (Identification Demand)**. February 19, 2026 demand for Cervantes’s identity served on Director Fontana and SA Office the same day as  
9 her first anonymous call. Never answered.

10           6. All five failure-to-report dates charged in the May 14, 2026 Petition for Revocation — February  
11 19, February 27, March 10, March 11, and March 26, 2026 — fell entirely within this 100-day anonymity  
12 period. The February 19 failure-to-report is the identical date as Cervantes’s first anonymous call: directive  
13 and violation arose in the same anonymous phone call. A reporting obligation cannot legally attach to an  
14 unidentified officer. On March 10, 2026, Petitioner confirmed a compliance window of 12:00 PM–4:00 PM;  
15 Cervantes made zero contact within it.<sup>17</sup>

16 <sup>17</sup> **Exhibit G (Cervantes Post-Warrant Letter)**. May 29, 2026—the day after the warrant—Cervantes’s first direct identification of herself, urging  
17 surrender.

18           7. On April 8, 2026, Officer Cervantes authored a Memorandum to the Lake County State’s  
19 Attorney’s Office recommending a Petition for Revocation. The Memorandum charged: the November 20,  
20 2025 drug test (without disclosing the December 10 Weeks adjudication), all five failure-to-report dates (all  
21 during the anonymity period), community service shortfall, victim impact panel, and outstanding fees. At  
22 the time of the Memorandum, Cervantes had concealed her identity for 48 consecutive days.<sup>15</sup>

23 <sup>15</sup> **Exhibit E (Cervantes Memorandum)**. April 8, 2026 memorandum authored while Cervantes had concealed her identity for 48 consecutive days.  
24 Omits Weeks exculpatory adjudication.

25           8. On April 13, 2026, the United States District Court for the Northern District of Illinois set federal  
26 habeas response deadlines expiring June 5, 2026 in 1:26-cv-06738 (*Allababidi v. Shepherd, et al.*, a 42  
27 U.S.C. § 1983 civil rights action naming ASA Shepherd, Officer Cervantes, Director Fontana, Cook County  
28 Officer Destiny Lee, Lake County, and Cook County). On April 28, 2026, the Illinois Attorney General filed  
a Notice of Non-Involvement, withdrawing state-level defense support. Shepherd was, as of April 28,  
personally unrepresented in a federal civil rights action with a June 5, 2026 deadline.

          9. On May 14, 2026 — 31 days after the federal deadline order, 175 days after the November 20,  
2025 drug test, and 36 days after the Cervantes Memorandum — ASA NICHOLAS SHEPHERD filed the  
Petition for Revocation of Probation. The Petition contained two sworn allegations under oath. **SWORN  
ALLEGATION ONE:** Petitioner tested positive for “Amphetamine (illegal substance)” on November 20,  
2025. This allegation is false. The word “illegal” is false: amphetamine was present because of a lawfully  
prescribed Schedule II medication (Adderall). The characterization of the result as a “positive” probation  
violation is false: the administering officer, Adison Weeks, formally adjudicated the result as compliant on  
December 10, 2025<sup>12</sup>. The entire allegation was disproved by the State's own records five months before  
Shepherd swore it was true. **SWORN ALLEGATION TWO:** Petitioner “willfully failed” to pay  
restitution. This allegation is false. The word “willfully” is false: on November 10, 2025, Lake County's own  
probation system suspended \$1,400 of Petitioner's fees for indigency<sup>9</sup>. The federal court granted IFP status.  
Petitioner filed a SCOTUS IFP motion documenting \$0 assets and \$0 income<sup>6</sup>. Three governmental bodies

found him indigent. The word “failed” is false: active Allstate insurance (Claim 0670868884) covers the O'Brien claim from the same accident and was never submitted. There is no failure to pay when an insurer stands ready to pay. Both allegations were false. Both were disproved by documentary evidence in the State's own files before Shepherd signed. Both were material to the issuance of the warrant. Neither could have been believed in good faith.

<sup>6</sup> **Exhibit U (SCOTUS Filing Packet)**. Contains the IFP Motion (Form 4: \$0 assets, \$0 income) and Petition for Writ of Certiorari. Constitutes a third governmental indigency determination.

<sup>9</sup> **Exhibit N (Lake County Case Action Page)**. Official portal record confirming May 14, 2026 petition, May 28 warrant, zero-bond status, and November 10, 2025 fee suspension for indigency.

<sup>12</sup> **Exhibit C (Weeks Adjudication)**. December 8–10, 2025 Cook County emails adjudicating the drug test as compliant due to Adderall prescription. Directly contradicts Shepherd’s sworn allegation of an illegal substance.

**10.** The Petition omits Shepherd’s telephone number and email address in direct violation of Illinois Supreme Court Rule 131(b), which mandates inclusion of the attorney’s ARDC number, office address, phone number, and email. Shepherd’s contact information has never appeared on any prior filing served on Petitioner. The Petition was meter-stamped by Pitney Bowes on May 15, 2026 but held from postal intake until May 18 — a 3-day manufactured delay. Delivered May 21. The 6-day total delay spanning Memorial Day compressed Petitioner’s response window to 3 business days before the May 28 hearing. By stripping his contact information and engineering the delay, Shepherd ensured no rapid channel to present exculpatory evidence before the warrant.

**11.** On May 28, 2026, at 7:00 AM — two hours before the scheduled warrant hearing — Petitioner served the Emergency Notice of Fraud on the Court attaching the Weeks December 8 and 10, 2025 adjudication emails on the Circuit Court Clerk, Shepherd, the State’s Attorney’s Office, and the United States Department of Justice. At 9:00 AM, Hon. Christopher R. Stride issued a zero-bond bench warrant without holding any evidentiary hearing, without taking testimony, without addressing the exculpatory submission, and without any Gagnon-compliant minimum process. Officer Cervantes was physically present in Courtroom T-611 when the warrant issued.<sup>11</sup>

<sup>11</sup> **Exhibits A and B (Warrant and Emergency Notice)**. Together establish the Franks predicate: sworn false statements led to warrant, and prosecutor had exculpatory evidence two hours before it issued.

**12.** On June 5, 2026, the federal habeas deadline expired in 1:26-cv-01077. On June 6, 2026 — one day after the federal deadline — law enforcement made two warrant execution attempts at Petitioner’s residence at 1:03 PM and 5:51 PM. The execution attempts on the business day immediately following the federal deadline confirm that the warrant was designed to incapacitate Petitioner as a federal litigant, not to address any legitimate probation violation. An active zero-bond warrant remains outstanding as of June 14, 2026.

**13.** On November 10, 2025, Lake County’s own probation system formally suspended \$1,400.00 of the \$1,500.00 Probation Service Fee, recording “Payment Suspended” with a \$100.00 remaining balance. This system-generated entry is the County’s own contemporaneous determination that Petitioner was unable to pay. The State cannot simultaneously suspend \$1,400 in fees for indigency and then file a sworn petition alleging *willful* failure to pay.<sup>9</sup> The fee schedule compounds the irony: Petitioner was assessed \$35.00 to the State’s Attorney Fund, \$100.00 to the Public Defender Fee, \$20.00 to the Probation Operations Fund, and a \$2.00 “Conditional Assessment — SAO Prosecution” — billing Petitioner for the machinery of his own prosecution while the same system found he could not pay.

<sup>9</sup> **Exhibit N (Lake County Case Action Page)**. Official portal record confirming May 14, 2026 petition, May 28 warrant, zero-bond status, and November 10, 2025 fee suspension for indigency.

**14.** On the federal side, the United States District Court granted Petitioner leave to proceed in forma pauperis (IFP) in the related proceedings, an independent federal indigency finding. Together with the November 10, 2025 fee suspension, there are now two separate governmental indigency determinations of record. A finding of willful nonpayment is foreclosed as a matter of law. *Bearden v. Georgia*, 461 U.S. 660 (1983); *Turner v. Rogers*, 564 U.S. 431 (2011).

**15.** The February 19, 2026 “failure to report” allegation is conclusively false on the State’s own record: it is undisputed that Officer Cervantes TELEPHONED Petitioner at approximately 3:00 PM on February 19, 2026.<sup>16</sup> A probationer cannot have “failed to report” on the very date the supervising officer placed the contact call herself. Cervantes’s own April 8, 2026 Memorandum (Exhibit E), approved by supervisor LORI CARRIER, nonetheless swears that Petitioner failed to report on 02/19/26. This is a demonstrable, documented false statement in an official charging instrument.

<sup>16</sup> **Exhibit F (Identification Demand)**. February 19, 2026 demand for Cervantes’s identity served on Director Fontana and SA Office the same day as her first anonymous call. Never answered.

**16.** The false drug allegation originated in a cross-jurisdictional data hand-off. As pleaded in the federal action<sup>3</sup>, Cook County personnel — including Officer DESTINY LEE — transmitted the raw November 2025 amphetamine result to Lake County while stripping the December 8 and 10, 2025 Weeks compliance adjudication and prescription verification from the transmitted data. That selective suppression of exculpatory context within the State’s own shared records is the mechanism by which the “illegal substance” allegation reached Shepherd’s sworn Petition.

<sup>3</sup> **Exhibit O (Federal § 1983 Complaint, CM/ECF Doc. 1)**, *Allababidi v. Shepherd, et al.*, No. 1:26-cv-06738 (N.D. Ill.), filed June 6, 2026. Names Shepherd, Cervantes, Lee, Fontana as defendants under 42 U.S.C. § 1983.

On May 29, 2026, Hon. John Robert Blakey (N.D. Ill.) entered a directive in Petitioner’s federal habeas corpus action, 1:26-cv-01077 (Dkt. 25)

*“If Petitioner has legitimate concerns about the state case he must raise them with the state court in the first instance.” — Hon. John Robert Blakey, N.D. Ill., May 29, 2026, Dkt. 25 (1:26-cv-01077).*

The State will invoke this federal exhaustion directive to argue that Petitioner must exhaust state remedies. That argument concedes that the state court has not yet addressed the constitutional violations documented here. This Court has concurrent jurisdiction and the obligation to correct its own record. Filing this petition satisfies the exhaustion requirement and places the full documentary record before the tribunal that has the authority to act on it.

**18.** After the warrant issued, Petitioner attempted to file his omnibus motion with the Circuit Clerk. A clerk’s representative (Ms. Becerra) refused to accept the filing because it lacked a licensed attorney’s signature block — a policy void as applied to a self-represented party under 735 ILCS 5/2-301 and Illinois Supreme Court Rule 13. *Faretta v. California*, 422 U.S. 806 (1975). In response, on June 8, 2026 Petitioner placed the original physical filing into USPS custody (Tracking No. 9402 6118 9876 5528 9340 61) addressed to the Clerk, and that evening transmitted written notice of the mailing — formally invoking Faretta and documenting Russell’s constructive abandonment under *Cronic* — to the Clerk, Shepherd, the State’s Attorney, and appointed counsel. No emergency hearing was scheduled and no party responded.<sup>10</sup>

<sup>10</sup> **Exhibit I (Faretta Invocation)**. Documents Petitioner’s October 6, 2025 Faretta hearing and the Public Defender’s continued docket designation as counsel despite pro se status.

19. On June 12, 2026, Petitioner tendered to this Court, through its own Lake County Court Portal, a Proposed Order with twenty-two verified Findings of Fact (Exhibit R). The portal generated a receipt confirming the submission: Status “Submitted”, Filing Date June 12, 2026 at 10:26:03 PM, JTI Ref. No. dc5ffbe9a07e (Exhibit S). This Court therefore has had the complete documented record before it since that date, and the zero-bond warrant has nonetheless remained outstanding.

20. Petitioner served Mandatory Litigation Hold and ESI-preservation notices on the State on May 22, 2026 — six days before the warrant<sup>5</sup> — and on the Illinois Attorney General, identifying the fabricated drug allegation, the identity-concealment scheme, and the manufactured mail delay. The State thus had actual, written notice of the constitutional defects before the warrant issued, and is under a continuing duty to preserve all responsive records.

<sup>5</sup> **Exhibit T (Litigation Hold)**. Served May 22, 2026, establishing actual notice of preservation obligations under Fed. R. Civ. P. 37(e) and 18 U.S.C. § 1512(b).

## GROUND ONE: INEFFECTIVE ASSISTANCE OF COUNSEL<sup>24</sup>

*U.S. Const. Amend. VI; Ill. S.Ct. R. 604(d)*

<sup>24</sup> Citations: *Strickland v. Washington*, 466 U.S. 668 (1984); *United States v. Cronin*, 466 U.S. 648 (1984); *Garza v. Idaho*, 586 U.S. 232 (2019); *People v. Janes*, 158 Ill. 2d 27 (1994); *People v. Colon*, 225 Ill. 2d 125 (2007).

The Sixth Amendment promises every accused person the *assistance* of counsel. Petitioner received its mirror image: a lawyer in name who performed not one of the functions of one. Across the nine months Bailey C. Russell remained his attorney of record, she filed **not a single motion**, appeared at **not a single contested proceeding**, answered **not one** of his written pleas for help, and verified **not one fact** in the record. The lone document she did author — the restitution order — was wrong on its face, and provably so from the four corners of the very order she was drafting. This is therefore not a close question of trial strategy entitled to deference under *Strickland v. Washington*, 466 U.S. 668 (1984). It is the documented *absence* of representation at every stage at which representation was constitutionally required — a textbook *United States v. Cronin*, 466 U.S. 648 (1984), constructive denial of counsel for which prejudice is presumed as a matter of law. A defendant who must research and file his own certiorari petition because his appointed lawyer will not file a one-page certificate has not been represented; he has been abandoned with a docket number.

**A. Mandatory 604(d) Failure — Per Se Reversible Error.** Illinois Supreme Court Rule 604(d) mandates that within 30 days of sentencing on a guilty plea, defense counsel must file either a motion to withdraw the plea or a motion to reconsider the sentence, accompanied by a certificate attesting to consultation with the defendant and a review of the record. Bailey Russell filed neither. Under *People v. Janes*, 158 Ill.2d 27 (1994), this failure is per se reversible error requiring a new sentencing hearing. Under *People v. Hayes*, 336 Ill.App.3d 145 (2002), no further prejudice showing is required when counsel completely fails to comply with Rule 604(d). The certificate was never filed, the motion was never filed, and Petitioner was never informed of his appellate rights or the 604(d) requirement. Let there be no mistake about the magnitude of what this omission cost. The 604(d) certificate is a **single page**. It asks counsel to certify three things she is already ethically bound to do — consult the client, examine the record, and make any necessary amendments. Russell did not decline to file it for any strategic reason; she did not file it

1 because she had stopped working on the case altogether. That one-page omission was the first visible  
2 symptom of total abandonment, and it alone slammed shut the door on Petitioner's entire direct appeal  
3 before a single merits argument could be heard.

4 **B. Constructive Abandonment — Cronic Per Se Prejudice.** Under *United States v. Cronic*, 466  
5 U.S. 648 (1984), where counsel completely fails to subject the prosecution's case to adversarial testing or is  
6 absent at a critical stage, prejudice is presumed without the usual *Strickland* analysis. Russell not only failed  
7 to file the mandatory 604(d) motion; she failed to appear at any post-sentencing proceedings, failed to  
8 communicate with Petitioner, failed to respond to Petitioner's Faretta invocations, and failed to file any  
9 response to the Petition for Revocation. This is constructive abandonment. *Cronic* presumption applies.

10 **C. Failure to Verify Restitution Against Insurance Records.** Russell drafted the restitution order  
11 at sentencing imposing \$2,670.86 to O'Brien Landscape without reviewing the Allstate coverage records.  
12 The same Allstate policy (Claim 0670868884) that had already paid \$16,557 on the same accident was still  
13 active and covered the O'Brien claim. Under *Strickland*'s performance prong, failure to investigate readily  
14 available records that would have eliminated a material financial penalty is deficient. Under the prejudice  
15 prong: but for this failure, the restitution order would have been \$0.00, as it was for Smith Printing. And this  
16 was no failure of *investigation* demanding subpoenas, experts, or diligence in the field — the correct answer  
17 was printed **on the same page**. At the very same sentencing, on the very same Allstate policy and the very  
18 same claim number, the court ordered **\$0.00** in restitution to Smith Printing because the carrier had already  
19 paid. Russell needed only to read the order she was personally drafting to see that the O'Brien figure should  
20 likewise have been \$0.00. She entered \$2,670.86 anyway. An attorney who cannot correctly complete the  
21 single document she herself prepares — a document whose right answer appears three lines above her error  
22 — has fallen below not merely the *Strickland* standard but below any conceivable threshold of professional  
23 competence. That uncollectible figure is not an academic point: it is the precise debt the State later wielded  
24 as the predicate to revoke Petitioner's probation and to issue the zero-bond warrant now outstanding for his  
25 arrest. Russell did not just make an error — she manufactured the instrument of her own client's  
26 incarceration.

27 **D. The Complete Cascade: From 604(d) Failure to SCOTUS Cert Denial.** This Court should  
28 understand the full scope of the damage Russell inflicted. Her failure to file the mandatory 604(d) motion  
did not merely forfeit a single procedural step — it set in motion a cascading destruction of Petitioner's  
entire appellate chain:

**Step 1:** Russell fails to file the 604(d) motion or certificate — per se reversible error under *Janes* and *Hayes*.

**Step 2:** On November 17, 2025, the Illinois Appellate Court, Second District, executes a jurisdictional  
dismissal of Petitioner's appeal — based exclusively on Russell's noncompliance with Rule 604(d). The  
merits were never reached. Petitioner's constitutional claims were never heard.

**Step 3:** The Illinois Supreme Court denies the Petition for Leave to Appeal. No opinion. No review. The  
604(d) procedural barrier, created entirely by Russell, was the sole obstacle.

**Step 4:** With every Illinois court foreclosed by Russell's failure, Petitioner — proceeding pro se because Russell had constructively abandoned him — files a Petition for Writ of Certiorari in the Supreme Court of the United States<sup>6</sup>. The Cert Petition's Questions Presented specifically frame the *Garza v. Idaho*, 586 U.S. 232 (2019) argument: that counsel's failure to preserve a defendant's right to appeal is per se ineffective assistance with presumed prejudice. The SCOTUS IFP Motion — supported by a Form 4 Declaration showing \$0.00 in liquid assets, \$0.00 in monthly income, and complete dependence on family for survival — constitutes a third governmental indigency determination, joining the November 10, 2025 Lake County fee suspension and the federal IFP grant.

**Step 5:** While Petitioner was litigating Russell's failure in the highest court in the nation, the same State that caused the cascade was manufacturing a revocation petition based on the identical unverified restitution order Russell drafted, the identical drug test that was already adjudicated compliant, and an officer who had concealed her identity for 100 days. The State destroyed Petitioner's appellate rights through its appointed counsel, then turned the probation system against him while he sought redress. This is not IAC in isolation — it is a documented, five-step dismantling of a defendant's constitutional rights by the very system that was supposed to protect them.<sup>6</sup> (SCOTUS Complete Filing Packet).

<sup>6</sup> **Exhibit U (SCOTUS Filing Packet)**. Contains the IFP Motion (Form 4: \$0 assets, \$0 income) and Petition for Writ of Certiorari. Constitutes a third governmental indigency determination.

**E. Catalog of Counsel's Breached Duties — and the Client Forced to Replace Her.** The breadth of Russell's nonperformance is best seen plainly, as a list. Each numbered item below is a separate, independent professional duty she owed Petitioner and did not discharge. This is not the record of a lawyer who made a hard call; it is the record of a lawyer who did nothing at all:

- (1) Failed to file the mandatory Rule 604(d) certificate or any motion to reconsider the sentence or withdraw the plea — forfeiting the entire direct appeal.
- (2) Failed to advise Petitioner of his appellate rights or of the 30-day 604(d) deadline.
- (3) Drafted a \$2,670.86 restitution order against an indigent client without verifying the active Allstate coverage that rendered it uncollectible — when the same order set \$0.00 for Smith Printing on the identical policy.
- (4) Failed to request the ability-to-pay hearing required by *Bearden v. Georgia*, 461 U.S. 660 (1983), before agreeing to financial conditions for a client she knew to be indigent.
- (5) Failed to object to, or make any record concerning, the erroneous restitution at sentencing.
- (6) Failed to preserve a single issue for appellate review.
- (7) Failed to communicate with Petitioner in any form at any point after sentencing.
- (8) Failed to appear at the May 28, 2026 hearing, where a zero-bond bench warrant issued for Petitioner's arrest in her absence.
- (9) Failed to file any response to the May 14, 2026 Petition for Revocation, though she remained counsel of record.
- (10) Failed to obtain or present the December 2025 Weeks adjudication that had already cleared the drug allegation in writing.
- (11) Failed to respond to Petitioner's written *Faretta* invocation and constructive-abandonment notices<sup>10</sup>.

(12) Failed to move to withdraw under Ill. R.P.C. 1.16 once she had ceased representing him — leaving Petitioner trapped: the Circuit Clerk refused his pro se filings precisely because he still had “counsel of record,” while that counsel did nothing.

<sup>10</sup> **Exhibit I (Faretta Invocation)**. Documents Petitioner’s October 6, 2025 Faretta hearing and the Public Defender’s continued docket designation as counsel despite pro se status.

The truest measure of Russell's representation is what her client was forced to do *without* her. Proceeding pro se — because she had constructively abandoned him — this indigent, untrained defendant personally researched, drafted, and filed a formal *Faretta* invocation<sup>10</sup>; an eleven-page verified Findings of Fact and Proposed Order to Quash Warrant, complete with conclusions of law citing *Franks*, *Napue*, *Bearden*, and *Cronic*; and a Petition for Writ of Certiorari to the Supreme Court of the United States<sup>6</sup>. In that same stretch of months, his State-appointed, publicly-funded attorney filed **nothing**. When an accused man, facing arrest and writing from his kitchen table, performs more competent legal work than the lawyer the State assigned and paid to defend him, the representation has not merely been *deficient* under *Strickland* — it has been a fiction, and the *Cronic* presumption of prejudice is not a doctrine but a description of what happened.

<sup>6</sup> **Exhibit U (SCOTUS Filing Packet)**. Contains the IFP Motion (Form 4: \$0 assets, \$0 income) and Petition for Writ of Certiorari. Constitutes a third governmental indigency determination.

<sup>10</sup> **Exhibit I (Faretta Invocation)**. Documents Petitioner’s October 6, 2025 Faretta hearing and the Public Defender’s continued docket designation as counsel despite pro se status.

## GROUND TWO: INVALID WARRANT: FALSE SWORN PREDICATE<sup>25</sup>

*U.S. Const. Amend. IV*

<sup>25</sup> Citations: *Franks v. Delaware*, 438 U.S. 154 (1978); *Illinois v. Gates*, 462 U.S. 213 (1983); *People v. Tisler*, 103 Ill. 2d 226 (1984).

A warrant is only as reliable as the oath that produced it. This one was procured on three sworn factual predicates, and the State’s own records contradict each. Under *Franks v. Delaware*, 438 U.S. 154 (1978), a warrant may not issue on the basis of deliberately or recklessly false statements in the supporting affidavit. If the false material is set aside and the remainder is insufficient to establish probable cause, the warrant must be voided and the fruits suppressed. Here, both sworn factual predicates for the warrant are false:

**False Predicate One — Drug Allegation:** The Cook County Adult Probation Department’s own Officer Weeks adjudicated the November 20, 2025 test result as compliant on December 10, 2025. Shepherd swore the same test was a positive for an “illegal substance.” Removing this predicate, the Petition has no drug violation.

**False Predicate Two — Financial Allegation:** Active Allstate coverage on Claim 0670868884 makes willful nonpayment legally impossible under *Bearden v. Georgia*. Three governmental bodies — Lake County (fee suspension), the federal district court (IFP grant), and the Supreme Court of the United States (IFP motion<sup>6</sup>) — have found Petitioner indigent. No ability-to-pay inquiry was conducted. Removing this predicate, the Petition has no financial violation.

**False Predicate Three — DeRosa’s Sworn Felony Commission Allegation:** ASA Francis P. DeRosa

signed the original September 20, 2024 Petition to Revoke Pretrial Release under Section 1-109 of the Code of Civil Procedure, certifying under penalty of perjury the following affirmative assertion of fact:

<sup>6</sup> **Exhibit U (SCOTUS Filing Packet)**. Contains the IFP Motion (Form 4: \$0 assets, \$0 income) and Petition for Writ of Certiorari. Constitutes a third governmental indigency determination.

“Since that release on March 20, 2024, the Defendant committed: A Class 4 Felony, being the offense of Unlawful Possession of a Controlled Substance. Said case being *People v. Ehab Allababidi*, pending in the Circuit Court of Cook County.”

DeRosa did not write that Defendant was “charged with” or “arrested for” a crime. He swore that Defendant “committed” it as an established fact. Yet the same petition described that Cook County case as merely “pending”—and a pending charge has not, in law, been “committed” by anyone; the accused is presumed innocent. DeRosa relied on an unverified out-of-county database entry without independent corroboration, and on October 29, 2024 the State withdrew the petition on its own motion, without findings. By personally certifying the factual truth of that assertion under Section 1-109, DeRosa vouched for a fact as a witness rather than arguing an inference as an advocate—the conduct that forfeits absolute immunity under *Kalina v. Fletcher*, 522 U.S. 118, 129—31 (1997), and *Buckley v. Fitzsimmons*, 509 U.S. 259, 274—76 (1993).<sup>7</sup> (DeRosa Conduct Submission, §II); Exhibits A (Hearings) and B (Petition) of the DeRosa Submission. With all three predicates removed, the Petition presents zero valid grounds for probable cause. The warrant is void and must be vacated immediately. This Court must ask itself a simple question: if a police officer obtained a search warrant by swearing to two facts, and both facts were provably false from the State's own files, would this Court hesitate to void the warrant? The answer is no. The analysis is identical here. The only difference is the stakes are higher — this warrant seeks not evidence, but the physical body of the Petitioner for immediate custodial incarceration on a zero-bond hold. See Exhibits A (Warrant), C (Weeks adjudication), and V (DeRosa Conduct Submission).

<sup>7</sup> **Exhibit V (DeRosa Conduct Submission)**. Documents DeRosa’s 19 hearings, sworn petition certifying Defendant “committed” a Class 4 Felony, 39-day withdrawal, *Kalina v. Fletcher* complaining-witness analysis, and 35-witness discovery abuse.

### **GROUND THREE: BRADY/NAPUE VIOLATION: WITHHELD EXCULPATORY EVIDENCE<sup>26</sup>**

*U.S. Const. Amend. XIV (Due Process)*

<sup>26</sup> Citations: *Brady v. Maryland*, 373 U.S. 83 (1963); *Napue v. Illinois*, 360 U.S. 264 (1959); *Giglio v. United States*, 405 U.S. 150 (1972).

The State’s failure here was not the passive kind. It did not merely neglect to disclose evidence that helped Petitioner; it swore to the tribunal the opposite of a fact its own coordinate agency had already adjudicated, in writing, and built a custodial petition on the inversion. That is *Brady* and *Napue* in their gravest posture.

**Brady Violation.** Under *Brady v. Maryland*, 373 U.S. 83 (1963), the government must disclose all material, exculpatory evidence before proceedings that affect the defendant’s liberty. The December 8 and 10, 2025 Weeks adjudication emails are Brady material: they are exculpatory (they prove the drug allegation is false), material (they eliminate an entire sworn allegation), and in the State’s constructive possession (Cook County Probation is a state actor). The State never disclosed the Weeks adjudication. It filed a sworn revocation petition representing the opposite as true. This is *Brady and Napue*.

**Napue Violation.** Under *Napue v. Illinois*, 360 U.S. 264 (1959), the State may not knowingly use false evidence, including false statements by government witnesses or agents, to secure a conviction or

adverse ruling. Shepherd’s sworn statement that the November 20, 2025 test was positive for an “illegal substance” was a false statement submitted to the tribunal under oath, after the adjudicating officer had already adjudicated the identical result as compliant. Shepherd either knew this was false, or was recklessly indifferent to a record that would have revealed the falsity upon minimal inquiry. Either way, the *Napue* standard is met.

**Disclosure Duty Applies in Revocation — and the Suppression Was Cross-Jurisdictional.**

Even if this Court treats the proceeding as a revocation with reduced process, *Morrissey v. Brewer*, 408 U.S. 471 (1972), independently requires “disclosure ... of the evidence against” the probationer — which necessarily includes the exculpatory adjudication of the very test charged. The suppression here was not passive: as pleaded in the concurrent federal action<sup>3</sup>, Cook County personnel, including Officer Destiny Lee, transmitted the raw amphetamine result to Lake County while stripping the December 2025 Weeks compliance adjudication from the shared record. Exculpatory evidence in the possession of one arm of the prosecuting sovereign is charged to the prosecution as a whole. *Kyles v. Whitley*, 514 U.S. 419 (1995); *Giglio v. United States*, 405 U.S. 150 (1972). The State cannot launder a Brady violation through county lines.

<sup>3</sup> **Exhibit O (Federal § 1983 Complaint, CM/ECF Doc. 1)**, *Allababidi v. Shepherd, et al.*, No. 1:26-cv-06738 (N.D. Ill.), filed June 6, 2026. Names Shepherd, Cervantes, Lee, Fontana as defendants under 42 U.S.C. § 1983.

**Over-Prosecution and Abuse of the Discovery Process — The 35-Witness Medical Dragnet.**

DeRosa filed a Supplemental Disclosure on August 12, 2024 adding 17 medical professionals by name—physicians, surgeons, and specialists<sup>22</sup>—all under subpoenas processed through the court, bringing the total witness list to 35. The case never reached trial; it resolved by negotiated plea on September 8, 2025 (Count 1 plea; Count 2 nolle prosequi), and not one of the 35 witnesses testified. Petitioner does not contend that disclosing witnesses is itself improper—Supreme Court Rule 412 requires it. The point is one of scale and proportion: a prosecutor who subpoenas seventeen physicians' records and names thirty-five witnesses for a matter he resolves by plea, without calling one, assembled a medical-records dragnet disproportionate to the disposition he actually sought. That overreach is relevant under IRPC Rule 3.8—the prosecutor's duty to seek justice, not merely to convict—and bears on whether the aggravated bodily-harm theory of Count 1 was ever genuinely carried toward proof or instead used as plea leverage—a question the medical record itself answers (see Evidentiary Nexus Dossier<sup>8</sup>, DeRosa Conduct Submission<sup>7</sup>, and Exhibits C, D, and E 13).

<sup>7</sup> **Exhibit V (DeRosa Conduct Submission)**. Documents DeRosa’s 19 hearings, sworn petition certifying Defendant “committed” a Class 4 Felony, 39-day withdrawal, Kalina v. Fletcher complaining-witness analysis, and 35-witness discovery abuse.

<sup>8</sup> **Exhibit W (Supplemental Evidentiary Submission)**. Full Allstate indemnification record (Claim 0670868884, \$16,557.00 before sentencing), court’s \$0.00 entry for insured loss, and complete chronological docket of 26 appearances.

<sup>13</sup> **Exhibits C, D, and E (DeRosa Discovery Filings)**. DeRosa’s State Disclosure, Motion for Discovery, and Supplemental Disclosure document the 35-witness dragnet. Zero witnesses called at trial.

<sup>22</sup> Medical professionals subpoenaed include: Scott Miller, MD; Mark Oquist-Cardenas, MD; David Foosaner, MD; Kristin Vercillo, MD; Stephen Amesbury, MD; Megan Stock, MD; John Brunetti, DMD; Beth Ginsburg, MD; Rami Taha, MD; Marcus Talerico, MD; Stephen Clark, MD; Holly Loud, DO; Christopher Coury, MD; David Zartaisky, MD; Shayle Patzik, MD; Shabirusain Abadin, MD; and Maher Nahlawi, MD.

**The Verifying Prosecutor as Complaining Witness — Advocate-Witness Disqualification.**

When a prosecutor personally verifies a charging or revocation instrument under oath — attesting, under 735 ILCS 5/1-109, to the truth of its factual assertions — he steps outside the advocate’s function and acts as a complaining witness as to those facts. *Kalina v. Fletcher*, 522 U.S. 118, 129-31 (1997); *Buckley v.*

*Fitzsimmons*, 509 U.S. 259, 274-76 (1993). The verification of a revocation petition that asserts the contradicted drug allegation makes the verifying prosecutor a necessary witness on a contested, dispositive issue: the truth of that allegation, and his knowledge of the coordinate-agency adjudication that refutes it. A lawyer who is likely to be a necessary witness on a contested issue ordinarily may not also serve as the advocate on that issue. Ill. R. Prof. Conduct 3.7. Petitioner does not ask this Court to adjudicate civil immunity, which is a defense to damages and not at issue here; he asks only that the verifying prosecutor be disqualified from acting as the State’s advocate on the revocation he has made himself a witness to prove, as requested in the relief below.

#### **GROUND FOUR: NO ABILITY-TO-PAY INQUIRY: FINANCIAL ALLEGATION VOID<sup>27</sup>**

*U.S. Const. Amend. XIV (Equal Protection)*

<sup>27</sup> Citations: *Bearden v. Georgia*, 461 U.S. 660 (1983); *Turner v. Rogers*, 564 U.S. 431 (2011); *Gagnon v. Scarpelli*, 411 U.S. 778 (1973).

The State found Petitioner too poor to pay a \$1,500 service fee, then swore he was solvent enough to jail for declining to pay a \$2,670.86 bill its own insurer already covers. Both findings cannot stand, and the law resolves the contradiction in Petitioner’s favor. *Bearden v. Georgia*, 461 U.S. 660 (1983), held that a court may not revoke probation for failure to pay a fine or restitution without first inquiring into the reasons for nonpayment and determining whether the defendant was willfully withholding payment. The Court extended *Bearden* in *Turner v. Rogers*, 564 U.S. 431 (2011), requiring notice to the defendant that ability to pay is a defense and an inquiry on that issue at the hearing. Neither was done here.

The financial allegation is additionally void on its face: Allstate Fire and Casualty (Claim 0670868884) is the active insurer for the O’Brien Landscape property damage claim from the same May 23, 2022 accident. The same policy paid \$16,557 on the same claim number before sentencing. No insurer disclaimer, exhaustion notice, or denial letter exists because the claim was never submitted to Allstate. *Willful* nonpayment is legally impossible when an active insurer stands ready to pay the covered claim.

**The State Made Two Indigency Findings of Its Own and Then Charged Willfulness.** Willfulness is not merely unproven here — it is affirmatively negated by the State’s own records. **First**, on November 10, 2025, Lake County’s probation system formally suspended \$1,400.00 of the \$1,500.00 Probation Service Fee, recording “Payment Suspended” on the basis of inability to pay (Exhibit N). **Second**, the federal court granted Petitioner leave to proceed in forma pauperis. A sovereign that twice determines a defendant cannot pay may not simultaneously swear he *willfully* refused to pay. The arrangement is a textbook *Bearden* violation, aggravated by a fee schedule that billed Petitioner \$35.00 to fund the State’s Attorney, \$100.00 for the Public Defender who abandoned him, and a \$2.00 line item for the cost of his own prosecution — a structural debtor’s-prison scheme addressed further in Ground Twelve.

#### **GROUND FIVE: ANONYMOUS-OFFICER DUE PROCESS: 100-DAY IDENTITY CONCEALMENT<sup>28</sup>**

*U.S. Const. Amend. XIV (Due Process); 20 Ill. Admin. Code § 1610*

<sup>28</sup> Citations: *Morrissey v. Brewer*, 408 U.S. 471 (1972).

A probationer cannot report to a ghost. For one hundred consecutive days the officer who authored his violations withheld her own name, then charged him with failing to find her. *Morrissey v. Brewer*, 408

U.S. 471 (1972), established minimum due process requirements for probation revocation: written notice of the claimed violations, disclosure of the evidence against the probationer, an opportunity to be heard in person, and the right to confront adverse witnesses. None of these protections are meaningful when the supervising officer conceals her identity from the probationer for 100 consecutive days.

Officer Cervantes placed her first anonymous call on February 19, 2026 without identifying herself. All five failure-to-report charges arose during this window. The February 19 charge — the first and most foundational — arose from the identical anonymous call: Cervantes directed reporting on a call that she refused to identify herself on. A probationer cannot be charged with failure to report to an officer whose identity he has formally demanded and been denied for 100 days. The entire failure-to-report count set must be dismissed.

**The February 19 charge is provable perjury on the State's own record.** It is undisputed that Officer Cervantes *telephoned* Petitioner at approximately 3:00 PM on February 19, 2026 (Exhibit F memorializes the call she placed that day, in which she even downgraded her directive to:

“Well, if you are able to make it here on March 10, 2026, I would appreciate it.”

A probationer cannot “fail to report” on the very day his officer placed the contact call herself. Yet Cervantes’s April 8, 2026 Memorandum<sup>15</sup>, approved by supervisor Lori Carrier, swears he failed to report on 02/19/26. That is a documented false statement in an official charging instrument. She then made her first and only direct contact on May 29, 2026 — the day after the warrant issued — to urge him to surrender<sup>17</sup>. See Exhibits E (Memorandum), F (Identification Demand & March 10 Window), and G (May 29 post-warrant letter).

<sup>15</sup> **Exhibit E (Cervantes Memorandum)**. April 8, 2026 memorandum authored while Cervantes had concealed her identity for 48 consecutive days. Omits Weeks exculpatory adjudication.

<sup>17</sup> **Exhibit G (Cervantes Post-Warrant Letter)**. May 29, 2026—the day after the warrant—Cervantes’s first direct identification of herself, urging surrender.

## **GROUND SIX: FIRST AMENDMENT RETALIATORY PROSECUTION<sup>29</sup>**

### *U.S. Const. Amend. I*

<sup>29</sup> Citations: *Hartman v. Moore*, 547 U.S. 250 (2006); *Nieves v. Bartlett*, 139 S.Ct. 1715 (2019); *Mt. Healthy City Sch. Dist. v. Doyle*, 429 U.S. 274 (1977).

A case can fall dormant for 175 days through neglect; it does not reawaken by accident on the precise schedule of a federal court’s deadlines. The timing here was not coincidence — it was aim. Under *Hartman v. Moore*, 547 U.S. 250 (2006), a retaliatory prosecution claim requires: (1) protected activity, (2) adverse action, (3) causal connection, and (4) absence of probable cause (or, alternatively, the Mt. Healthy mixed-motive framework where the retaliatory motive was a but-for cause). All four elements are met here:

**(1) Protected Activity:** Filing a federal § 1983 civil rights action naming Shepherd personally (1:26-cv-06738) is quintessential First Amendment petitioning activity. See *Borough of Duryea v. Guarnieri*, 564 U.S. 379 (2011). Filing a Petition for Writ of Certiorari in the Supreme Court of the United States challenging the very 604(d) failure the State's own appointed counsel caused<sup>6</sup> is equally protected.

1  
2 **(2) Adverse Action:** A zero-bond bench warrant on sworn false allegations, resulting in two armed  
3 execution attempts at Petitioner's home, is unquestionably adverse.

4 **(3) Causal Connection:** The timeline is surgical: April 13, 2026 (federal deadline set against Shepherd) —  
5 May 14, 2026 (petition filed, 31 days later) — May 28, 2026 (warrant hearing, 8 days before federal  
6 deadline) — June 5, 2026 (federal deadline) — June 6, 2026 (execution attempts, day after). The probability  
7 that a 175-day dormant case would spontaneously produce a petition precisely 31 days after a federal  
8 deadline order, a hearing precisely 8 days before the federal deadline, and armed execution attempts on the  
9 business day immediately following the federal deadline — by coincidence — is vanishingly small. This is  
10 not correlation. This is a precision instrument of retaliation deployed against a defendant who had the  
11 audacity to exercise his constitutional right to petition a federal court. No legitimate law enforcement  
12 purpose explains this 175-day delay followed by precision timing against federal deadlines.

13 **(4) Absence of Probable Cause:** As established in Grounds Two and Three, both sworn allegations are  
14 false. There is no probable cause. The retaliatory motive is the only explanation for the filing.

15 **(5) The Same Conduct Is a Federal Felony — Tampering With and Retaliating Against a Federal  
16 Litigant.** The identical timeline describes two federal crimes committed against Petitioner in his capacity as  
17 a party in active federal proceedings (Nos. 1:26-cv-06738 and 1:26-cv-01077). First, 18 U.S.C. § 1512(b)  
18 makes it a felony to corruptly obstruct or impede an official proceeding, or to intimidate a person with intent  
19 to do so; procuring a zero-bond custodial warrant and dispatching armed officers to seize a federal litigant  
20 on the business day after his federal deadline is conduct calculated to impede his participation in that  
21 proceeding. Second, 18 U.S.C. § 1513(b) makes it a felony to take action harmful to a person in retaliation  
22 for that person's participation in a federal proceeding; the warrant was the harmful action and the federal  
23 filings were the protected participation. Petitioner placed the State on written notice of these violations  
24 before the warrant issued (Exhibit K, ESI Quarantine Notice citing § 1512(b)), and contemporaneously  
25 documented the retaliatory-incarceration scheme<sup>20</sup>; the docket and financial record confirming the timing is  
26 authenticated at Exhibit W. Petitioner does not ask this Court to convict anyone. He asks it to recognize that  
27 a warrant procured through felony obstruction and retaliation cannot supply the probable cause or good faith  
28 a lawful revocation requires, and to refer the conduct as requested in the Relief section.

<sup>6</sup> **Exhibit U (SCOTUS Filing Packet).** Contains the IFP Motion (Form 4: \$0 assets, \$0 income) and Petition for Writ of Certiorari. Constitutes a third governmental indigency determination.

<sup>20</sup> **Exhibit L (Emergency Motion re: Retaliatory Incarceration).** 18-page motion filed May 21, 2026 documenting retaliatory timing connecting revocation to federal habeas deadlines.

## GROUND SEVEN: FACIAL INVALIDITY: RULE 131(b) AND MANUFACTURED MAIL DELAY<sup>30</sup>

*U.S. Const. Amend. XIV (Due Process); Ill. S.Ct. R. 131(b)*

<sup>30</sup> Citations: *Mathews v. Eldridge*, 424 U.S. 319 (1976); *Morrissey v. Brewer*, 408 U.S. 471 (1972).

An instrument that demands a citizen's liberty should, at the very least, disclose who filed it and leave time to answer it. Shepherd's petition does neither. Illinois Supreme Court Rule 131(b) requires every

pleading filed by an attorney to include: ARDC number, office address, telephone number, and email address. Shepherd’s Petition omits both his telephone number and email. This is not inadvertence: his contact information has never appeared on any filing served on Petitioner. The omission is structural and intentional.

The manufactured mail delay compounds the due process violation. The Petition was meter-stamped May 15 but held from postal intake until May 18 — three days after metering. Delivered May 21. Total delay: six days over the Memorial Day federal holiday weekend. Effective response window: three business days to a petition seeking custodial incarceration.

Under *Mathews v. Eldridge*, 424 U.S. 319 (1976), the private interest (liberty from incarceration), the risk of erroneous deprivation, and the government’s minimal burden of including contact information all weigh overwhelmingly toward procedural protection. A petition that strips contact information while engineering a compressed window over a federal holiday weekend violates due process on its face.

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## **GROUND EIGHT: DENIAL OF COUNSEL AT CRITICAL STAGES<sup>31</sup>**

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*U.S. Const. Amend. VI*

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<sup>31</sup> Citations: *Coleman v. Alabama*, 399 U.S. 1 (1970); *Gagnon v. Scarpelli*, 411 U.S. 778 (1973); *Mempa v. Rhay*, 389 U.S. 128 (1967).

When this Court ordered Petitioner’s body seized on a zero-bond hold, no one in the room spoke for him. That silence was not a tactical choice; it was the absence of counsel at the one moment counsel mattered most. Under *Coleman v. Alabama*, 399 U.S. 1 (1970), the Sixth Amendment right to counsel attaches at every “critical stage” of criminal proceedings — defined as any stage where the absence of counsel might derogate from the defendant’s right to a fair trial. Under *Gagnon v. Scarpelli*, 411 U.S. 778 (1973), where a probationer claims the facts underlying the revocation are not true, the absence of counsel at the revocation hearing implicates the Sixth Amendment.

The May 28, 2026 warrant hearing was a critical stage: it resulted in a zero-bond bench warrant subjecting Petitioner to immediate custodial incarceration. No counsel appeared. No proper waiver was executed. Russell had constructively abandoned the representation. No new counsel was appointed. Petitioner appeared (through the Emergency Notice filed two hours earlier) but had no advocate present at the hearing itself. Under *Mempa v. Rhay*, 389 U.S. 128 (1967), the right to counsel at a hearing that can result in imposition of a custodial sentence is absolute.

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## **GROUND NINE: FARETTA RIGHT TO SELF-REPRESENTATION DENIED<sup>32</sup>**

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*U.S. Const. Amend. VI (Self-Representation)*

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<sup>32</sup> Citations: *Faretta v. California*, 422 U.S. 806 (1975); *McKaskle v. Wiggins*, 465 U.S. 168 (1984); *Indiana v. Edwards*, 554 U.S. 164 (2008); *Illinois v. Allen*, 397 U.S. 337 (1970).

Petitioner asked, in writing and more than once, to speak for himself. The court neither granted that request nor relieved the lawyer who had abandoned him — it proceeded as though he had asked for nothing at all. The *Faretta* right does not bend to a court’s convenience. *Indiana v. Edwards*, 554 U.S. 164 (2008), does not limit the *Faretta* right where the defendant is fully competent, and the denial of this right is structural error requiring immediate vacatur of the resulting orders. Ehab Allababidi timely invoked

1 self-representation repeatedly in writing, but the court proceeded to issue a warrant without conducting a  
2 Faretta colloquy or relieving counsel who had constructively abandoned him.

3 Petitioner submitted multiple written Faretta invocations to the court, to Russell, and to the State's  
4 Attorney's Office.<sup>10</sup> (Faretta Invocation and Response to Procedural Denial). The court never conducted a  
5 *Faretta* colloquy. Russell continued as putative defense counsel against Petitioner's expressed, documented  
6 wishes. The failure to honor the *Faretta* invocation is independently sufficient to vacate the probation  
7 sentence and require new proceedings at which Petitioner is either properly counseled or properly permitted  
8 to self-represent.

9 Note: Petitioner does not challenge his competence to represent himself. Under *Indiana v. Edwards*, 554  
10 U.S. 164 (2008), the State may insist on counsel only when the defendant cannot conduct basic trial  
11 functions. Petitioner has demonstrated through this and parallel federal proceedings the ability to conduct  
12 trial functions at a high level.

13 <sup>10</sup> **Exhibit I (Faretta Invocation)**. Documents Petitioner's October 6, 2025 Faretta hearing and the Public Defender's continued docket designation as  
14 counsel despite pro se status.

## 15 **GROUND TEN: VOID RESTITUTION ORDER**<sup>33</sup>

16 *U.S. Const. Amend. XIV; 730 ILCS 5/5-5-6*

17 <sup>33</sup> Citations: *Bearden v. Georgia*, 461 U.S. 660 (1983); *People v. D'Alise*, 2022 IL App (2d) 210541; *People v. Mathews*, 2016 IL App (1st) 140353.

18 Reduced to its arithmetic, the obligation at the center of this revocation does not exist. The  
19 \$2,670.86 restitution order to O'Brien Landscape is void because the same Allstate Fire and Casualty policy  
20 (Claim No. 0670868884) that paid \$16,557.00 to Sentry Insurance for the Smith Printing Company claim on  
21 the same May 23, 2022 collision covers the O'Brien Landscape claim from the same accident. The  
22 sentencing court entered \$0.00 restitution to Smith Printing because Allstate had already satisfied that claim,  
23 confirming the court had actual knowledge of Allstate's involvement at sentencing. The identical coverage  
24 analysis applies to O'Brien.

25 Under 730 ILCS 5/5-5-6, restitution must reflect the actual out-of-pocket loss not otherwise compensated. A  
26 loss covered by active insurance is not an uncompensated loss. Under *Bearden*, a condition that financially  
27 punishes a defendant for a loss that an active insurer is obligated to pay violates equal protection and due  
28 process.

The order is independently defective on its face. Section 5-5-6(b) directs the court to fix restitution by  
reference to the actual out-of-pocket loss of the victim and of the insurance carriers who have indemnified  
that loss; ordering Petitioner to pay O'Brien for a collision already indemnified under the same Allstate  
policy is an impermissible double recovery. Section 5-5-6(f) separately requires the court to fix the manner  
and period of payment after assessing the defendant's ability to pay. The record reflects neither finding. A  
restitution order entered without an ability-to-pay determination and without a specified manner of payment  
is incomplete and subject to vacatur and remand. *People v. D'Alise*, 2022 IL App (2d) 210541. A revocation  
cannot be sustained on the alleged willful nonpayment of an order that was statutorily incomplete when  
entered; and once Allstate paid, its subrogation interest attached, converting any residual obligation into a

1 civil matter the State may not enforce through the criminal contempt power or the threat of incarceration.

2  
3 The full insurance indemnification record is attached as Exhibit W. The Allstate email (Exhibit A to Exhibit  
4 W) and the Allstate settlement letter (Exhibit B to Exhibit W) are self-authenticating under Fed. R. Evid.  
5 902(13)–(14), bearing Allstate’s corporate letterhead, claim number 0670868884, the May 23, 2022 date of  
6 loss, Petitioner’s name and address, and a specific \$16,557.00 amount paid to a named counterparty (Sentry  
7 Insurance). The probation memorandum that forwarded the \$2,670.86 figure to the State (Exhibit H to this  
8 Petition) omitted all reference to the active Allstate coverage. No inquiry into active insurance, subrogation  
9 status, or Petitioner’s ability to pay was conducted before the warrant issued. The file refutes itself.

10 This is also an IAC claim: Russell drafted this order. Had she reviewed Allstate’s file (the same file that  
11 produced the \$16,557 Smith Printing payment), she would have known the O’Brien claim was covered  
12 under the same policy. The \$2,670.86 figure appears to have been taken from the Cervantes Memorandum  
13 without independent verification. The restitution order must be vacated, and O’Brien must be directed to file  
14 its claim with Allstate.<sup>8</sup> (Supplemental Evidentiary Submission: Bad Faith Insurance Payout & Docket  
15 Record), Exhibits H (Cervantes Memorandum), and U (SCOTUS IFP Motion).

16 <sup>8</sup> **Exhibit W (Supplemental Evidentiary Submission)**. Full Allstate indemnification record (Claim 0670868884, \$16,557.00 before sentencing),  
17 court’s \$0.00 entry for insured loss, and complete chronological docket of 26 appearances.

## 18 **GROUND ELEVEN: DENIAL OF ACCESS TO THE COURTS — CLERK’S REFUSAL OF PRO 19 SE FILINGS<sup>34</sup>**

20 *U.S. Const. Amends. I, VI, XIV; 735 ILCS 5/2-301; Ill. S.Ct. R. 13*

21 <sup>34</sup> Citations: *Faretta v. California*, 422 U.S. 806 (1975); *Bounds v. Smith*, 430 U.S. 817 (1977); *Snyder v. Nolen*, 380 F.3d 279 (7th Cir. 2004).

22 A right of access to the courts is hollow if a clerk may close the courthouse door. When Petitioner  
23 reached that door — unrepresented, under a warrant for his arrest — the State’s own clerk turned him away.  
24 After the warrant issued and while Petitioner was abandoned by counsel and subject to a zero-bond warrant,  
25 a Circuit Clerk representative (Ms. Becerra) refused to accept his pro se omnibus motion because it lacked a  
26 licensed attorney’s signature block. That refusal is unconstitutional as applied. A self-represented litigant  
27 has a clearly established right of access to the courts, *Bounds v. Smith*, 430 U.S. 817 (1977), and the Sixth  
28 Amendment guarantees the right to proceed pro se, *Faretta v. California*, 422 U.S. 806 (1975). Illinois law  
is explicit: 735 ILCS 5/2-301 and Illinois Supreme Court Rule 13 require the Clerk to accept and file  
submissions tendered by self-represented parties. Any administrative policy conditioning docketing on an  
attorney signature is void as applied to a pro se defendant. The refusal functionally denied Petitioner all  
access to the court at the precise moment his liberty was being taken — an independent structural violation.  
Petitioner was forced to mail the filing by USPS (June 8, 2026) and to tender it through the portal (June 12,  
2026; Exhibits R and S) to be heard at all. The refusal was also ultra vires. A circuit clerk’s duty to accept  
and file technically sufficient papers is purely ministerial; the clerk has no authority to reject a tendered  
filing on substantive grounds, such as the absence of an attorney’s signature, when the litigant is proceeding  
pro se. *Snyder v. Nolen*, 380 F.3d 279, 286-88 (7th Cir. 2004). The refusal therefore operated as a  
State-created impediment: to the extent the State asserts any procedural default, untimeliness, or failure to  
exhaust against these filings, that bar is excused, because the State’s own clerk blocked access to the forum  
at the moment Petitioner was unrepresented and facing a custodial warrant.

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## GROUND TWELVE: STRUCTURAL DEBTOR'S PRISON — INCARCERATION FOR INDIGENCY<sup>35</sup>

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*U.S. Const. Amend. XIV (Debtor's Prison Prohibition)*

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<sup>35</sup> Citations: *Bearden v. Georgia*, 461 U.S. 660 (1983); *Turner v. Rogers*, 564 U.S. 431 (2011); *James v. Strange*, 407 U.S. 128 (1972).

The revocation seeks to incarcerate Petitioner, in part, for nonpayment that the State itself determined he could not make. The State charged Petitioner \$2.00 for the privilege of being prosecuted (“Conditional Assessment — SAO Prosecution”). It charged him \$100.00 for the Public Defender who abandoned him, never filed the mandatory 604(d) motion, never communicated, and whose single act of neglect destroyed Petitioner's entire appellate chain from the Appellate Court to the Supreme Court of the United States (Ground 1-D<sup>6</sup>). It charged him \$35.00 to fund the office of the prosecutor who swore falsely against him. It assessed \$20.00 for the probation division whose officer concealed her identity for 100 days, then authored the memorandum of fabricated violations. It assessed \$100.00 to the Violent Crime Victims Fund — for a collision already covered by active Allstate insurance that the State never routed the claim to. Then it cited his failure to pay *these very charges* as grounds to incarcerate him.

This is not a probation system — it is a revenue extraction apparatus enforced by the threat of a cage. But begin with the threshold fact the State would rather skip: **there is no debt**. The \$2,670.86 to O'Brien is a covered, payable insurance loss — the identical active Allstate policy and claim number (Claim 0670868884) that already paid \$16,557.00 on this identical accident covers it in full and stands ready to pay; the State simply never routed the claim, exactly as the same court ordered \$0.00 to Smith Printing on the same policy. A man cannot *willfully* refuse to pay money he does not owe on a claim an insurer is waiting to satisfy. ASA Nicholas Shepherd's sworn assertion that he did is therefore not a litigating position but a **false statement under oath** — 18 U.S.C. §§ 1621 and 1623 — and the knowing use of a fabricated financial predicate to procure a custodial warrant under *Napue v. Illinois*, 360 U.S. 264 (1959). The revocation's financial predicate does not “survive”; it never existed, and the swearing of it was a crime.

Independently, even if a debt existed, the warrant would still be void. Three separate governmental bodies — Lake County (November 10, 2025 fee suspension<sup>9</sup>), the U.S. District Court (IFP grant), and the U.S. Supreme Court (IFP motion showing \$0 assets and \$0 income<sup>6</sup>) — have adjudicated this defendant unable to pay. A sovereign that thrice determines a defendant cannot pay may not simultaneously swear he *willfully* refused to pay. That is a structural debtor's prison prohibited by the Fourteenth Amendment. *Bearden v. Georgia*, 461 U.S. 660 (1983); *Turner v. Rogers*, 564 U.S. 431 (2011). No ability-to-pay hearing and no willfulness finding preceded the warrant, as both *Bearden* and *Turner* require. The State thus loses twice over: there was no debt to pay, and even had there been, the Constitution forbade caging an indigent man for failing to pay it.

<sup>6</sup> **Exhibit U (SCOTUS Filing Packet)**. Contains the IFP Motion (Form 4: \$0 assets, \$0 income) and Petition for Writ of Certiorari. Constitutes a third governmental indigency determination.

<sup>9</sup> **Exhibit N (Lake County Case Action Page)**. Official portal record confirming May 14, 2026 petition, May 28 warrant, zero-bond status, and November 10, 2025 fee suspension for indigency.

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## GROUND THIRTEEN: CUMULATIVE AND STRUCTURAL ERROR<sup>36</sup>

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*U.S. Const. Amends. IV, VI, XIV (Cumulative & Structural Error)*

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<sup>36</sup> Citations: *People v. Blue*, 189 Ill. 2d 99 (2000); *United States v. Cronic*, 466 U.S. 648 (1984); *Arizona v. Fulminante*, 499 U.S. 279 (1991); *Weaver v. Massachusetts*, 582 U.S. 286 (2017).

Several of the violations above are structural errors that require vacatur without any harmless-error analysis. Under *Weaver v. Massachusetts*, 582 U.S. 286 (2017), structural errors are constitutional defects that “affect the framework within which the trial proceeds” and defy assessment for prejudice. The following are structural: the complete absence of counsel at a critical stage (Grounds 1, 8; *Cronic*), the denial of the right of self-representation (Ground 9; *McKaskle v. Wiggins*, 465 U.S. 168 (1984)), and the denial of access to the court (Ground 11; *Bounds v. Smith*).

But this case does not require harmless-error charity, because what was done to Petitioner was not a sequence of accidents — it was a sequence of acts, many of which satisfy the elements of federal felonies committed under color of law. The matrix below maps each documented act to its actor and to the criminal statute or constitutional guarantee it violates. It is offered both as proof of the cumulative deprivation and as the predicate for the referral requested in the Relief section.

#	Documented Act	Actor(s)	Federal Offense / Constitutional Violation
1	Mandatory Rule 604(d) certificate and motion never filed; direct appeal jurisdictionally dismissed (Nov. 17, 2025)	Bailey C. Russell (appointed counsel)	Sixth Amend. ineffective assistance; per se prejudice — <i>Strickland, Cronic, Garza</i>
2	Petitioner forced to petition the U.S. Supreme Court pro se, documenting \$0 assets and \$0 income (Ex. U)	Consequence of counsel's abandonment	Fourteenth Amend. denial of access; constructive denial of counsel
3	Supervising officer concealed her identity for 100 consecutive days	Marisa Cervantes (Lake Co. probation)	18 U.S.C. § 242 (deprivation under color of law); Fourteenth Amend. due process
4	Authored a memorandum of violations during the anonymity period, omitting the written exculpatory drug-test adjudication	Marisa Cervantes	18 U.S.C. § 1519 (record concealment); § 242; <i>Brady</i>
5	Stripped the Dec. 8—10, 2025 Weeks compliance clearance out of the cross-jurisdictional data before it reached the decision-makers	Destiny Lee (Cook Co. probation)	18 U.S.C. §§ 241, 1512(b), 1519; <i>Brady</i>
6	Signed a sworn Petition for Revocation swearing to two allegations (drug and restitution) both known to be false	ASA Nicholas Shepherd	18 U.S.C. §§ 1621, 1623 (perjury / false declaration); <i>Napue</i>
7	Petition metered and held three days over a federal holiday weekend; prosecutor's contact information stripped	ASA Shepherd / State	18 U.S.C. § 1512(b); Ill. S. Ct. R. 131(b)
8	Exculpatory evidence served on the prosecutor two hours before the hearing; no response and no correction	ASA Shepherd	<i>Brady / Napue</i> suppression; 18 U.S.C. § 242
9	Zero-bond warrant issued without a hearing, testimony, counsel, or any treatment of the exculpatory submission	State (process)	Fourth / Fourteenth Amend.; <i>Gagnon / Morrissey</i>
10	Clerk refused to docket the defendant's verified pro se response	Circuit Clerk (H. Becerra)	First / Fourteenth Amend. denial of access to courts; 18 U.S.C. § 242
11	Revocation petition filed and arraignment set in immediate proximity to Petitioner's federal-court deadlines; armed custodial-extraction attempts directed at an active federal litigant — conduct intended to obstruct and retaliate for protected federal filings (Ex. K, L, W)	State / ASA Shepherd / law enforcement	18 U.S.C. § 1512(b) (tampering/obstruction) & § 1513(b)(2) (retaliation for federal-court filings); First Amend. retaliation, <i>Hartman v. Moore</i> , 547 U.S. 250 (2006)

12	Nonpayment cited to revoke after three governmental indigency findings — on a debt fully covered by active Allstate insurance	ASA Shepherd / State	Fourteenth Amend. — <i>Bearden / Turner</i> ; 18 U.S.C. § 1621 (sworn willful-nonpayment falsity)
13	Sworn Petition to Detain certifying Defendant “committed: A Class 4 Felony” as established fact (the same petition called the Cook County case merely “pending”); relied on an unverified out-of-county entry without corroboration; petition withdrawn on the State’s own motion 39 days later (Ex. V § II)	ASA Francis P. DeRosa	18 U.S.C. § 1621 (false declaration); complaining-witness forfeiture of absolute immunity — <i>Kalina v. Fletcher</i> , 522 U.S. 118 (1997); <i>Buckley v. Fitzsimmons</i> , 509 U.S. 259 (1993)
14	Subpoenaed and disclosed 17 named physicians and 35 total witnesses, then resolved the case by negotiated plea without trial — an over-broad medical-records dragnet relative to the disposition actually obtained (Ex. V § III)	ASA Francis P. DeRosa	Prosecutorial overreach; IRPC Rule 3.8 (duty to seek justice, not merely convict) — offered as professional-conduct context (ARDC-referable), not as a felony
15	Appeared at 19 documented court dates; at the pre-disposition settings the case was continued from one date to the next and “Pretrial Release Shall Continue” was entered, with no trial date set before the September 8, 2025 disposition, while Level 2 pretrial supervision was maintained for 516 days	ASA Francis P. DeRosa / court	Fourth Amendment continuing seizure across the pendency of legal process, <i>Manuel v. City of Joliet</i> , 580 U.S. 357 (2017); IRPC Rule 3.8 — offered as continued-seizure and professional-conduct context, not as a felony

Under *People v. Blue*, 189 Ill.2d 99 (2000), the aggregation of errors that individually might be debated compels reversal where their combined effect deprives the defendant of a fair proceeding. Here, each error is independently dispositive. Together, they describe not a malfunctioning system but a coordinated deprivation of every constitutional protection this defendant possessed — executed, in material part, through conduct that the United States Code defines as felonious. No fair proceeding occurred. None was possible. And the officials who made it impossible should answer for it to more than this Court.

## **XVI. ANTICIPATED STATE OBJECTIONS AND REBUTTALS**

**The threshold objection, foreclosed first.** The State’s only structural escape is the maxim that revocation requires but a single sustained violation, so that the petition fails if any one allegation survives. That maxim is the State’s undoing here, because **not one of its five allegations survives**. To revoke probation the State must prove a *willful* violation by a preponderance of the evidence. 730 ILCS 5/5-6-4(c); *Bearden v. Georgia*, 461 U.S. 660 (1983). The Petition for Revocation alleges five categories of violation. Each fails independently, as a matter of the State’s own documents:

<b>Alleged Violation</b>	<b>The State’s Sworn Claim</b>	<b>Why It Independently Fails</b>
<b>Positive amphetamine screen (Nov. 20, 2025)</b>	An “illegal substance” violation	Lawfully prescribed Adderall. The administering agency itself adjudicated the screen compliant in writing on December 8 and 10, 2025 (Officer Weeks, Ex. C: “it is all negative in my eyes”). Swearing it was an “illegal substance” is perjury, 18 U.S.C. §§ 1621, 1623, and a <i>Napue</i> violation. Not a violation at all.
<b>Five “failures to report” (Feb. 19, Feb. 27, Mar. 10, Mar. 11, Mar. 26, 2026)</b>	Defendant failed to report as directed	Every one of these dates falls inside Officer Cervantes’s 100-day identity concealment (Feb. 19—May 29, 2026). A probationer cannot “fail to report” to an officer who concealed her name and contact information; and on Feb. 19 she personally telephoned him (Ex. F). Charging the impossible is a due-process nullity, not a willful violation.
<b>240 community-service hours not completed</b>	Failed to complete community service	Not yet due. The 240 hours are a condition of a 30-month term that does not end until approximately March 2028; no interim deadline was imposed. A “failure to complete” an end-of-term condition cannot accrue at month eight of thirty. The allegation is facially premature, and compounded by documented immobility and indigency.

<b>Victim-impact panel not completed</b>	Failed to complete the panel	Identical defect. A term-completion condition with no interim deadline cannot be “failed” mid-term. The allegation is facially premature and states no presently revocable violation.
<b>Restitution / fees unpaid</b>	Willful failure to pay	There is no debt: the \$2,670.86 is a covered, payable Allstate loss (Claim 0670868884, which already paid \$16,557.00 on the same accident), and three governmental bodies found Petitioner indigent. No <i>Bearden/Turner</i> ability-to-pay hearing and no willfulness finding occurred. Sworn “willful” nonpayment is perjury, 18 U.S.C. §§ 1621, 1623.

**The arithmetic is fatal to the revocation.** Two of the five allegations are false and were sworn to under oath (the drug and restitution allegations); two are not yet due and state no presently revocable violation (community service and the panel); and five are the direct product of the State's own 100-day identity concealment (the reporting allegations). The State needs one willful, true violation. It has **zero**. A revocation predicated entirely on defeated allegations is void, and the zero-bond warrant that issued upon them must be quashed. With the threshold thus foreclosed, Petitioner addresses the remaining anticipated objections:

**“The Post-Conviction Act does not reach a probationer / this is premature.”** The Act reaches a petitioner serving a probation sentence; in any event the revocation-stage claims are brought under 725 ILCS 5/114-1 and as constitutional defenses, and the void-restitution and IAC claims under 2-1401 and the Act. The active zero-bond warrant is a present custodial restraint that is ripe for immediate vacatur. (See Section I.)

**“The claims are waived / untimely / forfeited.”** No claim was knowingly relinquished. The failure to raise these issues earlier was caused by counsel’s constructive abandonment — itself the IAC claim and cause-and-prejudice. A void or unauthorized order is not subject to forfeiture and may be attacked at any time. The 2-1401 claims are within two years.

**“Abstention / Younger / the federal court should decide this.”** The federal court expressly deferred the state issues to this Court, directing Petitioner to raise them “with the state court in the first instance” (No. 1:26-cv-01077, Dkt. 25). This Petition is the exhaustion the federal court ordered; abstention is inapplicable and would defy a coordinate Article III directive.

**“Franks applies only to search warrants.”** The principle that a seizure may not rest on knowingly false sworn statements is rooted in the Fourth Amendment and applies a fortiori to a custodial bench warrant. The revocation-specific guarantees of *Morrissey* and *Gagnon* — notice, disclosure of evidence, a neutral hearing — were independently violated. (Grounds 2, 8.)

**“Amphetamine is a controlled substance, so the positive test was a true violation.”** Adderall is a lawfully prescribed Schedule II medication; a positive result attributable to a valid prescription is not a violation. Decisively, the administering agency itself adjudicated the test compliant: Officer Weeks wrote that the result “it is all negative in my eyes because I know you are still taking the Adderall” (Exhibit C). Swearing that a prescribed-medication result — already adjudicated compliant in writing by the administering agency — was an “illegal substance” is not a difference of opinion; it is perjury, 18 U.S.C. §§ 1621 and 1623, and a *Napue* violation. The objection concedes the falsity it tries to excuse.

**“Restitution survives insurance coverage.”** This objection presupposes a debt that does not exist, and Petitioner concedes nothing. The \$2,670.86 to O'Brien is a covered, payable insurance loss: the identical

1 active Allstate policy and claim number (Claim 0670868884) that already paid \$16,557.00 on this identical  
2 accident covers it in full and stands ready to pay — which is precisely why the same court, at the same  
3 hearing, on the same policy, ordered \$0.00 to Smith Printing. A defendant cannot *willfully* refuse to pay  
4 money he does not owe on a claim an insurer is waiting to satisfy; the premise is frivolous and collapses on  
5 contact with the record. ASA Shepherd's sworn assertion that Petitioner *willfully* failed to pay is therefore  
6 not a litigating position but a false statement under oath, 18 U.S.C. §§ 1621 and 1623, and a knowing use of  
7 a fabricated predicate under *Napue v. Illinois*, 360 U.S. 264 (1959). Three governmental indigency findings  
(Grounds 4, 10, 12) foreclose willfulness independently. The restitution predicate does not “survive” — it  
never existed, and swearing to it was a crime.

8 **“The appellate dismissal is res judicata / the issues are precluded.”** It is not. The November 17,  
9 2025 dismissal was a *jurisdictional* dismissal for counsel's Rule 604(d) noncompliance — no court ever  
10 reached the merits of any claim. Res judicata and collateral estoppel attach only to issues actually litigated  
11 and decided; an appeal dismissed without merits review decides nothing. Moreover, the dismissal was itself  
12 caused by counsel's failure (Ground 1), which supplies cause and prejudice and triggers the  
fundamental-fairness relaxation of any procedural bar. The State cannot convert its own appointed counsel's  
malpractice into a shield against review.

13 **“The petition is not supported by affidavits as 725 ILCS 5/122-2 requires.”** It is amply  
14 supported. Section 122-2 requires affidavits, records, *or other evidence* supporting the allegations, *or an*  
15 explanation of their absence. Each material allegation here rests on documentary proof — the State's own  
16 memoranda, emails, docket, and orders — attached as Exhibits A through X, and the Petition is verified  
under penalty of perjury (Section XVIII). Where the claims are proved by the respondent's own records, no  
further affidavit is required.

17 **“This is premature — wait until the revocation is adjudicated.”** The zero-bond bench warrant is  
18 a *present* custodial restraint executing now, with armed extraction already attempted. A defendant need not  
19 submit to an unconstitutional seizure before challenging it; pre-deprivation review of a void warrant resting  
20 on a perjured predicate is precisely what the law permits. Waiting “until after revocation” would require  
21 Petitioner to be jailed on defeated allegations first — the very harm the Petition seeks to prevent.

22 **“Some relief requested exceeds the Post-Conviction Act.”** The core relief — vacatur of the void  
23 warrant, dismissal of the revocation petition, and discharge — lies squarely within the Act, 735 ILCS  
5/2-1401, and 725 ILCS 5/114-1. The ancillary relief (referrals, preservation, audit-log production) lies  
within this Court's inherent and supervisory authority. The requests are severable; the insufficiency of any  
one does not impair the others, and Petitioner expressly requests any relief the Court deems just.

## 24 **XVII. RELIEF REQUESTED**

25 Based on the foregoing thirteen constitutional grounds, Petitioner respectfully requests that this  
26 Court grant the following relief, each item of which is independently supported by one or more grounds  
above:

27 **Organization of relief.** The relief is arranged in descending order of the certainty of this Court's  
28 power to grant it. The core items — advancement and docketing of the post-conviction claims, vacatur of the  
warrant for want of probable cause, dismissal of the revocation, vacatur of the restitution order, and the

order to the Clerk — are squarely within this Court’s authority and are each independently dispositive. The referrals to disciplinary and prosecuting authorities are respectful requests, not conditions of the relief; this Court may grant complete relief on the state-law and constitutional grounds without reaching them.

**1. IMMEDIATE DISMISSAL WITH PREJUDICE** of the Petition for Revocation of Probation (filed May 14, 2026) in its entirety, on the grounds that it was procured by two sworn false allegations, filed in retaliation for constitutionally protected federal civil rights litigation, facially defective under Rule 131(b), and predicated on an anonymous-officer chain lacking minimum due process. (Grounds 2, 3, 6, 7.)

**2. IMMEDIATE VACATUR** of the Zero-Bond Bench Warrant issued May 28, 2026 by this Court, on the grounds that the warrant’s entire factual predicate consists of two false sworn allegations which, when removed, leave no probable cause, and that the warrant issued without any Gagnon-compliant evidentiary hearing, without the presence of counsel, and in disregard of exculpatory evidence submitted two hours before the hearing. (Grounds 2, 3, 8.)

**3. IMMEDIATE UNCONDITIONAL DISCHARGE** from probation supervision imposed September 8, 2025, on the grounds of: (a) failure of defense counsel to file mandatory 604(d) motion (Ground 1); (b) Faretta right denied (Ground 9); (c) defective restitution order (Ground 10). Petitioner has served probation in compliance with all valid conditions and should be immediately, unconditionally, and permanently discharged.

**4. VACATUR** of the \$2,670.86 restitution condition to O’Brien Landscape, on the grounds that the same Allstate policy covering the same accident is active on the same claim number and obligated to pay this loss, and that the restitution order was drafted by deficient counsel without insurance verification. (Grounds 1, 10.)

**5. POST-CONVICTION HEARING** under 725 ILCS 5/122-3, if this Court does not grant immediate relief on the pleadings alone, to take testimony, receive exhibits, and provide Petitioner a full and fair hearing on all ten constitutional grounds presented.

**6. REFERRAL** to the Illinois Attorney Registration and Disciplinary Commission of the conduct of ASA Nicholas Shepherd (false sworn allegations, Rule 131(b) violation, manufactured mail delay, retaliatory petition timing) and Bailey C. Russell (604(d) failure, constructive abandonment, defective restitution order). Complaints have been transmitted separately.

**7. REFERRAL** to the United States Attorney’s Office for the Northern District of Illinois and the Civil Rights Division of the United States Department of Justice of the documented felony conduct catalogued in the matrix at Ground Thirteen, for investigation and prosecution: (a) ASA Nicholas Shepherd, for swearing to two allegations known to be false, 18 U.S.C. §§ 1621 and 1623, and obstruction, § 1512(b); (b) Probation Officer Marisa Cervantes, for concealment of the exculpatory adjudication and 100-day identity concealment, 18 U.S.C. §§ 242 and 1519; (c) Cook County Probation Officer Destiny Lee, for stripping the exculpatory clearance from the cross-jurisdictional record, 18 U.S.C. §§ 241, 1512(b), and 1519; and (d) all participants in the coordinated deprivation, 18 U.S.C. §§ 241 and 242. The conduct is also pleaded in the pending federal civil-rights action, No. 1:26-cv-06738 (N.D. Ill.).

**8. DIRECT LITIGATION COSTS AND OUT-OF-POCKET EXPENDITURES** under 42 U.S.C. § 1988, 735 ILCS 5/2-611, and this Court’s inherent equitable power, for all ESI forensic expenses, printing,

transit, and filing costs Petitioner has incurred litigating constitutional violations that were knowable, documented, and avoidable by minimally competent prosecution and defense.

**9. AN ORDER DIRECTING THE CIRCUIT CLERK** to immediately accept, file, and docket all submissions tendered by Petitioner pro se, without requiring an attorney signature block, and declaring void as applied any policy to the contrary. (Ground 11.)

**10. SUSPENSION OF ALL FINANCIAL CONDITIONS** of probation pending a constitutionally adequate ability-to-pay inquiry under *Turner v. Rogers* and an affirmative finding of willful nonpayment under *Bearden v. Georgia*, in light of the November 10, 2025 indigency fee suspension and the federal IFP finding. (Grounds 4, 12.)

**11. AN ORDER DIRECTING** the Lake County Sheriff and the Illinois State Police to execute an immediate, verified strike of the May 28, 2026 bench warrant from the Law Enforcement Agencies Data System (LEADS) and the National Crime Information Center (NCIC) databases, with a physical confirmation receipt of said deletion transmitted directly to Petitioner's email at defcon5ready@gmail.com within two hours of the entry of this Court's order. (Grounds 2, 3.)

**12. AN ORDER DIRECTING** the Clerk of the Circuit Court of Lake County to physically transmit a certified copy of this Omnibus Petition, the Weeks drug test compliance adjudications, and this Court's ruling directly to the Illinois Attorney Registration and Disciplinary Commission (ARDC) and the Public Integrity Section of the United States Department of Justice (DOJ) under this Court's supervisory authority over officers of the court. (Grounds 3, 5, 8.)

**13. DISQUALIFICATION OF THE VERIFYING PROSECUTOR AND THE OFFICE:** (a) disqualification of the prosecutor who personally verified the revocation petition, under the advocate-witness rule, because by attesting under oath to the contradicted allegation he made himself a necessary witness on the dispositive contested issue and may not also serve as the advocate on it (Ill. R. Prof. Conduct 3.7; *Kalina v. Fletcher*, 522 U.S. 118 (1997)); and (b) disqualification of the Lake County State's Attorney's Office, with appointment of an independent, out-of-county Special Prosecutor, given the structural conflict arising from the active federal civil rights litigation in Case No. 1:26-cv-06738 that names members of the office for the conduct charged here. (Grounds 3, 5, 6.)

**14. DECLARATION OF VOID AB INITIO PROCESS AND MANDATORY EXPUNGEMENT:** An Order declaring that the May 14, 2026 Petition for Revocation and the May 28, 2026 zero-bond warrant were procured through verified fraud on the tribunal (*Napue v. Illinois*) and are therefore void ab initio. Consequently, the Court directs the immediate, automatic sealing and expungement of the May 28, 2026 arrest record and warrant history from all Lake County and Illinois State Police databases, preventing its use in any future background adjudication.

**15. INJUNCTION AGAINST COLLECTION ACTIVITY:** An Order enjoining the Lake County Circuit Court Finance Division and any third-party collection agency acting on its behalf from accelerating, garnishing, or attempting to collect the \$1,400.00 Probation Service Fee that was formally suspended for indigency on November 10, 2025, or any other financial assessment in Case No. 23 CF 1146, pending the completion of a constitutionally adequate *Turner/Bearden* ability-to-pay hearing.

1           **16. COMPULSORY PRODUCTION OF E-FILING AUDIT LOGS:** An Order directing the Clerk  
2 of the Circuit Court to produce and file into the record the complete backend JTI/TylerTech audit logs,  
3 routing metadata, and administrative rejection codes generated in response to Petitioner's June 9, 2026,  
4 electronic filing attempt. This production is necessary to preserve the forensic record of the unconstitutional  
5 docket lockout executed against a pro se defendant facing a zero-bond warrant.

6           **17. ANY AND ALL FURTHER RELIEF** this Court finds just, equitable, and consistent with  
7 Petitioner's constitutional rights under the Illinois and United States Constitutions.

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**XVIII. VERIFICATION AND DECLARATION UNDER PENALTY OF PERJURY**

I, EHAB ALLABABIDI, being first duly sworn upon oath, state that I am the Petitioner in the above-captioned matter; that I have read the foregoing Petition; that the statements of fact contained herein are true and correct to the best of my knowledge and belief; that the documents attached as Exhibits A through X are true and accurate copies of the originals (the federal filings at Exhibits O through Q bearing the official CM/ECF stamps of the United States District Court); and that this Petition is not made for purposes of delay.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 and 735 ILCS 5/1-109 that the foregoing is true and correct.

**Respectfully submitted,**

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, Petitioner, *Pro Se*  
8516 W. Winona St., Chicago, IL 60656  
(773) 920-0030 | defcon5ready@gmail.com  
Dated: June 14, 2026

# EXHIBIT INDEX

## INDEX OF EXHIBITS A THROUGH X

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

Exhibit	Document Description	Grounds	Page Range
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Ex. B	Emergency Notice of Fraud on Court + Weeks Adjudications (May 28, 2026)	3, 6	Pages 36–38
Ex. C	Adison Weeks Prescription Verification & Compliance Letter (Dec. 8–10, 2025)	2, 3, 4	Pages 39–44
Ex. D	Notice of Special Appearance and Fraud on the Court	3, 6	Pages 45–51
Ex. E	Cervantes Memorandum (April 8, 2026)	5, 2	Pages 52–53
Ex. F	February 19, 2026 Memorialization & Identification Demand	5	Pages 54–56
Ex. G	Cervantes Post-Warrant “Turn Yourself In” Letter (May 29, 2026)	5	Pages 57–58
Ex. H	Urgent Legal Notice: Constitutionally Defective Warrant	2, 7	Pages 59–61
Ex. I	Faretta Invocation & Notice of Constructive Abandonment	9, 1	Pages 62–64
Ex. J	Formal Notice of Compulsory Federal Jurisdiction	6	Pages 65–67
Ex. K	ESI Quarantine Notice (18 U.S.C. § 1512(b))	6	Pages 68–70
Ex. L	Emergency Motion re: Retaliatory Incarceration (May 21, 2026)	6, 2	Pages 71–89
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Ex. N	Lake County Case Action Page (Official Portal Record, June 14, 2026)	All	Pages 92–96
Ex. O	Federal § 1983 Complaint — CM/ECF Doc. 1 (No. 1:26-cv-06738, filed 06/06/26)	3, 6, All	Pages 97–162
Ex. P	Federal Declaration of Ehab Allababidi — CM/ECF Doc. 8 (filed 06/10/26)	All	Pages 163–187
Ex. Q	Federal Evidentiary Dossier — CM/ECF Doc. 9 (filed 06/11/26)	2, 3, 6	Pages 188–254
Ex. R	[Proposed] Findings of Fact & Order to Quash Warrant (22 findings)	All	Pages 255–266
Ex. S	Lake County Portal Filing Receipt (Submitted June 12, 2026, 10:26 PM)	Jurisdiction	Pages 267–268
Ex. T	Mandatory Litigation Hold — Lake County (served May 22, 2026)	3, 6	Pages 269–277
Ex. U	SCOTUS Complete Filing Packet — IFP Motion + Cert Petition (filed Feb. 27, 2026)	1, 4, 11, 12	Pages 278–320
Ex. V	DeRosa Conduct Submission — Evidentiary Nexus on Prosecutorial Misconduct (June 15, 2026)	1, 3, 4, 7, 12	Pages 321–363
Ex. W	Supplemental Evidentiary Submission — Bad Faith Insurance Payout & Docket Record (June 15, 2026)	1, 4, 7, 8, 12	Pages 364–422
Ex. X	Emergency Application to the U.S. Supreme Court — Injunction Pending Appellate Review (Justice Barrett, June 10, 2026)	I, III, 8, 11, 13	Pages 423–495

# EXHIBIT A

## ZERO-BOND BENCH WARRANT OF ARREST

Issued May 28, 2026 — Courtroom T-611 — No hearing, no testimony, exculpatory evidence ignored

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Bench Warrant — Lake County Circuit Court, 19th Judicial Circuit	<b>Filed/Dated:</b>	Issued May 28, 2026; execution attempts June 6, 2026 (1:03 PM and 5:51 PM)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 2, 3, 8 — Void warrant; no probable cause; active as of June 14, 2026

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This warrant is the direct product of Shepherd's false sworn allegations. Both factual predicates are documentarily false (Grounds 2 and 3). It issued at a hearing at which Shepherd's office had been served with exculpatory evidence two hours prior<sup>1</sup>. No Gagnon-compliant hearing was held. No testimony was taken. No counsel was present. Under Franks v. Delaware, a warrant based on known false sworn statements must be voided. Under Coleman v. Alabama and Gagnon v. Scarpelli, the hearing that produced it was constitutionally defective. This warrant must be immediately vacated.*

### KEY CONTENTS:

- Zero-bond: immediate custodial incarceration upon any law enforcement contact
- Based on two sworn allegations both of which are documentarily false
- Issued May 28, 2026 at 9:00 AM; exculpatory notice received 7:00 AM same day
- Execution attempts June 6, 2026 — one day after federal habeas deadline expired
- Active as of June 14, 2026



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

THE PEOPLE OF THE STATE OF ILLINOIS

CASE  
NUMBER(S)

23CF00001146

VS.

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

**WARRANT OF ARREST - VIOLATION**

To all Peace Officers of the State of Illinois:

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

AGG RECKLESS DRVG/BODILY HARMSPEEDING 35+ MPH OVER LIMIT

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

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



JUDGE

PD APPOINTED  
ARRESTING  
AGENCY:  
Lincolnshire



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

Last Name	First	Middle		
Street, RR, Box No.				
City	State			
Charge/Code	D.O.W.			
Sex	Race	D.O.B	Ht.	Wt.
Hair	Eyes	D.L.#		

(In) Book                      Tube                      Date                      By

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(Out) Book                      Tube                      Date                      By

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IN LEADS                      Date

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IN NCIC                      Date

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Cancelled Date    By

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State of Illinois )  
County of Lake ) SS.

I have duly executed the within writ by reading the same to and arresting the within  
named \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ .M, as I am herein commanded \_\_\_\_\_  
Sheriff By \_\_\_\_\_

Fee \$ \_\_\_\_\_

# EXHIBIT B

## EMERGENCY NOTICE OF FRAUD ON THE COURT

Served May 28, 2026 at 7:00 AM — two hours before warrant hearing — attaches Weeks adjudication

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Email emergency notice to Circuit Court Clerk, Shepherd, SA Office, DOJ	<b>Filed/Dated:</b>	May 28, 2026 at 7:00 AM (two hours before 9:00 AM hearing)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 3, 6 — Shepherd on actual notice of exculpatory evidence before warrant issued

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This document was served on all parties including ASA Shepherd at nshepherd@lakecountyil.gov two hours before the warrant hearing. It attached the December 8 and December 10, 2025 Adison Weeks adjudication emails proving the drug test was adjudicated compliant by the State's own probation officer. Shepherd received this document, took no action to continue or vacate the hearing, made no response, and the zero-bond warrant issued. A prosecutor who receives Brady material two hours before a warrant hearing and allows the warrant to issue anyway has made a knowing decision to proceed on false allegations. This establishes both the Napue violation (knowing use of false evidence) and the retaliatory motive (warrant served its purpose regardless of the merits).*

### KEY CONTENTS:

- Served directly to nshepherd@lakecountyil.gov two hours before hearing
- Attaches Weeks Dec. 8 adjudication: results “all negative”
- Attaches Weeks Dec. 10 adjudication: drug test “it is all negative in my eyes” due to Adderall Rx
- Invokes Brady v. Maryland, Napue v. Illinois, and Franks v. Delaware
- No response, no continuance, no acknowledgment from Shepherd — warrant issued



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

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**EMERGENCY SPECIAL APPEARANCE (COURTROOM T-611): Notice of Fraud on the Court, Napue Perjury, and Pending Seventh Circuit Injunction (Case 23 CF 1146)**

1 message

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**Ehab Hilfiger** <defcon5ready@gmail.com>

Thu, May 28, 2026 at 7:00 AM

To: Circuit Clerk &lt;CircuitClerk@lakecountyil.gov&gt;, courts@lakecountyil.gov, Lake County State's Attorney &lt;statesattorney@lakecountyil.gov&gt;, nshepherd@lakecountyil.gov

Cc: "Destiny Lee (Adult Probation)" &lt;destiny.lee@cookcountyil.gov&gt;, "Matthew T. Junkin" &lt;mjunkin@lakecountyil.gov&gt;, pin@usdoj.gov

**URGENT: MANDATORY ROUTING TO THE HONORABLE CHRISTOPHER STRIDE (COURTROOM T-611)**

To the Clerk of the Circuit Court, ASA Nicholas Shepherd, and the Presiding Judge:

This communication constitutes an Emergency Special Appearance and formal Notice of Fraud on the Court regarding the 9:00 AM Arraignment scheduled today, May 28, 2026, in Case No. 23 CF 1146. The Petition for Revocation of Probation submitted by Assistant State's Attorney Nicholas Shepherd contains objective, verified prosecutorial perjury. The State is requesting a bench warrant based on a fabricated allegation of an "illegal amphetamine substance" for a November 10, 2025 test. Attached hereto is the written, documentary proof from Cook County Adult Probation Officer Adison Weeks, dated December 8 and 10, 2025, officially adjudicating this test as compliant and verifying it as a lawful Adderall prescription.

ASA Shepherd's suppression of this exculpatory evidence and subsequent presentation of false material facts to this Court constitutes a textbook violation of *Napue v. Illinois*, 360 U.S. 264 (1959), and operates as a fraud upon this tribunal.

Furthermore, this Court is formally notified of the following jurisdictional conflicts:

1. **Federal Appellate Invocation:** Emergency Rule 8 Injunction and Mandamus proceedings have been initiated in the Seventh Circuit Court of Appeals to stay this exact 9:00 AM proceeding due to its retaliatory sequencing eight days prior to a federal habeas deadline (N.D. Ill. Case No. 1:26-cv-01077).
2. **Federal District Court Confirmation:** On May 27, 2026, the Courtroom Deputy for the Honorable John Robert Blakey formally confirmed on the federal record that an Article III order regarding this exact arraignment is currently being drafted.
3. **Civil RICO Evidence Spoliation:** The execution of a custodial warrant today operates as an overt act of witness tampering (18 U.S.C. § 1512(b)) designed to permanently sever Petitioner's access to the digital infrastructure utilized in active Civil RICO litigation (N.D. Ill. Case No. 1:25-cv-15800). Formal Litigation Holds and ESI Quarantines have been served on the State.

**RELIEF DEMANDED:** If this Court issues a bench warrant at 9:00 AM based on a prosecuting instrument infected by a documented *Napue* perjury violation, while a coordinate Article III tribunal is actively drafting an injunction, this Court transitions from a neutral arbiter to an active participant in a federal witness tampering conspiracy.

Petitioner demands an immediate stay of the 9:00 AM arraignment, the striking of the fraudulent Petition for Revocation, and the immediate preservation of all state routing metadata. The formal Notice of Special Appearance and the verified federal evidentiary exhibits are attached.

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

--

**Ehab Allababidi**

Personal Signature

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

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**5 attachments****NOTICE\_OF\_SPECIAL\_APPEARANCE\_AND\_FRAUD\_ON\_THE\_COURT.pdf**

44K

**DKT16.pdf**

20139K

**EMERGENCY\_PETITION\_WRIT\_MANDAMUS\_05272026.pdf**

55K

**AG\_LITIGATION\_HOLD\_DOERSCH\_05232026.pdf**

76K

**LITIGATION\_HOLD\_LAKE\_COUNTY\_05222026.pdf**

58K

# EXHIBIT C

## ADISON WEEKS PRESCRIPTION VERIFICATION & COMPLIANCE LETTER

Cook County Adult Probation — December 8 & 10, 2025 — drug test formally cleared

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Email — Cook County Adult Probation Dept., official platform, issued by supervising officer	<b>Filed/Dated:</b>	December 8, 2025 (confirmation) and December 10, 2025 (formal adjudication)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 2, 3, 4 — Core exculpatory document; directly disproves Shepherd's sworn drug allegation

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This is the single most important document in this petition. It is the State's own formal written adjudication of the November 20, 2025 drug test result by the officer who personally supervised Petitioner at the time of the test. Officer Adison Weeks wrote on December 10, 2025: "Your drug test results were positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall." This adjudication was issued five months before Shepherd swore under oath that the same test was positive for an 'illegal substance.' Brady, Napue, and Franks all independently require dismissal based on this document alone.*

### KEY CONTENTS:

- December 8, 2025: Officer Weeks "results were all negative"
- December 10, 2025: formal adjudication — test is compliant, Adderall Rx documented
- Issued on official Cook County Adult Probation platform by supervising officer
- Filed 5 months before Shepherd's petition — in State's constructive possession
- Directly disproves "Amphetamine (illegal substance)" allegation



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

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**Re: Prescription Verification & Compliance Letter**

1 message

**Adison Weeks (Adult Probation)** <Adison.Weeks@cookcountyil.gov>

Wed, Dec 10, 2025 at 10:32 PM

To: Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

Thanks so much!!

Adison Weeks, Officer  
Cook County Adult Probation Department[2121 Euclid Ave](#)

Rolling Meadows, Illinois 60008

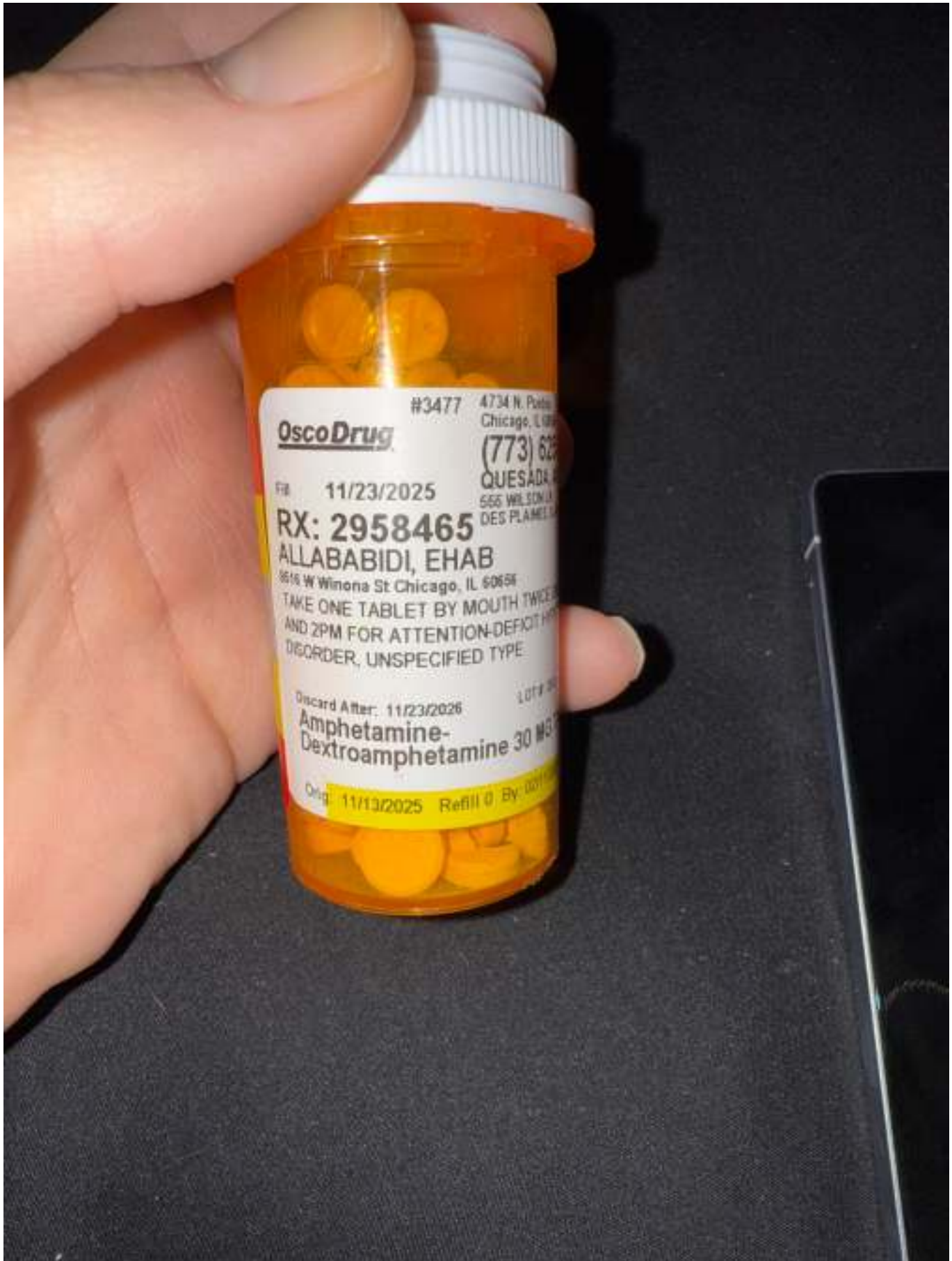
Office: (847)818-2360

[adison.weeks@cookcountyil.gov](mailto:adison.weeks@cookcountyil.gov)*adison b. weeks*

---

**From:** Ehab Hilfiger <defcon5ready@gmail.com>**Sent:** Wednesday, December 10, 2025 1:40 PM**To:** Adison Weeks (Adult Probation) <Adison.Weeks@cookcountyil.gov>**Subject:** Re: Prescription Verification & Compliance Letter**External Message Disclaimer**

This message originated from an external source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.



Hi! Here you go ms Adison.

On Wed, Dec 10, 2025 at 12:37 PM Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)> wrote:

Hey Ehab,

Do you mind still please sending me a picture of your updated Adderall prescription? I know you are still being prescribed it, but I just want to avoid anyone giving you a hard time for taking it. Your drug test results were positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall. I just want to avoid anyone who sees this result though giving you a hard time for future reference.

Thank you!

Best Regards,

Adison Weeks, Standard Caseload Officer

Cook County Adult Probation Department

2121 Euclid Ave

Rolling Meadows, Illinois 60008

Office: (847)818-2360

[adison.weeks@cookcountyil.gov](mailto:adison.weeks@cookcountyil.gov)

*adison b. weeks*



---

**From:** Ehab Hilfiger <[defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)>

**Sent:** Monday, December 8, 2025 5:04 PM

**To:** Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)>

**Subject:** Re: Prescription Verification & Compliance Letter

**External Message Disclaimer**

This message originated from an external source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Re: Prescription Verification & Compliance Letter

Hi Adison,

Thank you so much for handling everything so quickly, I really appreciate it. I'll be there on Tuesday, December 23rd at 9 AM in person without fail.

I'll also keep you updated on the Lake matter.

Thanks again for all your help and communication.

Best regards,

Ehab Allababidi

On Mon, Dec 8, 2025 at 12:14 PM Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)> wrote:

Hi Ehab,

Great! I was literally just about to send you an email just going over what I sent you in the voicemail just now—I know Dr. Quesada also writes and adds the current verified prescriptions you are taking in his updated letters for your case as well—I greatly appreciate you getting back to me so quickly though Ehab, thank you for following up with me!

Good luck in court, please keep me updated and in the loop of things on what they say in Lake.

**Just a reminder as well, your next report will be on Tuesday, December 23<sup>rd</sup> @ 9 AM in person.** You will NOT have to drug test this time, since your drug test results were all negative. Once your Cook case terminates on 12/16 as well, we will discuss moving forward and you being assigned a different officer.

In the meantime, I hope you have a good week now, and I appreciate it once again you getting back to me so fast.

Best Regards,

Adison Weeks, Standard Caseload Officer

Cook County Adult Probation Department

[2121 Euclid Ave](#)

[Rolling Meadows, Illinois 60008](#)

Office: (847)818-2360

[adison.weeks@cookcountyil.gov](mailto:adison.weeks@cookcountyil.gov)

*adison b. weeks*



---

**From:** Ehab Hilfiger <[defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)>

**Sent:** Monday, December 8, 2025 12:02 PM

**To:** Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)>

**Subject:** Prescription Verification & Compliance Letter

**External Message Disclaimer**

This message originated from an external source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Officer Weeks,

I'm sorry I couldn't answer your call - I am currently at the lake county courthouse. I received your voicemail. I'll send you a photo of my updated prescription today, and I've emailed my doctor to send you a standard letter of compliance as soon as possible.

Please let me know if you need anything else.

Sincerely,

Ehab Allababidi

# EXHIBIT D

## NOTICE OF SPECIAL APPEARANCE AND FRAUD ON THE COURT

*Formal pro se submission invoking Napue, Brady, and Franks — served on all parties*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Pro se formal notice — Lake County Circuit Court, all parties served	<b>Filed/Dated:</b>	Filed prior to warrant issuance; served on court and all parties
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 3, 6 — Establishes court and Shepherd’s actual notice of fraud allegations

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This formal Notice of Special Appearance placed the Circuit Court and all parties on official notice that the Petition for Revocation contained fraud upon the tribunal under Napue v. Illinois and Brady v. Maryland. It constitutes Petitioner’s formal objection to the proceeding on constitutional grounds, preserving all issues for appeal and post-conviction review. The court’s failure to address this notice before issuing the warrant is an independent due process violation.*

### KEY CONTENTS:

- Formal invocation of Napue, Brady, and Franks v. Delaware
- Special appearance under Faretta right — not a general appearance
- Served on court, Shepherd, SA Office, and all parties
- Preserves all constitutional issues for post-conviction and appellate review

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

**PEOPLE OF THE STATE OF ILLINOIS,**

*Plaintiff,*

v.

**EHAB ALLABABIDI,**

*Defendant, Pro Se.*

Case No.: **23 CF 1146**

Judge: *Hon. Christopher Stride*

Courtroom: *T-611*

**CRIMINAL DIVISION**

*Probation Revocation Proceeding*

**NOTICE OF SPECIAL APPEARANCE AND  
FRAUD ON THE COURT**

*Defendant, Pro Se, Appears Specially to Challenge This Court's  
Jurisdiction Based on Documented Prosecutorial Perjury,  
Forensic Spoliation of Notice, and Pending Federal Injunctive Proceedings*

**DATE:** May 28, 2026

**TO:** The Honorable Christopher Stride  
Circuit Court Judge, Courtroom T-611  
19th Judicial Circuit, Lake County, Illinois  
18 N. County St., Waukegan, IL 60085

**Via:** Circuit Clerk / Courts Administration Routing

**RE:** Emergency Special Appearance and Formal Notice of Fraud on the Court  
Regarding the May 28, 2026, 9:00 AM Arraignment  
in Case No. 23 CF 1146

**I. PRELIMINARY STATEMENT AND NATURE OF THIS FILING**

Defendant Ehab Allababidi, appearing *pro se* and specially in the above-captioned matter, files this formal **Notice of Special Appearance and Fraud on the Court** pursuant to Illinois Supreme Court Rule 101(d), 735 ILCS 5/2-301, and the inherent power of this Court to protect itself from fraudulent proceedings. This filing constitutes a formal, verified pleading intended to place the Court on actual record notice of the following irreducible facts:

This Notice is not an email. It is a formal, verified court filing submitted under penalty of perjury, served upon the Clerk of the Circuit Court, ASA Nicholas Shepherd, and the Presiding Judge of Courtroom T-611. It establishes the evidentiary record precluding any claim that Defendant's objections were not properly filed.

Defendant appears specially solely for the purpose of challenging this Court's jurisdiction over the May 28, 2026 arraignment proceeding. This special appearance does not waive any jurisdictional, procedural, or constitutional defenses, including but not limited to objections to personal jurisdiction, subject matter jurisdiction, the sufficiency of process, and the existence of pending coordinate federal

proceedings that divest this state tribunal of jurisdiction to proceed with a retaliatory custodial incarceration.

The grounds for this special appearance and the accompanying notice of fraud upon the Court are as follows:

## **II. DOCUMENTED NAPUE PERJURY — THE FABRICATED AMPHETAMINE ALLEGATION**

The Petition for Revocation of Probation submitted by Assistant State’s Attorney Nicholas Shepherd contains objective, verified prosecutorial perjury. The State is requesting a bench warrant based on a fabricated allegation of an “**illegal amphetamine substance**” for a November 10, 2025 drug test.

Attached hereto and incorporated by reference is the written, documentary proof from Cook County Adult Probation Officer Adison Weeks, dated December 8 and December 10, 2025, officially adjudicating this test as compliant and verifying it as a lawfully prescribed Adderall prescription. On December 8, 2025, Officer Weeks confirmed in writing that Defendant’s “drug test results were all negative.” On December 10, 2025, Officer Weeks confirmed: “the dip stick might have resulted in a false positive — it is all negative in my eyes because I know you are still taking the Adderall.”

ASA Shepherd’s suppression of this exculpatory evidence and subsequent presentation of false material facts to this Court constitutes a textbook violation of *Napue v. Illinois*, 360 U.S. 264, 269 (1959), and operates as a fraud upon this tribunal. Under the doctrine of *falsus in uno, falsus in omnibus*, the verified perjury in the Petition instantly delegitimizes the entirety of the charging instrument. Because the Petition is infected by a documented *Napue* violation, the State has forfeited the Presumption of Regularity. *United States v. Chemical Foundation, Inc.*, 272 U.S. 1, 14-15 (1926).

Furthermore, the November 10, 2025 drug test was administered under the jurisdiction of Cook County Adult Probation. Cook County officially adjudicated that test, verified the lawful prescription, and closed the compliance inquiry on December 10, 2025. The State’s attempt to re-litigate a test result that a coordinate agency of the State of Illinois already resolved in Defendant’s favor is barred by the doctrine of collateral estoppel. *Ashe v. Swenson*, 397 U.S. 436, 443 (1970).

## **III. FORMAL NOTICE OF PENDING FEDERAL JURISDICTIONAL PROCEEDINGS**

This Court is formally notified of the following jurisdictional conflicts that preclude the May 28, 2026 arraignment:

---

1  
2 **A.Federal Appellate Invocation.** Emergency Rule 8 Injunction and Mandamus proceedings have been  
3 initiated in the United States Court of Appeals for the Seventh Circuit to stay this exact 9:00 AM  
4 proceeding due to its retaliatory sequencing eight days prior to a federal habeas deadline. (N.D. Ill.  
5 Case No. [1:26-cv-01077](#))

6 **B.Federal District Court Confirmation.** On May 27, 2026, the Courtroom Deputy for the Honorable  
7 John Robert Blakey formally confirmed on the federal record that an Article III order regarding this  
8 exact arraignment is currently being drafted. This Court is on actual notice that a coordinate Article III  
9 tribunal is actively exercising its jurisdiction to issue an injunction concerning the very proceeding  
10 scheduled for 9:00 AM today.

11 **C.Civil RICO Evidence Spoliation.** The execution of a custodial warrant today operates as an overt  
12 act of witness tampering under 18 U.S.C. § 1512(b), designed to permanently sever Defendant’s access  
13 to the digital infrastructure utilized in active Civil RICO litigation (N.D. Ill. Case No. [1:25-cv-15800](#)).  
14 Formal Litigation Holds and ESI Quarantines have been served on the State.

#### 14 **IV. THE FORENSIC SPOILIATION OF NOTICE — THE MEMORIAL DAY TRAP**

15 The State’s bad faith is mathematically proven by its deliberate, forensic spoliation of Defendant’s  
16 response time, utilizing transit delays to execute a “Holiday Compression Trap.”

17 The Petition for Revocation and Notice of Arraignment were drafted, signed, and notarized on  
18 Thursday, May 14, 2026. However, the physical envelope containing the summons demonstrates active  
19 temporal sabotage: the State’s internal Pitney Bowes postage meter (ZIP 60085) did not stamp the  
20 envelope until Friday, May 15, 2026. The State subsequently withheld the envelope such that it did not  
21 enter the USPS Carol Stream processing facility until Monday, May 18, 2026, at 4:00 PM.

22 In a 14-day procedural window between the filing (May 14) and the threatened incarceration (May 28),  
23 the State intentionally consumed exactly 50% of the timeline in transit. Furthermore, because Monday,  
24 May 25, 2026, is Memorial Day (a federal and state holiday), the 7-day transit delay successfully  
25 compressed Defendant’s operational window to seek federal injunctive relief to exactly **three business**  
26 **days** (May 22, May 26, May 27). This is not administrative inefficiency; it is a mathematically  
27 engineered timeline designed to guarantee a jurisdictional default before the June 5 federal deadline.

#### 27 **V. RELIEF DEMANDED**

28 WHEREFORE, Defendant respectfully demands:

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2  
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(1) An immediate stay of the 9:00 AM arraignment scheduled before this Court on May 28, 2026, pending resolution of the coordinate federal injunctive proceedings in the United States District Court for the Northern District of Illinois (Case No. 1:26-cv-01077) and the Seventh Circuit Court of Appeals;

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(2) The striking of the fraudulent Petition for Revocation of Probation filed by ASA Nicholas Shepherd on May 14, 2026, as it is infected by a documented *Napue* perjury violation and operates as a fraud upon this tribunal;

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(3) The immediate preservation of all state routing metadata, including Pitney Bowes digital meter batch logs, internal mailroom chain-of-custody ledgers, and any supervisory authorization records governing the hold-and-release protocol for the May 14–18, 2026, mail processing window;

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(4) A finding that this Court lacks jurisdiction to proceed with the May 28, 2026 arraignment because: (a) the charging instrument is void as a product of documented fraud upon the court; (b) a coordinate Article III tribunal is actively drafting an injunction concerning this exact proceeding; and (c) the proceeding constitutes an overt act of witness tampering under 18 U.S.C. § 1512(b);

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(5) If this Court issues a bench warrant at 9:00 AM based on a prosecuting instrument infected by a documented *Napue* perjury violation, while a coordinate Article III tribunal is actively drafting an injunction, this Court transitions from a neutral arbiter to an active participant in a federal witness tampering conspiracy, and Defendant reserves all rights to seek immediate mandamus relief and to file a verified complaint with the Illinois Judicial Inquiry Board; and

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23  
(6) Such other and further relief as the interests of justice require.

### **VERIFICATION UNDER PENALTY OF PERJURY**

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I, EHAB ALLABABIDI (DOB: September 24, 1996), declare under penalty of perjury under the laws of the State of Illinois and the United States of America pursuant to 735 ILCS 5/1-109 and 28 U.S.C. § 1746 that the following facts are true and correct based on my personal knowledge:

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1. I am the Defendant in the above-captioned matter, *People of the State of Illinois v. Ehab Allababidi*, Case No. 23 CF 1146, pending before the Honorable Christopher Stride in Courtroom T-611 of the 19th Judicial Circuit, Lake County, Illinois.

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2. I appear specially in this matter solely for the purpose of challenging this Court’s jurisdiction. This special appearance does not waive any jurisdictional, procedural, or constitutional defense.

3. On or about May 21, 2026, I received a copy of the Petition for Revocation of Probation filed by ASA Nicholas Shepherd on May 14, 2026. The Petition alleges, inter alia, that I tested “positive for Amphetamine (illegal substance)” on or about November 10, 2025. This allegation is false.

4. On December 8, 2025, Cook County Adult Probation Officer Adison Weeks confirmed in writing that my drug test results were “all negative.” On December 10, 2025, Officer Weeks confirmed that any positive result was attributable to a lawfully prescribed Adderall prescription and stated: “it is all negative in my eyes because I know you are still taking the Adderall.” A true and correct copy of this written confirmation is in my possession and has been filed in the coordinate federal proceedings.

5. On May 27, 2026, I was informed by the Courtroom Deputy for the Honorable John Robert Blakey in the United States District Court for the Northern District of Illinois, Eastern Division, that an Article III order regarding this exact May 28, 2026 arraignment is currently being drafted. Emergency Rule 8 Injunction and Mandamus proceedings have been initiated in the Seventh Circuit Court of Appeals.

6. The signature block of ASA Nicholas Shepherd on the May 14, 2026 Petition for Revocation contains no phone number, no email address, and no office extension, in violation of Illinois Supreme Court Rule 131(b).

7. The envelope containing the summons bears a Pitney Bowes postage meter stamp dated May 15, 2026, one day after the notarization date of May 14, 2026, and did not enter USPS processing until May 18, 2026. This deliberate delay compressed my 14-day procedural window to three business days over the Memorial Day holiday.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 28, 2026 in Chicago, Illinois.

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, *Pro Se* Defendant

8516 W. Winona St., Chicago, IL 60656

(773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)

Dated: May 28, 2026

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2 **CERTIFICATE OF SERVICE**

3 I, EHAB ALLABABIDI, certify under penalty of perjury that on the 28th day of May, 2026, I caused  
4 the foregoing NOTICE OF SPECIAL APPEARANCE AND FRAUD ON THE COURT to be served  
5 via electronic mail (email) upon the following recipients at the email addresses indicated below.  
6 Electronic service is effective under Illinois Supreme Court Rule 11(b)(6) and Fed. R. Civ. P.  
7 5(b)(2)(E). No physical or mailed service was made.

8 **TO:** Circuit Clerk Administration  
9 **Email:** [CircuitClerk@lakecountyil.gov](mailto:CircuitClerk@lakecountyil.gov)

10 **TO:** General Courts Routing  
11 **Email:** [courts@lakecountyil.gov](mailto:courts@lakecountyil.gov)

12 **TO:** Lake County State's Attorney's Office  
13 **Email:** [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov)

14 **TO:** ASA Nicholas Shepherd  
15 Lake County State's Attorney's Office  
16 **Email:** [nshepherd@lakecountyil.gov](mailto:nshepherd@lakecountyil.gov)

17 **CC:** Matthew T. Junkin, Director  
18 Lake County Adult Probation Department  
19 **Email:** [mjunkin@lakecountyil.gov](mailto:mjunkin@lakecountyil.gov)

20 **CC:** Officer Destiny Lee  
21 Cook County Adult Probation Department  
22 **Email:** [destiny.lee@cookcountyil.gov](mailto:destiny.lee@cookcountyil.gov)

23 **CC:** United States Department of Justice  
24 Public Integrity Section  
25 **Email:** [pin@usdoj.gov](mailto:pin@usdoj.gov)

26  
27 This Notice is served via electronic mail because the Lake County Circuit Clerk does not maintain an  
28 electronic filing portal accessible to pro se litigants in criminal cases, and because the urgency of the  
proceeding demands immediate delivery. Electronic service is proper under Ill. Sup. Ct. R. 11(b)(6)  
where personal service is impractical due to the exigent circumstances. A copy of this filing is also  
being transmitted to the N.D. Illinois CM/ECF system in Case No. 1:26-cv-01077 as a supplemental  
exhibit in the pending federal habeas corpus proceeding.

/s/ Ehab Allababidi

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EHAB ALLABABIDI, *Pro Se*

Defendant

Dated: May 28, 2026

# EXHIBIT E

## CERVANTES MEMORANDUM

April 8, 2026 — petition predicate by identity-concealing officer — Weeks adjudication omitted

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Internal memorandum — Lake County Adult Probation Services, to SA Office	<b>Filed/Dated:</b>	April 8, 2026 (48 days into Cervantes’s 100-day anonymity period)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Ground 5 — All charges in petition traced to memorandum by anonymous officer

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This memorandum is the sole predicate document for the May 14, 2026 Petition for Revocation. It was authored by Marisa Cervantes on April 8, 2026 — 48 days into her 100-day identity-concealment period. The memorandum charged the November 20, 2025 drug test without disclosing Officer Weeks’s December 10, 2025 exculpatory adjudication, and charged all five failure-to-report dates without disclosing that each arose during the anonymity period. Shepherd accepted this memorandum and signed a sworn petition based on it without investigating either omission.*

### KEY CONTENTS:

- Charges drug test positive amphetamine — omits Weeks December 2025 adjudication
- Charges 5× failure to report: 2/19, 2/27, 3/10, 3/11, 3/26/2026 — all within anonymity window
- Filed 48 days into 100-day period during which Cervantes concealed her identity
- No disclosure of February 19 identification demand or Weeks exculpatory adjudication

# ADMINISTRATIVE OFFICE OF THE NINETEENTH JUDICIAL CIRCUIT

**FILED**

LETA-1006-111814

Erin Cartwright  
Clerk of the Court  
Lake County, Illinois

Lake County, Illinois

## Division of Adult Probation Services

215 West Water Street  
Waukegan, IL 60085-5616  
Phone: (847) 377-4504  
Fax: (847)984-5790

### MEMORANDUM

TO: STATE'S ATTORNEY, LAKE COUNTY, IL  
ATTENTION: Ben Dillon COURT RM: T-611  
RE: EHAB ALLABABIDI  
ADDRESS: 8516 W Winona St, Chicago, IL 60656  
FROM: MARISA CERVANTES, Probation Officer  
DATE: 04/08/2026  
CASE #: 23CF00001146

THE ABOVE REFERENCED WAS PLACED ON 30 MONTHS Probation by Judge CHRISTOPHER R. STRIDE on 09/08/2025 for AGG RECKLESS DRVG/BODILY HARM IN VIOLATION OF AFORESAID ORDER, TO WIT, PARAGRAPH(S) 2, 4, 12, 19, & 23 AS FOLLOWS:

2. Defendant is assessed \$2,531.00 in court cost and fees. The defendant has an outstanding balance of \$1,131.00.

4. Defendant tested positive for Amphetamines on 11/20/25. Defendant has not provided an updated prescription.

12. Defendant failed to report to probation on the following dates: 02/19/26, 02/27/26, 03/10/26, 03/11/26 & 03/26/26.

19. Defendant failed to complete 240 public service hours.

23. Defendant failed to complete the victim impact panel.

RECOMMENDATION:  REQUEST THAT PETITION BE FILED  
 Request hearing to determine status of case with Court  
 Take no action  
 Other/Comments: \_\_\_

COPY: Judge  
Defense Attorney  
Probation File

OFFICER: MARISA CERVANTES PHONE: (847)377-3614

Approved By: LORI CARRIER

AOC-3-36-18-R-0399

# EXHIBIT F

## FEBRUARY 19, 2026 MEMORIALIZATION & IDENTIFICATION DEMAND

Officer-initiated 3:00 PM call memorialized same day — demand for identification + March 10 compliance window

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Email — formal memorialization served on the Director, SA Office, and Circuit Court Clerk	<b>Filed/Dated:</b>	February 19, 2026 (identical date as Cervantes’s first anonymous call)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Ground 5 — Anonymity period start + proof the officer initiated the Feb. 19 contact

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This is the contemporaneous, same-day record of Officer Cervantes’s first contact. It memorializes that on February 19, 2026 at approximately 3:00 PM Petitioner RECEIVED a call from the newly assigned officer who refused to identify herself; that her “command” to appear was downgraded on the record to “if you are able to make it here ... I would appreciate it”; and that Petitioner formally demanded her identity and offered a March 10 remote compliance window (12:00 PM–4:00 PM). It is the smoking gun for Ground Five: the officer placed the February 19 call herself, then charged February 19 as a “failure to report.” A probationer cannot fail to report on a day the officer telephoned him. No identification was provided for 100 days.*

### KEY CONTENTS:

- Officer placed the February 19, 2026 3:00 PM call — Petitioner received it
- Directive downgraded to “if you are able to make it ... I would appreciate it”
- Formal demand for the officer’s identity; offered March 10 compliance window (12–4 PM)
- Directly refutes the February 19 and March 10 “failure-to-report” charges



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

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**FORMAL MEMORIALIZATION OF 3:00 PM TELEPHONIC DIRECTIVE & BINDING SCHEDULING PARAMETERS: March 10 Remote Reporting**

1 message

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**Ehab Hilfiger** <defcon5ready@gmail.com>

Thu, Feb 19, 2026 at 10:59 PM

To: "Matthew T. Junkin" &lt;mjunkin@lakecountyiil.gov&gt;, "Destiny Lee (Adult Probation)" &lt;destiny.lee@cookcountyiil.gov&gt;

Cc: Lake County State's Attorney &lt;statesattorney@lakecountyiil.gov&gt;, Circuit Clerk &lt;circuitclerk@lakecountyiil.gov&gt;

**To Officer Junkin and the Newly Assigned Probation Officer:**

This correspondence formally memorializes the telephone call I received today at approximately 3:00 PM from the newly assigned probation officer. Because her identity and direct contact information were not clearly established during the call, Director Junkin is formally requested to forward this communication to her immediately and instruct her to utilize this direct email address for all future correspondence to ensure the unassailable integrity of the record.

**I. Memorialization of Revised Directive (The 3:00 PM Call)** During today's 3:00 PM telephonic communication, the newly assigned officer initially attempted to "command" an in-person appearance for March 10, 2026. However, upon my explicit request that she clarify her legal definition of "command" for the record, she formally revised and downgraded her instruction, stating: "Well, if you are able to make it here on March 10, 2026, I would appreciate it."

Consistent with prior memorializations on the record, I am legally and physically unable to be present on March 10. As established below, I am operating under a compulsory federal mandate, my physical transport remains disabled by documented sabotage (Predicate Act 6), and a government-certified Endangerment Finding (Case No. 1:25-cv-15786) precludes the use of public transit.

**II. Compulsory Federal Mandate & Jurisdictional Supremacy** Pursuant to a binding Minute Order issued by the United States District Court for the Northern District of Illinois in *Allababidi v. Advocate Health and Hospitals Corporation et al.*, I am under a compulsory judicial mandate to appear telephonically before the Honorable Jorge L. Alonso on March 10, 2026, at 9:30 a.m..

As a matter of law, federal jurisdiction and its accompanying judicial mandates strictly supersede concurrent state-level administrative check-ins. Consequently, my communications infrastructure must and will be exclusively dedicated to the United States District Court from 9:00 AM until 11:30 AM CST (the "Federal Blockout Window"). I am legally precluded from receiving or engaging in probation communications during this interval.

**III. Establishment of Constructive Compliance Window** It is my intention to ensure full and proactive compliance with all supervisory requirements without running afoul of a federal tribunal. Because I am unable to fulfill the discretionary request for an in-person visit on that date, I am formally accommodating the remote check-in requirement by making myself fully available for a telephonic or secure video conference on March 10, 2026, at any point between **12:00 PM (Noon) and 4:00 PM CST**.

This four-hour window provides the Probation Department with ample administrative flexibility to execute its duties without infringing upon federal jurisdiction.

**IV. Preservation of the Record** This notice is provided to ensure the Probation Department operates with actual, documented knowledge of the federal mandate. I have concurrently served notice of this conflict upon the Lake County Circuit Clerk and the State's Attorney regarding the concurrent 9:00 AM state court motion call.

Should the Probation Department attempt to initiate contact during the expressly delineated Federal Blockout Window, such action will be formally documented as an administrative nullity. Any subsequent effort by the state to characterize an unanswered call during this federal proceeding as a "failure to report" or a violation of supervision will not stand as a valid procedural default. Rather, it will be immediately submitted to the presiding federal judge as *prima facie* evidence of state interference with a federal tribunal and an arbitrary deprivation of liberty under color of law (18 U.S.C. § 1512).

**V. Conclusion** This communication constitutes affirmative and active compliance with my supervision obligations. The

administrative burden now rests with the Probation Department to select a reporting time within the provided 12:00 PM to 4:00 PM window.

Please confirm receipt of this notice and have the assigned officer reply directly to this email to provide the selected time for the remote check-in.

Respectfully submitted,

**Ehab Allababidi** Plaintiff, *Pro Se* (Case No. 1:25-cv-15800) Defendant (Lake County Case No. 23 CF 1146)

(Enclosures: Federal Minute Order)

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**Ehab Allababidi**

Personal Signature

**Phone:** 773-920-0030

**Email:** [defcon5ready@gmail.com](mailto: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.



**Gmail - Activity in Case 1\_25-cv-15800 Allababidi v. Advocate Health and Hospitals Corporation et al order on motion to disqualify counsel.pdf**

76K

# EXHIBIT G

## CERVANTES POST-WARRANT “TURN YOURSELF IN” LETTER

May 29, 2026 — first and only direct communication, sent the day AFTER the warrant issued

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Letter — Lake County Adult Probation / Court Services	<b>Filed/Dated:</b>	May 29, 2026 (one day after the May 28 warrant; 100 days after first contact)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Ground 5 — Officer surfaced only after the warrant, to induce surrender

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*After concealing her identity and contact information for 100 days, Officer Cervantes’s first and only direct written communication to Petitioner arrived on May 29, 2026 — the day after the zero-bond warrant issued — urging him to “turn yourself in to the Lake County Jail” and, for the first time, providing her name, phone, and email. The timing demonstrates the communication was not supervision; it was an instrument of the custodial extraction. It corroborates that the entire ‘failure-to-report’ predicate was manufactured during a period in which the officer made herself unreachable.*

### KEY CONTENTS:

- First and only direct communication — sent the day AFTER the warrant
- Urges Petitioner to “turn yourself in to the Lake County Jail”
- Reveals her name/phone/email only after 100 days of concealment
- Confirms the manufactured nature of the failure-to-report charges

# ADMINISTRATIVE OFFICE OF THE NINETEENTH JUDICIAL CIRCUIT



Lake County, Illinois

LAKE COUNTY COURT SERVICES  
215 West Water Street  
Waukegan, IL 60085-5616

Fax: 847.360.3640

May 29, 2026

People vs. ALLABABIDI

23CF00001146

Dear EHAB ALLABABIDI:

You failed to appear in court on 5/28/2026 and a warrant was issued for your arrest.

I encourage you to turn yourself in to the Lake County Jail to resolve this warrant immediately. If you do not attempt to resolve this warrant, upon interaction with law enforcement in any capacity, you may be arrested on the outstanding warrant(s). Again, I strongly encourage you to resolve this warrant at the earliest opportunity and to not delay your responsibility to your court order any further.

Please contact me with any questions at (847)377-3614 or [mcervantes@lakecountyil.gov](mailto:mcervantes@lakecountyil.gov)

Sincerely,

A handwritten signature in black ink, appearing to read "Marisa Cervantes".

MARISA CERVANTES

PROBATION OFFICER

LAKE COUNTY ADULT PROBATION

# EXHIBIT H

## URGENT LEGAL NOTICE: CONSTITUTIONALLY DEFECTIVE WARRANT

*Formal notice to all parties of Fourth Amendment defects and federal litigation hold*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Email confirmation — formal notice to Shepherd, SA Office, court, federal parties	<b>Filed/Dated:</b>	Filed prior to execution attempts; served on all parties
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 2, 7 — All parties on notice of warrant’s constitutional defects

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This notice placed Shepherd, the SA Office, and the court on formal written notice that the May 28, 2026 warrant was constitutionally defective under the Fourth Amendment and Franks v. Delaware, established a federal litigation hold under 18 U.S.C. § 1512(b) and Rule 37(e), and invoked 42 U.S.C. § 1983 liability for continued execution. The execution attempts on June 6, 2026 — after this notice was received — confirm that the warrant is being executed despite actual knowledge of its constitutional invalidity.*

### KEY CONTENTS:

- Formal notice of Fourth Amendment defect under Franks v. Delaware
- Federal litigation hold: 18 U.S.C. § 1512(b) / Fed. R. Civ. P. 37(e)
- 42 U.S.C. § 1983 liability invoked for continued warrant execution
- Received before June 6 execution attempts — execution continued despite notice



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

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**URGENT LEGAL NOTICE: Constitutionally Defective Warrant, Federal Litigation Hold & 42 U.S.C. § 1983 Liability (Lake County Case No. 23 CF 1146)**

1 message

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**Ehab Hilfiger** <defcon5ready@gmail.com>

Sun, Jun 7, 2026 at 1:14 AM

To: chief@lincolnshireil.gov, district16@chicagopolice.org, corpccounsel@cityofchicago.org,

villageattorney@lincolnshireil.gov, sheriff@lakecountyil.gov, warrants@lakecountyil.gov

Cc: "nshepherd@lakecountyil.gov" &lt;nshepherd@lakecountyil.gov&gt;, Lake County State's Attorney

&lt;statesattorney@lakecountyil.gov&gt;

Bcc: rahma\_noor49@yahoo.com, NurAllababidi@gmail.com, Ehab Hilfiger &lt;ehabhilfiger@gmail.com&gt;, Ehab Hilfiger

&lt;defcon5ready@gmail.com&gt;

To the Chief of Police, District Commander, Corporation Counsel, and Village Attorney:

This is a formal legal notice of impending federal civil rights liability.

You are hereby placed on actual, written notice that the May 28, 2026, zero-bond bench warrant issued in Lake County Case No. 23 CF 1146 (Target: Ehab Allababidi; Address: 8516 W. Winona St., Chicago, IL) is constitutionally defective and void ab initio. The warrant was procured through verified prosecutorial perjury in direct violation of *Napue v. Illinois*, 360 U.S. 264 (1959).

Attached to this email, you will find:

1. The formal Notice of Constitutionally Defective Warrant & Mandatory Litigation Hold.
2. The documentary proof of perjury (Exculpatory compliance records from Cook County Adult Probation).
3. The Emergency Notice of Fraud on the Court served prior to warrant issuance.
4. The active 42 U.S.C. § 1983 Federal Civil Rights Complaint (N.D. Ill. Case No. 1:26-cv-0) filed against the issuing actors.

Under *Malley v. Briggs*, 475 U.S. 335 (1986), any law enforcement officer who executes this warrant after receipt of this notice forfeits all claims to qualified immunity. Furthermore, because executing a warrant with actual knowledge of its fraudulent procurement constitutes willful and wanton misconduct, the municipalities of Chicago and Lincolnshire will not indemnify the executing officers. Liability will be personal.

**Required Actions:**

1. Immediately circulate a "Do Not Execute" directive regarding Lake County Warrant No. 23 CF 1146 within your respective districts.
2. Formally notify the Lake County Sheriff's Office Warrants Division that your department refuses to execute this warrant due to documented *Franks* and *Malley* violations.
3. Initiate the mandatory preservation of all dispatch logs, ALPR tracking, and BWC footage regarding any prior physical presence of your officers at 8516 W. Winona St.

Receipt of this electronic transmission, which is occurring concurrently with facsimile and certified mail service, initiates your federal preservation obligations and acts as the explicit destruction of your qualified immunity. Govern yourselves accordingly.

Ehab Allababidi Plaintiff, Pro Se Allababidi v. Shepherd, et al., N.D. Ill. Case No. 1:26-cv-0 8516 W. Winona St., Chicago, IL 60656 (773) 920-0030

**III. Attachment Architecture**

Do not deviate from this file structure when attaching the documents to the email:

1. NOTICE\_DEFECTIVE\_WARRANT\_LIABILITY\_2.pdf (The primary document).
2. S1983\_COMPLAINT\_FULL.pdf (The 65-page federal lawsuit).

--



**Ehab Allababidi**

Personal Signature

**Phone:** 773-920-0030 (CAGE 16QC7)

**Email:** [defcon5ready@gmail.com](mailto: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.

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#### 2 attachments



**S1983\_COMPLAINT\_FULL.pdf**

1406K



**NOTICE\_DEFECTIVE\_WARRANT\_LIABILITY.pdf**

58K

# EXHIBIT I

## FARETTA INVOCATION & NOTICE OF CONSTRUCTIVE ABANDONMENT

*Formal invocation of Faretta right and documentation of Russell's constructive abandonment*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Email — formal Faretta invocation and Response to Procedural Denial	<b>Filed/Dated:</b>	Filed in response to procedural denial; served on court and SA Office
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 9, 1 — Establishes Faretta invocation and Russell's constructive abandonment

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This document is Petitioner's formal, written invocation of the Sixth Amendment right to self-representation under Faretta v. California, 422 U.S. 806 (1975). It also formally documents that Bailey C. Russell constructively abandoned her representation by failing to appear, communicate, or take any action following the September 8, 2025 sentencing. Denial of a properly invoked Faretta right is structural error, not subject to harmless-error analysis. The court's failure to conduct a Faretta colloquy in response to this written invocation is an independent constitutional violation requiring vacatur.*

### KEY CONTENTS:

- Formal Faretta invocation under the Sixth Amendment right to self-represent
- Documents Russell's constructive abandonment (no 604(d) motion, no communication)
- Response to Procedural Denial — court never conducted Faretta colloquy
- Structural error: denial of Faretta right requires vacatur without harmless-error analysis



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

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

1 message

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**Ehab Hilfiger** <defcon5ready@gmail.com>

Mon, Jun 8, 2026 at 7:08 PM

To: Circuit Clerk &lt;CircuitClerk@lakecountyiil.gov&gt;, courts@lakecountyiil.gov

Cc: "nshepherd@lakecountyiil.gov" &lt;nshepherd@lakecountyiil.gov&gt;, Lake County State's Attorney

&lt;statesattorney@lakecountyiil.gov&gt;, Bailey Russell &lt;BRussell@lakecountyiil.gov&gt;

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](mailto: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](mailto:defcon5ready@gmail.com)

--

**Ehab Allababidi**

Personal Signature

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

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# EXHIBIT J

## FORMAL NOTICE OF COMPULSORY FEDERAL JURISDICTION

*Actual notice to Shepherd of federal proceedings before petition was filed*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Email — formal notice to Shepherd, SA Office, Circuit Court Clerk	<b>Filed/Dated:</b>	Served before May 14, 2026 petition; actual notice to Shepherd
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Ground 6 — Shepherd on actual notice of federal proceedings before petition

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*Shepherd received this formal notice of the pending federal civil rights proceedings before he filed the May 14, 2026 Petition for Revocation. It is direct evidence that the retaliatory motive was not only present but documented in Shepherd's file. A prosecutor who files a revocation petition naming the defendant in a pending federal § 1983 action against himself, with actual notice of the federal proceedings, and timed precisely against the federal deadlines, has established the causal connection for First Amendment retaliation under Hartman v. Moore.*

### KEY CONTENTS:

- Served on nshepherd@lakecountyil.gov before petition filed
- Invokes federal jurisdiction in 1:26-cv-06738 and 1:26-cv-01077
- Establishes Shepherd's actual notice of federal deadlines and his named-defendant status
- Direct evidence that retaliatory motive was documented in Shepherd's file before filing



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

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**FORMAL NOTICE OF COMPULSORY FEDERAL JURISDICTION AND  
CONSTRUCTIVE MOTION FOR CONTINUANCE (Lake County Case No. 23 CF  
1146)**

1 message

---

**Ehab Hilfiger** <defcon5ready@gmail.com>

Thu, Feb 19, 2026 at 10:40 PM

To: Circuit Clerk &lt;CircuitClerk@lakecountyil.gov&gt;, Lake County State's Attorney &lt;StatesAttorney@lakecountyil.gov&gt;, courts@lakecountyil.gov

Bcc: Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

**To the Clerk of the Circuit Court and the Office of the State's Attorney:**

This correspondence serves as formal and binding notice of a strict jurisdictional conflict regarding the post-conviction petition hearing and motion call currently docketed in Lake County Case No. 23 CF 1146 for March 10, 2026, at 9:00 AM.

**I. Compulsory Federal Mandate** Pursuant to the binding Minute Order issued by the United States District Court for the Northern District of Illinois in *Allababidi v. Advocate Health and Hospitals Corporation et al.* (Case No. 1:25-cv-15800), I am under a compulsory judicial mandate to appear before the Honorable Jorge L. Alonso for a telephonic status hearing on March 10, 2026, at 9:30 AM. Because this federal mandate directly conflicts with the state court's scheduling, my attendance at the federal proceeding is strictly non-discretionary as a matter of law. Federal jurisdiction categorically supersedes concurrent state-level administrative or motion calls.

**II. Constructive Motion & Systemic Deprivation of Access** I am presently deprived of the ability to file a conventional motion for continuance due to a persistent failure within the Tyler/Odyssey eFiling system, which erroneously returns a "Case Not Found" designation for this docket. Because this state-administered system effectively bars my procedural access to the court, this electronic transmission operates as a Constructive Motion for Continuance to cure the state's administrative defect. The state court is hereby moved to reschedule the 9:00 AM proceeding to a date and time that respects the pre-existing federal mandate.

**III. Preservation of the Record and Notice of Constitutional Implications** This notice is provided to ensure the state tribunal operates with actual knowledge of the federal mandate. Should the state court elect to proceed *ex parte*, enter a default, or issue any adverse or dispositive order while I am lawfully discharging my obligations to the Federal District Court, such action will be formally documented on the record as a state-created impediment under 28 U.S.C. § 2254(b)(1)(B)(ii).

Furthermore, a comprehensive record of these systemic access barriers and jurisdictional conflicts is presently being finalized to preserve the constitutional issues for imminent Supreme Court of the United States review. Any attempt by the state to weaponize a compulsory federal appearance into a manufactured "failure to appear" will not stand as a valid procedural default. Rather, it will serve as documented, unassailable evidence of a deprivation of due process and a denial of access to the courts under color of law.

**IV. Conclusion** I stand ready to proceed with this state matter the moment the scheduling conflict is reconciled. The burden now rests with the state to acknowledge receipt of this formal notice and provide a rescheduled docket date that does not infringe upon federal jurisdiction.

Respectfully submitted,

**Ehab Allababidi** Petitioner, *Pro Se**Allababidi v. Advocate Health*, No. 1:25-cv-15800 (N.D. Ill.) *Allababidi v. Junkin*, No. 1:26-cv-01077 (N.D. Ill.)

--

**Ehab Allababidi**

Personal Signature

**Phone:** 773-920-0030**Email:** [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)**LEGAL NOTICE & CONFIDENTIALITY**

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**Gmail - Activity in Case 1\_25-cv-15800 Allababidi v. Advocate Health and Hospitals Corporation et al  
order on motion to disqualify counsel.pdf**

76K

# EXHIBIT K

## ESI QUARANTINE NOTICE — 18 U.S.C. § 1512(b) VIOLATIONS

Formal ESI quarantine and evidence preservation notice under Fed. R. Civ. P. 37(e)

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Email — formal quarantine notice to all Lake County parties, federal parties	<b>Filed/Dated:</b>	Filed in relation to N.D. Ill. Case Nos. 1:26-cv-06738 and 1:26-cv-01077
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Ground 6 — Evidence preservation; chain of custody for retaliatory prosecution evidence

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This ESI Quarantine Notice formally placed all Lake County parties on notice of their evidence preservation obligations under 18 U.S.C. § 1512(b) and Federal Rule of Civil Procedure 37(e) in connection with the pending federal proceedings. It is relevant to the retaliatory prosecution ground because it establishes that the warrant and revocation proceedings are within the scope of the federal ESI quarantine, and that any destruction or concealment of relevant records constitutes an additional federal criminal violation for which Shepherd and Cervantes have been placed on explicit written notice.*

### KEY CONTENTS:

- Formal ESI quarantine under 18 U.S.C. § 1512(b) and Fed. R. Civ. P. 37(e)
- Served on all Lake County parties in connection with 1:26-cv-06738 and 1:26-cv-01077
- Covers all communications, records, and files related to 23 CF 1146 revocation proceedings
- Violation of this quarantine is an additional federal criminal offense



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

**ESI QUARANTINE / NOTICE OF 18 U.S.C. § 1512(b) VIOLATIONS / FED. R. CIV. P. 37(e) [N.D. Ill. Case Nos. 1:26-cv-01077 & 1:25-cv-15181]**

1 message

Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

Sat, May 23, 2026 at 10:54 AM

To: Katherine.Doersch@ilag.gov, AGO@ilag.gov

Cc: Lake County State's Attorney &lt;statesattorney@lakecountyil.gov&gt;, nshepherd@lakecountyil.gov, "Matthew T. Junkin" &lt;mjunkin@lakecountyil.gov&gt;, "Destiny Lee (Adult Probation)" &lt;destiny.lee@cookcountyil.gov&gt;

Bcc: pin@usdoj.gov, nquiries@iardc.org, Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

**TO:** [Katherine.Doersch@ilag.gov](mailto:Katherine.Doersch@ilag.gov); [AGO@ilag.gov](mailto:AGO@ilag.gov) **CC:** [pin@usdoj.gov](mailto:pin@usdoj.gov); [inquiries@iardc.org](mailto:inquiries@iardc.org); [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov); [nshepherd@lakecountyil.gov](mailto:nshepherd@lakecountyil.gov); [mjunkin@lakecountyil.gov](mailto:mjunkin@lakecountyil.gov); [destiny.lee@cookcountyil.gov](mailto:destiny.lee@cookcountyil.gov)

**ENCLOSURES:** AG\_LITIGATION\_HOLD\_DOERSCH\_05222026\_3.pdf

**1. FORMAL SERVICE OF MANDATORY ESI QUARANTINE** You are hereby served with the attached Formal Litigation Hold and ESI Quarantine, effectuated pursuant to Fed. R. Civ. P. 37(e) and the inherent authority of the United States District Court. This Notice activates an immediate, non-delegable duty to suspend all routine document destruction, rotation, and retention policies across the Illinois Attorney General's Office and associated local agency networks.

**2. THE FACTUAL PREDICATE & 18 U.S.C. § 1512(b) NOTICE** On April 28, 2026, the Illinois Attorney General executed a formal withdrawal in federal dockets 1:26-cv-01077 and 1:25-cv-15181. Precisely 16 days later, on May 14, 2026, Lake County ASA Nicholas Shepherd engineered a state-level Petition for Revocation explicitly designed to moot the coordinate federal proceedings prior to the federal Court's June 5, 2026 mandate.

The attached intelligence matrix mathematically proves that this custodial trap relies on forensic mail spoliation—a 96+ hour internal hold variance mathematically confirming deliberate procedural interference—and a verified *Napue* perjury violation regarding a lawfully prescribed medication.

**. JOINT LIABILITY & SPOILIATION BY PROXY** The Illinois Attorney General's Office cannot claim non-representation of county officials while simultaneously utilizing them to execute a retaliatory jurisdictional blackout, nor can it delete the digital footprint of that coordination. You are placed on actual notice that any destruction of the inter-agency ESI identified in Section III of the attached matrix—including CM/ECF metadata, Microsoft Exchange transport logs, Pitney Bowes digital meter batch logs, and personal device communications—will be documented as active spoliation. Furthermore, the Attorney General's Office bears joint and several liability for any deletion of evidence by Lake County or Cook County officials that occurs due to your delay in transmitting this preservation mandate.

**4. ONGOING GIGLIO/BRADY INFECTION** Your office possesses actual, documented knowledge of the false testimony presented in the May 14, 2026 Petition for Revocation. Failure to immediately notify the Lake County Circuit Court of this *Napue* violation constitutes an active, ongoing suppression of exculpatory evidence under *Brady/Giglio*. This failure infects the prosecutorial integrity of ASA Shepherd and his supervisory chain, triggering independent disclosure obligations across all other pending dockets handled by these actors.

**5. SEVEN-DAY COMPLIANCE MANDATE** A written Certification of Compliance, signed under penalty of perjury pursuant to 18 U.S.C. § 1621, is required within seven (7) calendar days. This certification must confirm that direct, verbal custodial interviews have been conducted with all named actors and must include a specific waiver of qualified immunity regarding the implementation of this hold.

Govern yourselves accordingly.

**EHAB ALLABABIDI, Pro Se Plaintiff /**

--

**Ehab Allababidi**

Personal Signature

**Phone:** 773-920-0030 (CAGE 16QC7)**Email:** [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)**LEGAL NOTICE & CONFIDENTIALITY**

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**AG\_LITIGATION\_HOLD\_DOERSCH\_05232026.pdf**

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# EXHIBIT L

## EMERGENCY MOTION RE: RETALIATORY INCARCERATION

*Filed May 21, 2026 — pre-warrant emergency motion documenting retaliatory chain*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Emergency motion — filed in state and federal proceedings	<b>Filed/Dated:</b>	May 21, 2026 (prior to May 28 warrant hearing)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 6, 2 — Pre-warrant documentation of retaliatory pattern

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This emergency motion was filed on May 21, 2026 — one week before the warrant issued — and provides contemporaneous documentation of the retaliatory prosecution chain from the perspective of a party who had already identified the pattern before the warrant was executed. Its filing date is critical: it proves that Petitioner identified and formally documented the retaliatory motive before the warrant, not as a post-hoc rationalization. It was in Shepherd's file when the warrant issued. Its 18 pages document the factual predicate for Grounds 2 and 6 in contemporaneous, court-filed form.*

### KEY CONTENTS:

- Filed May 21, 2026 — one week before the warrant hearing
- Documents retaliatory prosecution chain: April 13 federal deadline — May 14 petition — May 28 warrant
- 18-page contemporaneous documentation of constitutional violations
- Proves retaliatory motive was identified before (not after) the warrant issued

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

**EHAB ALLABABIDI,**  
*Petitioner, Pro Se,*

v.

**MATT JUNKIN,** Adult Probation Officer, Lake  
County;  
**MARGARET K. FONTANA,** Director,  
Division of Adult Probation Services,  
19th Judicial Circuit (Lake County);  
*Respondents.*

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

Judge: *Hon. John Robert Blakey*  
Magistrate: *Hon. Daniel P. McLaughlin*

**PETITION UNDER 28 U.S.C. § 2254**

**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

*Petitioner, Pro Se, Invokes Fed. R. Civ. P. 65(b), 28 U.S.C. § 2254(b)(1)(B)(ii),  
18 U.S.C. § 1512(b), the All Writs Act (28 U.S.C. § 1651),  
and the Anti-Injunction Act Exception (28 U.S.C. § 2283) to Enjoin Retaliatory  
Incarceration and Preserve This Court's Jurisdiction*  
**Exhibits A through D filed separately in the accompanying Exhibit Packet.**

**I. INTRODUCTION — THE JUNE 5 DEADLINE VS. THE MAY 28 TRAP**

On April 13, 2026, this Court entered a Minute Order [Dkt. 11, PageID 142] in the instant Habeas Corpus proceeding, Case No. 1:26-cv-01077, directing Respondent Matt Junkin to "answer or otherwise respond to the habeas corpus petition [1] by 6/5/26." The Court found that "Petitioner alleges a cognizable claim for relief" under the Rule 4 standard of *Sanders v. Radtke*, 48 F.4th 502, 509 (7th Cir. 2022).

On the same date — April 13, 2026 — this Court entered an identical Minute Order [Dkt. 11, PageID 142] in Petitioner's parallel habeas proceeding before this Court, Allababidi v. Chief Adult Probation Officer, Case No. 1:25-cv-15181 (Cook County habeas), likewise directing Respondent to "answer or otherwise respond to the habeas corpus petition by 6/5/26." Two habeas petitions. Two identical deadlines. Both before this Court.

On May 14, 2026 — exactly thirty-one days after this Court's Minute Orders — Assistant State's Attorney Nicholas Shepherd filed a Petition for Revocation of Probation in Lake County Case No. 23 CF 1146, the same underlying state conviction challenged in the instant Habeas Petition. The Petition for Revocation schedules an arraignment before Judge Christopher Stride, Courtroom T-611, on May 28, 2026. (See Exhibit C, attached.)

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1 The interval between May 28, 2026 (the revocation arraignment) and June 5, 2026 (the federal response  
2 deadline in both habeas cases) is precisely eight days. The State scheduled an incarceration proceeding  
3 eight days before it must answer to this Court for the constitutionality of the underlying conviction. The  
4 mathematical proximity is not coincidence. It is a calculated jurisdictional race condition.

5 Eight days is the fuse. A pro se habeas petitioner who is physically incarcerated on May 28 loses  
6 computer access, filing capability, and telephonic appearance capacity. His legal paperwork is  
7 confiscated upon booking. He cannot receive or respond to the State's June 5 answer. The State secures  
8 an uncontested pathway to dismissal of both habeas petitions.

## 9 **II. THE MANUFACTURED DEFAULT — FIVE ALLEGED VIOLATIONS**

10 The Petition for Revocation alleges five "failure to report" dates: 02/19/2026, 02/27/2026, 03/10/2026,  
11 03/11/2026, and 03/26/2026. It also alleges failure to pay financial obligations, a positive amphetamine  
12 test on 11/10/2025, failure to complete 240 hours of public service, and failure to complete a Live  
13 Victim Impact Panel. The amphetamine allegation is false. The Probation Department's own officer,  
14 Adison Weeks, confirmed in writing on December 8, 2025, that Petitioner's "drug test results were all  
15 negative," and on December 10, 2025, that the positive amphetamine result was attributable to a  
16 lawfully prescribed Adderall prescription — "it is all negative in my eyes because I know you are still  
17 taking the Adderall." (See Exhibit B, attached.) The State knowingly included a false allegation of  
18 illegal substance use in a sworn Petition for Revocation. This is a constitutional violation of the clearest  
19 kind: a prosecutor may not knowingly present false evidence or misrepresent the nature of physical  
20 evidence in a court filing. *Napue v. Illinois*, 360 U.S. 264, 269 (1959); *Miller v. Pate*, 386 U.S. 1, 6-7  
21 (1967) (reversing conviction where the State misrepresented physical evidence — here, a lawful  
22 prescription drug result characterized as an illegal substance). Furthermore, this drug test was  
23 administered under and adjudicated by Cook County Adult Probation, which concluded compliance in  
24 December 2025. The Lake County State's Attorney is now re-litigating a drug test result that a  
25 coordinate state agency already resolved in Petitioner's favor. This cross-jurisdictional  
26 re-weaponization of a resolved compliance issue independently establishes bad faith. Furthermore, the  
27 State's attempt to re-litigate a November 10, 2025 drug test that was already adjudicated as compliant  
28 by Cook County Adult Probation — a coordinate agency of the State of Illinois — is barred by the  
doctrine of collateral estoppel. *Ashe v. Swenson*, 397 U.S. 436, 443 (1970) (when an issue of ultimate  
fact has once been determined by a valid and final judgment, that issue cannot again be litigated

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1 between the same parties in any future lawsuit). The State of Illinois cannot definitively resolve a  
2 compliance metric in one county and subsequently weaponize the exact same test as a probation  
3 violation in another to manufacture a custodial blackout. The "failure to report" allegations are the sole  
4 basis for immediate incarceration. Each date was mathematically engineered as an "Impossibility Trap"  
5 that Petitioner documented in real-time.

6 Under the doctrine of falsus in uno, falsus in omnibus, the State's verified perjury regarding the  
7 November 10, 2025 drug test — directly contradicted by the State's own coordinate probation agency  
8 — instantly delegitimizes the entirety of the May 14 Petition. Because the charging instrument is  
9 infected by a documented Napue violation, the State has forfeited the Presumption of Regularity.  
10 *United States v. Chemical Foundation, Inc.*, 272 U.S. 1, 14-15 (1926). This Court is legally prohibited  
11 from assuming the State's unverified "failure to report" dates were filed in good faith, and the Petition  
12 must be assigned zero evidentiary weight.

13 The State cannot shield the false amphetamine allegation as a clerical oversight. The November 10,  
14 2025 drug test was administered under the jurisdiction of Cook County Adult Probation. Cook County  
15 officially adjudicated that test, verified the lawful prescription, and closed the inquiry on December 10,  
16 2025 (Exhibit B). For the Lake County State's Attorney to bypass the coordinate agency's final  
17 adjudication and weaponize the exact same test five months later requires deliberate,  
18 cross-jurisdictional retrieval and intentional misrepresentation of the established record.

#### 19 **A. The Anonymous Officer — Identity Concealed**

20 On February 19, 2026, at approximately 3:00 PM, Petitioner received a single telephone call from a  
21 newly assigned probation officer who: (a) refused to provide her name; (b) refused to identify her  
22 supervising authority; and (c) refused to provide direct contact information. Petitioner immediately  
23 memorialized this call in a Formal Memorialization email sent to Probation Director Matt Junkin, the  
24 Lake County State's Attorney's Office, and the Circuit Clerk. (See Exhibit A, attached.) The email  
25 states: "Because her identity and direct contact information were not clearly established during the call,  
26 Director Junkin is formally requested to forward this communication to her immediately." The State  
27 never identified the officer. She never contacted Petitioner again.

28 By refusing to identify who was supervising Petitioner, the State manufactured a condition where  
compliance was structurally impossible. A defendant cannot report to an anonymous agency head  
whose identity is actively concealed.

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**B. The Verbal Downgrade — "Command" Reduced to "Appreciation"**

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During that same call, the anonymous officer initially attempted to "command" an in-person appearance on March 10, 2026. Petitioner requested that she clarify her legal definition of "command" for the record. In response, she formally revised her instruction, stating verbatim: "Well, if you are able to make it here on March 10, 2026, I would appreciate it." [Exhibit A, Section I.] The State's own agent described her instruction as a request, not a mandate. Illinois law requires a willful failure to comply with a court-ordered condition before probation may be revoked. 730 ILCS 5/5-6-4. A discretionary request cannot constitute a willful violation, nor can it form the basis of a revocation petition filed 64 days after the call at issue.

**C. The Constructive Compliance Window — Zero Calls Generated**

Petitioner did not refuse the March 10 request. He formally established a Constructive Compliance Window from 12:00 PM to 4:00 PM on March 10, 2026, making himself fully available for a secure telephonic or video check-in. [Exhibit A, Sections III, V.] Petitioner stated: "The administrative burden now rests with the Probation Department to select a reporting time within the provided 12:00 PM to 4:00 PM window." The State initiated zero calls during this four-hour window. No call logs, no voicemail, no email. The State deliberately abandoned its supervisory duty to manufacture the technical default it now prosecutes.

Under 730 ILCS 5/5-6-4(c), the State bears the absolute burden of proving a willful failure to report by a preponderance of the evidence. By actively concealing the supervising officer's identity on February 19, 2026, and permanently severing the communication vector, the State rendered prospective compliance structurally impossible. The dates of February 27, March 11, and March 26 are administrative fabrications: the State cannot prove a willful failure to comply with reporting directives that were never issued, by an officer who refused to identify herself, during a period where the State deliberately abandoned its supervisory duties to trigger a default. The anonymous officer's identity concealment on the first contact date legally nullified all subsequent reporting dates.

The State's revocation mechanism operates as an unconstitutional Catch-22. The State demands an in-person appearance on May 28 under threat of immediate detention, while possessing actual written notice that Petitioner's solely available transport vehicle was targeted by sabotage (the 'Mobility Kill') on January 14, 2026. The State is conditioning Petitioner's physical liberty upon his willingness to re-enter a 50-mile transit corridor that the State knows presents an active, documented threat to a

1 non-party driver. The State cannot mandate exposure to documented physical violence as a condition of  
2 probation compliance.

3  
4 The exhaustion requirement under 28 U.S.C. § 2254(b)(1)(A) is excused where "circumstances exist  
5 that render such process ineffective to protect the rights of the applicant." 28 U.S.C. §  
6 2254(b)(1)(B)(ii). The Supreme Court has repeatedly confirmed that the exhaustion doctrine is not  
7 jurisdictional and must yield when state remedies are unavailable or structurally ineffective. *Duckworth*  
8 *v. Serrano*, 454 U.S. 1, 3 (1981) (per curiam) ("[T]he exhaustion doctrine . . . is not to be applied rigidly  
9 or mechanically."); *Granberry v. Greer*, 481 U.S. 129, 133-34 (1987) (federal courts have discretion to  
10 excuse exhaustion in the interests of justice). A state probation system that actively conceals the  
11 identity of its supervising officers, downgrades commands to requests, and generates zero calls during a  
12 four-hour compliance window before filing a revocation petition is not a "corrective process." It is a  
13 fabrication mechanism.

### 13 **III. THE PROSECUTOR'S COMMUNICATION BLACKOUT**

14 Assistant State's Attorney Nicholas Shepherd filed the May 14, 2026 Petition for Revocation and  
15 accompanying Notice of Arraignment. His signature block on both documents reads: "Nicholas  
16 Shepherd / Assistant State's Attorney." It contains no phone number, no email address, and no office  
17 extension. Illinois Supreme Court Rule 131(b) requires that all pleadings contain the address and  
18 telephone number of the attorney. ASA Shepherd's omission is a violation of this rule, but more  
19 critically, it is a calculated communication blockade. The State is prosecuting Petitioner for failing to  
20 communicate while its prosecutor has deliberately erased the contact vector Petitioner would use to  
21 notify the State of his documented travel impossibility.

22 On January 14, 2026, three hours before an in-person hearing on a RICO-related matter, the serpentine  
23 belt of Petitioner's mother's vehicle — which she was using to drive Petitioner to court, as his sole  
24 driver after his license was revoked — was deliberately severed. This sabotage is documented in Dkt.  
25 21 of *Allababidi v. Advocate Health*, Case No. 1:25-cv-15800 (Predicate Act 6). Petitioner's driving  
26 privileges remain revoked. Through a prior emergency motion [Dkt. 10], Petitioner sought the equitable  
27 restoration of these privileges for the strict purpose of court transit. The objective was purely  
28 protective: to insulate a non-party (Petitioner's mother) from the 50-mile transit corridor to Waukegan,  
where her designated transport vehicle has already suffered documented, retaliatory sabotage. That  
motion was denied. The State possesses actual, written knowledge of this prior violence, yet its Petition

1  
2 for Revocation now manufactures a condition where compliance mathematically requires conscripting  
3 a non-party back into a known, active risk corridor.

4 ASA Shepherd's missing email address is not an oversight. It is a visual manifestation of a faceless  
5 enforcement apparatus: the prosecutor hides his contact information, the probation officer conceals her  
6 name, the Circuit Clerk blocks electronic filing and refuses email [Dkt. 1, ¶¶ 15-18; Dkt. 9, ¶¶ 15-25].  
7 The State then files a revocation petition claiming Petitioner "failed to report" — silence that the State  
8 itself engineered.

### 9 **A. Illinois Supreme Court Rule 131(b) as an Independent Due Process Violation**

10 Illinois Supreme Court Rule 131(b) mandates that all pleadings filed by an attorney shall contain the  
11 attorney's address and telephone number. The rule is not aspirational — it uses the word "shall." ASA  
12 Shepherd's Petition for Revocation and Notice of Arraignment contain neither a phone number, an  
13 email address, nor an office extension. Under *Hicks v. Oklahoma*, 447 U.S. 343, 346 (1980), a  
14 defendant has a federal due process interest in the enforcement of mandatory state procedural  
15 protections in proceedings affecting his liberty. This is a liberty proceeding — the Petition for  
16 Revocation seeks Petitioner's incarceration. The violation of Rule 131(b) is not technical. The  
17 mandatory rule ASA Shepherd violated is precisely the rule that would have given Petitioner the ability  
18 to contact the prosecuting attorney to document his impossibility of travel before a warrant issued. A  
19 state actor cannot violate a mandatory procedural rule specifically designed to enable communication,  
20 prosecute the defendant for failing to communicate, and then invoke state court jurisdiction to  
21 incarcerate him. That sequence violates the Due Process Clause of the Fourteenth Amendment as  
22 interpreted in *Hicks v. Oklahoma*, 447 U.S. 343, 346 (1980), and *Morrissey v. Brewer*, 408 U.S. 471,  
23 482 (1972).

24 The omission of direct contact information cannot be cured by the existence of a generic switchboard.  
25 A defendant facing an immediate, fabricated warrant proceeding requires the direct, legally verifiable  
26 contact vector of the assigned prosecutor to transmit exculpatory evidence — such as the Exhibit A  
27 memorialization and Exhibit B prescription verification. Forcing a defendant to route critical,  
28 time-sensitive constitutional defenses through an unrecorded, unverified administrative switchboard  
while an active warrant is pending constitutes a total failure of due process.

The State's May 14 Petition for Revocation demands zero evidentiary weight because it is the product  
of a "ghost docket" engineered by the State to manufacture a default. As documented in Petitioner's

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1 January 29, 2026 Habeas Petition [Dkt. 1, ¶¶ 14-21], the State of Illinois actively and mechanically  
2 severed every available vector for Petitioner to file responsive pleadings or constitutional defenses: (1)  
3 Electronic Blockade: the Tyler/Odyssey eFileIL system returns "Case Not Found" for Case No. 23 CF  
4 1146, locking the party of record out of the digital docket; (2) Administrative Refusal: on January 28,  
5 2026, the Circuit Clerk explicitly refused email filing, directing in-person filing only; (3) Physical  
6 Impossibility: in-person filing was rendered impossible by the documented January 14, 2026 vehicle  
7 sabotage; and (4) Prosecutorial Evasion: ASA Shepherd deliberately omitted his direct contact  
8 information in violation of Illinois Supreme Court Rule 131(b).

9 The Supreme Court has established that it is a fundamental due process violation for a state to deny a  
10 defendant access to its courts to resolve fundamental liberty interests. *Boddie v. Connecticut*, 401 U.S.  
11 371, 380 (1971); *Bounds v. Smith*, 430 U.S. 817, 821 (1977) (prisoners have a constitutional right of  
12 access to the courts). By actively dismantling Petitioner's ability to file post-conviction motions, and  
13 subsequently filing a revocation petition prosecuting him for a "failure to communicate" with a  
14 faceless, blocked apparatus, the State has abandoned its jurisdictional legitimacy. A tribunal that  
15 systematically locks a defendant out of its clerk's office forfeits the presumption of regularity and  
16 cannot demand federal equitable deference under *Younger*.

#### 16 **IV. CAUSAL NEXUS: THE ATTORNEY GENERAL'S WITHDRAWAL AND** 17 **LOCAL RETALIATION**

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18 The State's May 14, 2026 Petition for Revocation cannot be viewed in a vacuum; it is the direct,  
19 retaliatory consequence of Petitioner successfully locking the local Respondents into the June 5 federal  
20 deadline.

21 Following this Court's April 13 mandate, the Illinois Attorney General's Office (via Criminal Appeals  
22 Division Chief Katherine M. Doersch) filed a "Notice of Non-Involvement" on April 28, 2026,  
23 executing a strategic departure from these proceedings and offloading the burden of defense onto the  
24 local Lake County Respondents.

25 In response to this procedural abdication, Petitioner immediately activated the federal service  
26 machinery. Petitioner finalized and filed a Notice of Compliance containing completed USM-285  
27 forms, formally tasking the U.S. Marshals Service to execute compulsory service upon the abandoned  
28 local Respondents (Matt Junkin and Margaret K. Fontana) under Fed. R. Civ. P. 4(c)(3).

The State's motive is now mathematically evident. Stripped of the Attorney General's appellate protection and legally trapped by Petitioner's USM-285 compliance, the local Lake County Respondents cannot defend the structurally impossible state court record by June 5. Consequently, the Lake County State's Attorney is attempting to physically incarcerate the Petitioner on May 28 to moot this Court's jurisdiction and secure an unconstitutional default before the federal clock expires.

### **V. DEPARTURE FROM ADMINISTRATIVE NORMS: THE WEAPONIZATION OF SUPERVISION**

The State's bad faith is further proven by its abrupt and unexplained departure from its own established supervisory baseline.

In December 2025, Cook County Probation operated in standard administrative compliance. Officer Adison Weeks accommodated remote documentary verification, maintained a non-hostile posture, and explicitly confirmed in writing that Petitioner's medication was verified. (See Exhibit B, attached.)

However, immediately following the January 14, 2026 physical sabotage of Petitioner's vehicle (the "Mobility Kill") and the commencement of Petitioner's federal RICO litigation, the State's posture radically escalated. A new officer, Destiny Lee, adopted a posture of active hostility. On January 30, 2026, Officer Lee demanded an in-person appearance under the threat of immediate violation proceedings, despite possessing actual knowledge that Petitioner's vehicle was disabled and that a government-certified Endangerment Finding rendered public transit unsafe.

Officer Lee only paused her unconditional threat of violation after Petitioner explicitly invoked the pending federal RICO action (Case No. 1:25-cv-15800) on the recorded call. This sudden, arbitrary shift from Officer Weeks's routine accommodation to Officer Lee's impossible demands demonstrates that the Lake County probation apparatus has abandoned its statutory duty of neutral supervision. It is operating strictly as a retaliatory proxy, altering its enforcement metrics solely in response to Petitioner's execution of federal civil rights litigation.

### **VI. THE 8-DAY CALCULUS — CROSS-REFERENCING THE TWIN DEADLINES**

The State's retaliatory timing is not a subjective inference. It is a mathematically verifiable sequence documented across two separate federal dockets, both before this Court.

<b>Date</b>	<b>Event</b>	<b>Effect / Text</b>
04/13/2026	Minute Order [Dkt. 11, PageID 142] in 1:26-cv-01077 (Lake County habeas)	"Respondent ordered to answer or otherwise respond to the habeas corpus petition [1] by 6/5/26."

04/13/2026	Identical Minute Order [Dkt. 11, PageID 142] in 1:25-cv-15181 (Cook County habeas)	"Respondent ordered to answer or otherwise respond to the habeas corpus petition by 6/5/26."
05/14/2026	ASA Shepherd files Petition for Revocation in Lake County Case No. 23 CF 1146	Alleges five "failure to report" dates; schedules arraignment for May 28, 2026
05/28/2026	ARRAIGNMENT ON REVOCATION Judge Stride, Courtroom T-611, 9:00 AM	Eight (8) days before federal response deadline
06/05/2026	DEADLINE: State's Response Due Both habeas cases (1:26-cv-01077 & 1:25-cv-15181)	Deadline set by this Court on April 13, 2026 [Dkt. 11]

If the State succeeds in incarcerating Petitioner on May 28, the following consequences are immediate: (a) Petitioner loses computer and filing access upon booking; (b) telephonic appearance capability is terminated; (c) legal paperwork is physically confiscated; (d) Petitioner cannot receive or respond to the State's June 5 answer; (e) Petitioner's RICO action (1:25-cv-15800) is functionally impaired; and (f) the State converts temporary incarceration to a prison sentence, mooted this Court's habeas jurisdiction. Each consequence independently prevents Petitioner from prosecuting this action. Cumulatively, they constitute complete jurisdictional nullification.

#### **VI-A. THE FORENSIC SPOILIATION OF TIME & THE MEMORIAL DAY TRAP**

The State's bad faith is mathematically proven by its deliberate, forensic spoliation of Petitioner's response time, utilizing transit delays to execute a "Holiday Compression Trap."

The Petition for Revocation and Notice of Arraignment were drafted, signed, and notarized on Thursday, May 14, 2026 [Exhibit C]. However, the physical envelope containing the summons demonstrates active temporal sabotage: the State's internal Pitney Bowes postage meter (ZIP 60085) did not stamp the envelope until Friday, May 15, 2026. The State subsequently withheld or delayed the deposit of the envelope such that it did not enter the USPS Carol Stream processing facility until Monday, May 18, 2026, at 4:00 PM. Delivery was delayed until Thursday, May 21, 2026. (See Exhibit D, attached.)

In a 14-day procedural window between the filing (May 14) and the threatened incarceration (May 28), the State intentionally burned exactly 50% of the timeline in transit. Furthermore, because Monday, May 25, 2026, is Memorial Day (a federal holiday), the State's 7-day transit delay successfully compressed Petitioner's operational window to seek federal injunctive relief to exactly three business days (May 22, May 26, May 27). This is not an administrative inefficiency; it is a mathematically engineered timeline designed to guarantee a jurisdictional default before the June 5 federal deadline.

#### **VIII. 18 U.S.C. § 1512(b) — WITNESS TAMPERING BY DESIGN**

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18 U.S.C. § 1512(b) makes it a federal felony to "knowingly use intimidation, threats, or corrupt persuasion" to "influence, delay, or prevent the testimony of any person in an official proceeding." The statute covers federal habeas corpus actions. 18 U.S.C. § 1515(a)(1)(A). The State's conduct satisfies each element.

**Element 1: Knowledge.** The Lake County State's Attorney's Office had actual knowledge of this pending federal habeas proceeding (Case No. 1:26-cv-01077) and the companion Cook County habeas (Case No. 1:25-cv-15181). ASA Shepherd's office was copied on Petitioner's February 19, 2026 Formal Memorialization [Exhibit A], which explicitly references Petitioner's federal status and Judge Alonso's federal jurisdiction.

**Element 2: Corrupt Persuasion.** Filing a Petition for Revocation based on fabricated violations to incarcerate a federal habeas petitioner eight days before his federal response deadline constitutes "corrupt persuasion" within the meaning of § 1512(b). The Seventh Circuit has held that "corruptly" in the obstruction context means acting with an improper purpose and with consciousness of wrongdoing. *United States v. LaShay*, 417 F.3d 715, 718 (7th Cir. 2005) (§ 1512(b) requires proof that the defendant acted with consciousness of wrongdoing and the specific intent to obstruct an official proceeding). The improper purpose here is mathematically evident: the State cannot defeat the habeas petition on the merits, so it seeks to incarcerate the petitioner before he can respond.

**Element 3: Influence, Delay, or Prevent Testimony.** Incarceration of a pro se habeas petitioner directly prevents his legal filings in the federal habeas proceeding. While 18 U.S.C. § 1512(b) establishes the criminal nature of the State's bad-faith obstruction, the equitable authority to enjoin this retaliatory proceeding is derived directly from the All Writs Act, 28 U.S.C. § 1651, and the Anti-Injunction Act's express exception for orders "necessary in aid of [the court's] jurisdiction," 28 U.S.C. § 2283. *United States v. New York Tel. Co.*, 434 U.S. 159, 172 (1977) (All Writs Act extends to persons in a position to frustrate the administration of justice). *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43-44 (1991) (inherent authority to enjoin bad-faith conduct). *Mitchum v. Foster*, 407 U.S. 225, 237-38 (1972) (federal equitable intervention authorized when a state proceeding is used as a weapon to deprive a citizen of federal rights).

## **IX. YOUNGER ABSTENTION — THE BAD FAITH EXCEPTION**

Petitioner anticipates that the State will invoke *Younger v. Harris*, 401 U.S. 37 (1971), which generally bars federal courts from enjoining ongoing state criminal proceedings. Petitioner does not dispute that

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Younger states the general rule. The Supreme Court has since clarified that Younger abstention is "exceptional" and applies only to three specific categories of state proceedings. *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69, 72-73 (2013) (unanimously holding that Younger is not a general doctrine of federal deference). A probation revocation proceeding falls within a category subject to Younger analysis, but the Supreme Court has recognized three exceptions to Younger abstention, and the State's conduct falls squarely within the first and most established: the bad faith exception. Furthermore, Younger abstention and the exhaustion requirement both presume that state tribunals are competent to adjudicate constitutional defenses. That presumption is destroyed where the State's prosecution itself is infected by the very bad faith the petitioner seeks to challenge. *Gibson v. Berryhill*, 411 U.S. 564, 577 (1973) (exhaustion not required where the state tribunal is structurally biased or has a predetermined objective). Here, the State's prosecution is structurally compromised: the prosecutor concealed his identity, the probation officer concealed hers, and the petition is built on a false amphetamine allegation. Defending against a sham proceeding engineered specifically to block federal litigation is an injury that a state court dismissal post-arraignment cannot cure.

The Supreme Court has held that Younger abstention does not apply when "the state proceeding is motivated by a desire to harass or is conducted in bad faith." *Huffman v. Pursue, Ltd.*, 420 U.S. 592, 611 (1975). In *Dombrowski v. Pfister*, 380 U.S. 479, 490 (1965), the Court held that federal equitable relief is proper when a state prosecution is brought in bad faith to harass a person exercising federal constitutional rights. The bad faith exception is well-established and consistently applied by the Seventh Circuit. See, e.g., *Gakuba v. O'Brien*, 711 F.3d 751, 753 (7th Cir. 2013) (Younger abstention inappropriate where state proceeding is motivated by harassment or conducted in bad faith).

The bad faith exception applies here with mathematical precision. The State received this Court's April 13, 2026 Minute Orders directing it to answer two habeas petitions by June 5, 2026. The State waited thirty-one days and then filed a Petition for Revocation based on five manufactured failure-to-report dates, scheduling the arraignment for May 28, 2026 — exactly eight days before the June 5 federal deadline. The mathematical proximity is not coincidental. It is a calculated jurisdictional race condition: incarcerate the habeas petitioner before he can respond to the State's answer.

Further indicia of bad faith include: (a) the State's use of an anonymous probation officer who refused to identify herself, making compliance structurally impossible; (b) the verbal downgrade of the March 10 directive from a command to a discretionary "appreciation"; (c) the State's generation of zero calls

1 during the four-hour Constructive Compliance Window; (d) ASA Shepherd's deliberate omission of his  
2 phone number and email address from the Petition for Revocation, erasing the contact vector Petitioner  
3 would use to notify the State of his documented travel impossibility; (e) the State's actual written notice  
4 of all of the above via the February 19 Formal Memorialization (Exhibit A) before filing the revocation  
5 petition; and (f) the State's inclusion of a false allegation of illegal amphetamine use in the Petition for  
6 Revocation, despite its own probation officer's written confirmation on December 8, 2025, that "drug  
7 test results were all negative" and that any positive result was attributable to a lawfully prescribed  
8 Adderall prescription (Exhibit B). Where the State has actual notice of each defect in its own case and  
9 proceeds anyway, bad faith is the only reasonable inference.

10 The Seventh Circuit has confirmed that a showing of bad-faith prosecution brought for the purpose of  
11 harassment and retaliation constitutes immediate, irreparable harm justifying federal intervention.  
12 *Collins v. County of Kendall*, 807 F.2d 95, 98 (7th Cir. 1986). Where a state proceeding is brought in  
13 retaliation for the exercise of constitutionally protected rights, the proceeding itself constitutes  
14 irreparable harm. *Cullen v. Fliegner*, 18 F.3d 96, 103-04 (2d Cir. 1994). Here, the harm is not merely  
15 the outcome of the revocation hearing, but the custodial status imposed at the May 28 arraignment  
16 itself. The State's calculated sequencing demonstrates a specific tactical imperative: the State intends to  
17 move for pre-adjudication detention or prohibitive bail at the arraignment, knowing that even  
18 temporary incarceration will trigger a custodial blackout that immediately neutralizes Petitioner's  
19 ability to respond to the State's June 5 federal filing.

20 Additionally, the State cannot invoke the equitable protections of Younger abstention with unclean  
21 hands. *Precision Instrument Mfg. Co. v. Auto. Maint. Mach. Co.*, 324 U.S. 806, 814 (1945) (he who  
22 comes into equity must come with clean hands). By weaponizing a fabricated drug violation to execute  
23 a jurisdictional blackout against a federal habeas docket, the State's bad faith is absolute. A party that  
24 files a sworn pleading containing a known falsehood forfeits any claim to equitable deference. Younger  
25 abstention is structurally impossible where the State's own petition is built on a documented Napue  
26 violation.

27 Because Younger abstention does not bar federal relief where the state proceeding is conducted in bad  
28 faith, this Court may properly exercise its jurisdiction to enjoin the May 28, 2026 revocation  
arraignment and to proceed to the merits of the Habeas Petition without requiring exhaustion. The All  
Writs Act, 28 U.S.C. § 1651, read together with the Anti-Injunction Act's express exception for orders

"necessary in aid of [the court's] jurisdiction," 28 U.S.C. § 2283, provides the statutory authority to enter the requested injunctive relief. *In re Diet Drugs*, 282 F.3d 220, 233 (3d Cir. 2002) (an injunction is "necessary in aid of its jurisdiction" under the AIA if the state proceeding threatens to nullify the federal court's jurisdiction).

Petitioner respectfully notifies the Court that this Motion seeks emergency relief requiring a ruling before May 28, 2026. If this Court does not rule on this Motion before the scheduled arraignment, Petitioner will immediately seek: (a) an emergency ruling from this Court; or in the alternative, (b) a writ of mandamus or emergency injunction from the United States Court of Appeals for the Seventh Circuit directing this Court to rule, or (c) a notice of interlocutory appeal from the constructive denial of injunctive relief as of right under 28 U.S.C. § 1292(a)(1), which automatically vests jurisdiction in the court of appeals 30 days after a motion is filed and not ruled upon. See Fed. R. App. P. 5; 28 U.S.C. § 1292(a)(1). This notice is provided so that the Court cannot claim surprise at the procedural consequence of a failure to rule before the State executes its retaliatory timetable.

#### **X. THE DOCTRINE OF CONSTRUCTIVE DENIAL**

Petitioner respectfully asserts that time is the weapon being deployed by the State. Consequently, a failure by this Court to rule on this Emergency Motion prior to the May 28, 2026 state arraignment will be legally construed as a constructive denial of injunctive relief. The Seventh Circuit has firmly established that when a district court fails to rule on a request for preliminary injunctive relief in a time-sensitive context, that inaction constitutes a de facto denial subject to immediate interlocutory appeal. *Jones v. InfoCure Corp.*, 310 F.3d 529, 534 (7th Cir. 2002). If this Court permits the May 28 arraignment to proceed through inaction, Petitioner will immediately file a Notice of Interlocutory Appeal under 28 U.S.C. § 1292(a)(1) and seek an emergency writ of mandamus from the United States Court of Appeals for the Seventh Circuit.

#### **XI. LIKELIHOOD OF SUCCESS — THE WINTER FACTORS**

A party seeking a temporary restraining order or preliminary injunction must establish: (1) a likelihood of success on the merits; (2) a likelihood of irreparable harm absent preliminary relief; (3) that the balance of equities tips in the movant's favor; and (4) that an injunction is in the public interest. *Winter v. Natural Resources Defense Council*, 555 U.S. 7, 20 (2008). The Seventh Circuit applies a sliding scale: the greater the likelihood of success on the merits, the less irreparable harm need be shown. *Girl Scouts of Manitou Council, Inc. v. Girl Scouts of the U.S.A., Inc.*, 549 F.3d 1079, 1086 (7th Cir. 2008).

Petitioner satisfies all four factors.

**Factor 1: Likelihood of Success on the Merits.** Petitioner has documented a state-created impediment that excuses exhaustion under 28 U.S.C. § 2254(b)(1)(B)(ii), supported by: (a) this Court's own finding that the habeas petition alleges "a cognizable claim for relief" [Dkt. 11]; (b) the State's filing of a retaliatory revocation petition eight days before the federal response deadline; (c) the false amphetamine allegation contradicted by the State's own probation officer (Exhibit B); (d) the anonymous officer's identity concealment and verbal downgrade (Exhibit A); and (e) the prosecutor's deliberate communication blackout. The statutory and factual record establishes a likelihood of success on the question that exhaustion is excused and that the State's conduct constitutes bad faith under the Younger exception.

**Factor 2: Irreparable Harm.** The deprivation of constitutional rights for even minimal periods of time constitutes irreparable injury. *Elrod v. Burns*, 427 U.S. 347, 373 (1976). The threat of incarceration is not speculative; it is mathematically telegraphed by the State's own docketing sequence. Under 730 ILCS 5/5-6-4(a), the State possessed the statutory discretion to issue a simple Notice to Appear, which carries no immediate threat of detention. Instead, the State filed a formal Petition for Revocation to force an arraignment under 730 ILCS 5/5-6-4(b), activating the statutory mechanism for pre-adjudication detention or prohibitive bail. By deliberately selecting the procedural vehicle that triggers a custodial risk exactly eight days before the federal deadline, the State has mathematically verified its intent to execute a jurisdictional blackout. In the context of a bad-faith retaliation proceeding, this Court must presume the State will execute the tactical objective it engineered the timeline to achieve. Even temporary incarceration will immediately strip Petitioner of computer access, filing capability, and legal paperwork, neutralizing his ability to respond to the State's June 5 filing. *Collins v. County of Kendall*, 807 F.2d 95, 98 (7th Cir. 1986) (bad-faith prosecution brought for harassment constitutes immediate, irreparable harm). No monetary remedy can restore the lost opportunity to respond to the State's pleading or to prosecute two simultaneous federal habeas actions.

**Factor 3: Balance of Equities.** The balance of equities tips decisively in Petitioner's favor. A temporary delay of a probation revocation arraignment pending resolution of the underlying habeas petition imposes zero cognizable harm on the State — the State retains all its legal arguments and the ability to pursue revocation if the habeas petition is denied. By contrast, Petitioner faces the permanent loss of his ability to prosecute this action, physical incarceration, and the conversion of temporary

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2 detention into a prison sentence that would moot this Court's jurisdiction. The State cannot claim  
3 prejudice from being required to answer the habeas petition before incarcerating the petitioner.

4 **Factor 4: Public Interest.** The public interest strongly favors the preservation of this Court's habeas  
5 jurisdiction and the integrity of the federal habeas process. The public has an interest in ensuring that  
6 state prosecutors do not evade federal judicial review by physically incapacitating habeas petitioners  
7 before the court can rule. The federal habeas corpus statute exists precisely to provide a check on  
8 unconstitutional state custody; allowing the State to moot that check through retaliatory incarceration  
9 undermines the public interest in the rule of law.

## 10 **XII. RELIEF REQUESTED**

11 WHEREFORE, Petitioner respectfully requests that this Court:

12 (1) **Take** judicial notice of the May 14, 2026 Petition for Revocation filed by ASA Nicholas  
13 Shepherd in Lake County Case No. 23 CF 1146 as proof that the state corrective process is  
14 ineffective, hostile, and structurally broken under 28 U.S.C. § 2254(b)(1)(B)(ii);

15 (2) **Issue** an Order enjoining the Lake County State's Attorney's Office and the Lake County  
16 Probation Department from executing any arrest warrant or taking Petitioner into custody on the  
17 May 28, 2026 revocation arraignment pending this Court's final adjudication of the Habeas  
18 Petition [Dkt. 1];

19 (3) **Find** that the Petition for Revocation, filed thirty-one days after this Court's April 13 Minute  
20 Order and setting arraignment eight days before the June 5 federal response deadline, constitutes  
21 an overt act of witness tampering under 18 U.S.C. § 1512(b);

22 (4) **Enter** an Order under the All Writs Act, 28 U.S.C. § 1651, and the Anti-Injunction Act  
23 exception, 28 U.S.C. § 2283, as authorized by *Mitchum v. Foster*, 407 U.S. 225, 237-38 (1972)  
24 (federal equitable intervention under the AIA is authorized when a state proceeding is used as a  
25 weapon to deprive a citizen of federal rights), prohibiting the State of Illinois, its agents, and  
26 prosecutors from taking any retaliatory action against Petitioner based on the five alleged  
27 failure-to-report dates in the May 14 Petition;

28 (5) **Proceed** directly to a merits adjudication of the Habeas Petition [Dkt. 1], finding that  
exhaustion of state remedies is excused because the State's corrective process is structurally  
incapable of providing meaningful relief;

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**(6) Accept** the accompanying Exhibit Packet, containing Exhibits A through C, as supplemental evidence in support of the Habeas Petition [Dkt. 1], First Supplemental Notice [Dkt. 9], and Second Supplemental Notice; and

**(7) Grant** such other and further relief as this Court deems just, proper, and necessary to preserve its habeas jurisdiction.

**(8) In the event** this Court denies any requested relief, Petitioner respectfully requests that the order of denial be entered as a written order sufficient to constitute an immediately appealable interlocutory order under 28 U.S.C. § 1292(a)(1) as a denial of injunctive relief, and that a Certificate of Appealability issue under 28 U.S.C. § 2253(c) on the question of whether the State's filing of a revocation petition based on documented false allegations, timed eight days before the federal habeas response deadline, constitutes bad faith sufficient to excuse exhaustion under § 2254(b)(1)(B)(ii).

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**DECLARATION UNDER PENALTY OF PERJURY (28 U.S.C. § 1746)**

I, EHAB ALLABABIDI (DOB: September 24, 1996), declare under penalty of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746 that the following facts are true and correct based on my personal knowledge:

1. I am the Petitioner in Allababidi v. Junkin, Case No. 1:26-cv-01077, a 28 U.S.C. § 2254 habeas proceeding before this Court.
2. On April 13, 2026, this Court entered a Minute Order [Dkt. 11] ordering Respondent to answer by June 5, 2026. On the same date, this Court entered an identical Order in Allababidi v. Chief Adult Probation Officer, Case No. 1:25-cv-15181 (Cook County habeas), with the identical June 5 deadline.
3. On or about May 14, 2026, I obtained a copy of the Petition for Revocation filed by ASA Nicholas Shepherd in Lake County Case No. 23 CF 1146, scheduling arraignment on May 28, 2026. A true and correct copy is included in the accompanying Exhibit Packet as Exhibit C.
4. On February 19, 2026, I received a telephone call from a probation officer who refused to provide her name, supervising authority, or contact information. Her identity remains unknown to me. I immediately memorialized this call in a Formal Memorialization email, a true and correct copy of which is included in the accompanying Exhibit Packet as Exhibit A.

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5. During that call, the officer initially commanded an in-person appearance on March 10, 2026. When I requested clarification, she revised her instruction to: "Well, if you are able to make it here on March 10, 2026, I would appreciate it."

6. On March 10, 2026, I was fully available for a check-in from 12:00 PM to 4:00 PM. The Probation Department initiated zero calls during this window.

7. My mother's vehicle — which she was using to drive me to a RICO-related hearing, as my sole driver after my license was revoked on October 3, 2025 — was sabotaged on January 14, 2026, three hours before the in-person hearing, as documented in Dkt. 21 of Case No. 1:25-cv-15800 (Predicate Act 6). My driving privileges remain revoked. My prior emergency motion [Dkt. 10] sought equitable restoration of driving privileges strictly for court transit, to insulate a non-party from the 50-mile transit corridor to Waukegan where her vehicle had already suffered documented retaliation. That motion was denied. The State's Petition for Revocation now manufactures conditions where compliance mathematically requires conscripting that same non-party back into a known, active risk corridor.

8. ASA Nicholas Shepherd's signature block on the May 14 Petition for Revocation contains no phone number, no email address, and no office extension.

Executed on May 21, 2026 in Chicago, Illinois.

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, *Pro Se* Petitioner

8516 W. Winona St., Chicago, IL 60656

(773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)

Dated: May 21, 2026

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2        **CERTIFICATE OF SERVICE**

3        I, EHAB ALLABABIDI, certify under penalty of perjury that on the date set forth above, I caused the  
4        foregoing EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND  
5        PRELIMINARY INJUNCTION, together with the accompanying Exhibit Packet, to be filed with the  
6        Clerk of the Court via the N.D. Illinois Pro Se filing portal, which transmits electronic notice to all  
7        parties of record. Executed under Fed. R. Civ. P. 5(b)(2)(E) and N.D. Ill. Local Rule 5.9.

8        /s/ Ehab Allababidi

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EHAB ALLABABIDI, *Pro Se*

Dated: May 21, 2026

# EXHIBIT M

## PROBATION OFFICER FRAUD DOCUMENT

*Documentary evidence of probation officer misconduct — supports Ground 5*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Evidentiary document — probation officer fraud record	<b>Filed/Dated:</b>	Filed in connection with Case No. 23 CF 1146
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Ground 5 — Corroborates anonymous-officer misconduct chain

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This document provides additional evidentiary support for the anonymous-officer due process ground (Ground 5). It documents specific acts of fraud or misconduct by the probation officer in connection with Case No. 23 CF 1146 and corroborates the broader pattern of identity concealment and manufactured violations established by Exhibits E, F, and G.*

### KEY CONTENTS:

- Documents probation officer misconduct in Case No. 23 CF 1146
- Corroborates Ground 5: anonymous-officer due process violation
- Part of the broader Cervantes identity-concealment pattern



**CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
ADULT PROBATION DEPARTMENT**

02/19/2026

EHAB ALLABABIDI  
8516 W. WINONA ST  
CHICAGO, IL 60656

Case No.: 23CF01146

**FAILURE TO REPORT**

You have failed to report on your previously scheduled date of: 2/19/2026, 2:00 PM.

You must report on: 2/27/2026

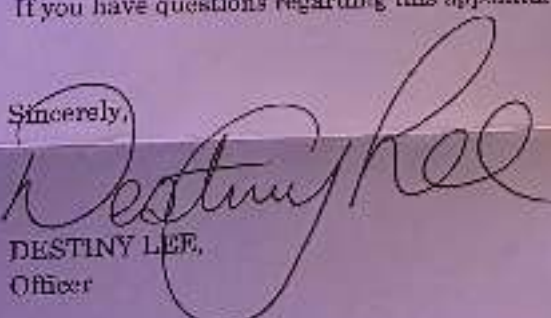
Time: 2:30 PM

Located at: 2121 Cullid Street                      Rolling Meadows, Illinois 60008

Failure to keep this appointment may result in your case being returned to court for a violation hearing.

If you have questions regarding this appointment, please call me at 847-818-2014.

Sincerely,

  
DESTINY LEE,  
Officer

---

**BRING THIS LETTER WITH YOU AND GIVE IT TO YOUR OFFICER**

---

Failure to Report - 016

# EXHIBIT N

## LAKE COUNTY CASE ACTION PAGE

Official portal docket — authenticated court record confirming all timeline events  
OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Official court record — Lake County Portal, Case No. 23 CF 1146	<b>Filed/Dated:</b>	Retrieved June 14, 2026 from Lake County Court Portal (authenticated)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	All Grounds — Official authenticated record confirming complete retaliatory timeline

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*The official Lake County Circuit Court docket for Case No. 23 CF 1146 authenticates every critical date in this petition: the September 8, 2025 probation sentence; the May 14, 2026 Petition for Revocation filing date; the May 28, 2026 warrant hearing and zero-bond warrant issuance; and all charges in the Petition. Cross-referenced with the Northern District of Illinois docket in 1:26-cv-06738, this record establishes the 31-day gap between the April 13, 2026 federal deadline order and the May 14, 2026 petition. This is the anchor document for the retaliatory timing argument.*

### KEY CONTENTS:

- Official authenticated docket from Lake County Court Portal, retrieved June 14, 2026
- Confirms September 8, 2025 sentencing; 30 months probation; \$2,670.86 restitution
- Confirms May 14, 2026 petition filing (31 days after April 13 federal deadline order)
- Confirms May 28, 2026 zero-bond warrant hearing and warrant issuance



# Circuit Court of the Nineteenth Judicial Circuit

Lake County, Illinois

## 23CF00001146 Warrant/Attach.After Sentence/Jdgmt

### PEOPLE VS ALLABABIDI

Criminal/Traffic: Criminal Felony - Filed: 06/14/2023

[Parties](#)

[Charges/Dispositions/Sentences](#)

[Court Events](#)

[Documents Filed](#)

[Financial](#)

#### PD Financial Folderview

[Fines and Fees](#)

[Restitution](#)

[Bail Bonds](#)

[Converted Fines and Costs](#)

[Converted Restitution](#)

[Converted Bonds](#)

∨ Fines and Fees

Date	Fine/Fee	Amount	Paid	Balance
03/30/2024	Sheriff	180.00	0.00	180.00
	Sheriff	180.00	0.00	180.00
09/08/2025	AGG RECKLESS DRVG/BODILY HARM [625 ILCS 5/11-503(a)(1)] - Criminal Schedule 1	549.00	0.00	549.00
	Court Automation Fund	20.00	0.00	20.00
	Document Storage Fund	20.00	0.00	20.00
	Clerk Operation and Admin Fund	5.00	0.00	5.00
	Circuit Clerk Costs Fund	160.00	0.00	160.00
	State's Attorney Office Fund	35.00	0.00	35.00
	Court Security Fund	40.00	0.00	40.00
	Specialty Courts Fund	20.00	0.00	20.00
	Child Advocacy Services Fund	10.00	0.00	10.00
	States Attorney Records Automation Fund	2.00	0.00	2.00
	Public Defender Records Automation Fund	2.00	0.00	2.00

Date	Fine/Fee	Amount	Paid	Balance
	Arrestee Medical Fund	20.00	0.00	20.00
	Probation and Court Services Operation Fund	20.00	0.00	20.00
	State Police Operation and Admin Fund	50.00	0.00	50.00
	Violent Crime Victims Assistance Fund	100.00	0.00	100.00
	Criminal & Traffic Training Surcharge	35.00	0.00	35.00
	State Police Merit Board Public Safety Fund	10.00	0.00	10.00
09/08/2025	CFIN - Criminal Fine	75.00	0.00	75.00
	Criminal Fine	75.00	0.00	75.00
09/08/2025	Conditional Assessment - SAO Prosecution CV/TR	2.00	0.00	2.00
	States Attorney Records Automation Fund	2.00	0.00	2.00
09/08/2025 11/10/2025	Probation Service Fee	1500.00	1,400.00	100.00
11/10/2025 Payment Suspended 1400.00 Paid by				
	Probation Service Fee	1500.00	1,400.00	100.00
09/08/2025	Service Provider Cost	125.00	0.00	125.00

Date	Fine/Fee	Amount	Paid	Balance
	Service Provider Cost	125.00	0.00	125.00
09/08/2025	Public Defender Fee Felony	100.00	0.00	100.00
	Public Defender Fee Felony	100.00	0.00	100.00

# EXHIBIT O

## FEDERAL § 1983 CIVIL-RIGHTS COMPLAINT (CM/ECF DOC. 1)

*Allababidi v. Shepherd, No. 1:26-cv-06738 (N.D. Ill.) — bears the official CM/ECF filing stamp*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Federal complaint — U.S. District Court, N.D. Ill. — 42 U.S.C. § 1983	<b>Filed/Dated:</b>	Filed June 6, 2026 (CM/ECF stamp: Case 1:26-cv-06738, Document #: 1)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 6, 3 + concurrent federal filing — names Shepherd, Cervantes, Lee, Fontana as defendants

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This is the operative federal civil-rights complaint, and every page bears the official CM/ECF filing stamp of the United States District Court for the Northern District of Illinois (“Case: 1:26-cv-06738 Document #: 1 Filed: 06/06/26 ... PageID #:”). It is attached so this Court has direct, authenticated proof that the same factual record is being litigated concurrently in federal court, that ASA Shepherd and Officer Cervantes are named defendants, and that the retaliatory-prosecution timeline (Ground 6) is pleaded under oath in a coordinate Article III tribunal. The CM/ECF stamp is the federal court’s own authentication — not a party exhibit label.*

### KEY CONTENTS:

- Every page bears the U.S. District Court CM/ECF stamp (Case 1:26-cv-06738, Doc. 1)
- Names Shepherd, Cervantes, Lee, and Fontana as § 1983 defendants
- Pleads First Amendment retaliation, malicious prosecution, fabrication, conspiracy
- Concurrent federal record — incorporated under the federal exhaustion directive

**BC**

**RECEIVED**  
6/6/2026  
THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT  
JKS

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

**EHAB ALLABABIDI,**  
*Plaintiff, Pro Se,*

v.

**NICHOLAS SHEPHERD,** Assistant State’s  
Attorney, Lake County;  
**MARISA CERVANTES,** Adult Probation Officer,  
Lake County;  
**DESTINY LEE,** Adult Probation Officer,  
Cook County;  
**MARGARET K. FONTANA,** Director, Division of  
Adult Probation Services, 19th Judicial Circuit  
(Lake County);  
**LAKE COUNTY, ILLINOIS,**  
**COOK COUNTY, ILLINOIS,**  
*Municipal Defendants.*

Case No.: **1:26-cv-0**\_\_\_\_\_

**1:26-cv-06738**  
**Judge Matthew F. Kennelly**  
**Magistrate Judge Karyn L Bass Ehler**  
**Random/Cat 3**

Judge: *(To Be Assigned)*  
Magistrate: *(To Be Assigned)*

**JURY TRIAL DEMANDED**

**COMPLAINT FOR DEPRIVATION OF CIVIL RIGHTS  
UNDER 42 U.S.C. § 1983**

*First Amendment Retaliation | Fourth Amendment Malicious Prosecution  
Fourteenth Amendment Due Process (Fabrication of Evidence)  
Supervisory Liability | Conspiracy to Deprive Civil Rights  
Jury Trial Demanded*

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- IV. Parties**
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  - B. The Retaliatory Petition for Revocation (May 14, 2026)
  - C. The Anonymous Officer (February 19, 2026)
  - D. The Mobility Kill (January 14, 2026)
  - E. The Litigation Hold (May 22, 2026)
  - F. The 7:00 AM Fraud Notice (May 28, 2026)
  - G. The Warrant Execution (May 28, 2026)
  - H. The Post-Warrant Lure (May 29, 2026)
  - I. The Causal Nexus: AG Withdrawal and Local Retaliation
  - J. Chronological Timeline of the Conspiracy
- VI. Claims for Relief**
  - Count I: First Amendment Retaliation (All Defendants)

- Count II: Fourteenth Amendment Due Process (Shepherd)
- Count III: Fourth Amendment Malicious Prosecution (Shepherd, Cervantes)
- Count IV: Supervisory Liability (Fontana)
- Count V: Conspiracy to Deprive Civil Rights (All Defendants)
- Count VI: Municipal Liability (Monell) (Lake County, Cook County)

**VII. Damages**

**VIII. Anticipatory Rebuttal of Immunity Defenses**

**IX. Prayer for Relief**

**X. Jury Demand**

- Declaration Under Penalty of Perjury
- Certificate of Service
- Index of Exhibits

**INDEX OF EXHIBITS**

The following exhibits are attached hereto and incorporated by reference as though fully set forth herein, pursuant to Fed. R. Civ. P. 10(c) and authenticated under Fed. R. Evid. 902(1), 902(13), and 902(14):

- Exhibit 1:** Cook County Adult Probation Drug Test Correspondence — Officer Adison Weeks confirmation emails (December 8 and 10, 2025) establishing prescription verification and “all negative” adjudication
- Exhibit 2:** Petition for Revocation of Probation (May 14, 2026) — filed by ASA Nicholas Shepherd, containing the knowingly false “Amphetamine (illegal substance)” allegation and the Rule 131(b)-violating signature block omitting all contact information
- Exhibit 3:** Pitney Bowes Envelope with USPS Tracking — forensic timestamps proving the two-stage mail delay (May 15 meter stamp, May 18 USPS intake, May 21 delivery)
- Exhibit 4:** Formal Memorialization Email (February 19, 2026) — sent to Director Fontana, documenting the anonymous officer call and requesting identification
- Exhibit 5:** Lake County Court Minute Entry (May 28, 2026) — reflecting Defendant Cervantes’s physical presence at the warrant hearing
- Exhibit 6:** Warrant of Arrest (May 28, 2026) — commanding all peace officers to arrest Plaintiff and hold without bond
- Exhibit 7:** Cervantes Post-Warrant Letter (May 29, 2026) — first and only communication from the assigned probation officer, sent one day after the warrant executed
- Exhibit 8:** Notice of Mandatory Litigation Hold (May 22, 2026) — served on all Defendants, identifying the fabricated drug allegation and forensic spoliation of response time
- Exhibit 9:** Notice of Special Appearance and Fraud on the Court — filed with the Lake County Circuit Clerk identifying Napue perjury
- Exhibit 10:** Emergency Email to Circuit Clerk and All Defendants (May 28, 2026, 7:00 AM) — attaching exculpatory evidence and warning that issuing the warrant would constitute federal witness tampering

## **I. PRELIMINARY STATEMENT**

This case exposes a coordinated, multi-agency retaliatory conspiracy to incarcerate a federal civil rights litigant eight days before his federal habeas deadline. The mechanism was surgically precise: a prosecutor who swore under oath that a lawfully prescribed medication was an “illegal substance”; a probation officer who concealed her identity for 100 days to manufacture a fake “failure to report” default; a second probation officer who demanded impossible physical appearances despite documented vehicle sabotage; and a supervisory director who received written notice of the entire scheme and did nothing.

The mathematical timeline is the confession. On April 13, 2026, a federal court set habeas deadlines for June 5, 2026. Exactly thirty-one days later, on May 14, 2026, Defendant Shepherd filed a Petition for Revocation built on a drug allegation that the State’s own coordinate agency had formally adjudicated as compliant five months earlier. The arraignment was scheduled for May 28, 2026 — eight days before the federal deadline. The State’s mailroom then held the notice for 96 hours over Memorial Day weekend, compressing Plaintiff’s window to seek federal emergency intervention to exactly three business days. When Plaintiff sent an Emergency Notice of Fraud on the Court at 7:00 AM on May 28 — two full hours before the warrant hearing — the state court issued a zero-bond bench warrant anyway, without conducting a probable cause hearing, without taking testimony, and without acknowledging the exculpatory evidence served upon it that morning.

This is not a close case. The evidence is not circumstantial. The State’s own written records mathematically disprove the sworn allegation in the Petition for Revocation. The conspiracy is not inferred from parallel conduct — it is demonstrated by cross-jurisdictional data extraction, synchronized court appearances, deliberate mail delays, and a post-warrant lure letter sent the day after the custodial extraction was already consummated. Plaintiff brings this action under 42 U.S.C. § 1983 to obtain declaratory and injunctive relief, compensatory and punitive damages, and to vindicate the constitutional rights that Defendants have conspired to destroy.

## **II. JURISDICTION AND VENUE**

1. This action arises under 42 U.S.C. § 1983 and the First, Fourth, and Fourteenth Amendments to the United States Constitution. This Court has subject-matter jurisdiction under 28 U.S.C. § 1331 (federal question) and 28 U.S.C. § 1343(a)(3) (civil rights).

2. Venue is proper in the Northern District of Illinois, Eastern Division, pursuant to 28 U.S.C. § 1391(b) because all Defendants reside in or committed the acts alleged within this District, and the events giving rise to this action occurred substantially within this District.

3. This Court may award declaratory and injunctive relief under 28 U.S.C. §§ 2201–2202 and Fed. R. Civ. P. 57 and 65. Plaintiff seeks compensatory and punitive damages under 42 U.S.C. § 1983 and Fed. R. Civ. P. 38.

### **III. EXCEPTION TO THE ANTI-INJUNCTION ACT AND THE YOUNGER ABSTENTION DOCTRINE**

4. This Court's exercise of jurisdiction is not barred by the Anti-Injunction Act, 28 U.S.C. § 2283, because 42 U.S.C. § 1983 is an Act of Congress that expressly authorizes federal courts to enjoin unconstitutional proceedings in state courts. *Mitchum v. Foster*, 407 U.S. 225, 243 (1972).

5. This Court's intervention is independently required under the bad-faith, harassment, and extraordinary circumstances exceptions to the Younger abstention doctrine. The state prosecution in Lake County Case No. 23 CF 1146 was brought in bad faith because Defendant Shepherd filed a verified Petition for Revocation containing assertions that are mathematically disproven by the written records of the State's own coordinate agency (Exhibit 1). The prosecution is maintained with no reasonable expectation of obtaining a valid revocation on the merits, but is instead explicitly calculated to serve as an instrument of harassment and a jurisdictional race condition to moot active federal habeas dockets before the June 5, 2026, deadline. *Dombrowski v. Pfister*, 380 U.S. 479, 490 (1965); *Huffman v. Pursue, Ltd.*, 420 U.S. 592, 611 (1975).

6. The state court is incapable of providing an adequate forum for adjudication of Plaintiff's federal constitutional rights because the local state apparatus has actively insulated itself from communication by omitting mandatory contact parameters under Illinois Supreme Court Rule 131(b), executing a zero-bond bench warrant without conducting a minimum probable cause hearing or taking testimony, and issuing the warrant despite having received written notice of the Napue perjury two hours before the hearing (Exhibits 9, 10). *Gibson v. Berryhill*, 411 U.S. 564, 577 (1973).

### **IV. PARTIES**

7. **Plaintiff EHAB ALLABABIDI** (DOB: September 24, 1996) is a natural person residing at 8516 W. Winona St., Chicago, Illinois 60656. Plaintiff is a citizen of the United States and is proceeding pro se. Plaintiff is subject to an active no-bond bench warrant issued in Lake County Case No. 23 CF 1146,

1 executed on May 28, 2026, at 9:00 AM, by the coordinated actions of the Defendants named herein.  
2 Plaintiff challenges the constitutionality of that warrant and the retaliatory scheme that produced it.

3  
4 **8. Defendant NICHOLAS SHEPHERD** is an Assistant State’s Attorney employed by the Lake  
5 County State’s Attorney’s Office, 18 N. County Street, Waukegan, Illinois 60085. Defendant Shepherd  
6 is sued in his individual capacity for damages and in his official capacity for prospective declaratory  
7 and injunctive relief. He drafted, signed, and filed the May 14, 2026 Petition for Revocation of  
8 Probation in Lake County Case No. 23 CF 1146, which contained a sworn, knowingly false allegation  
9 that Plaintiff tested positive for an “illegal substance” when Defendant knew the result was attributable  
10 to a lawfully prescribed medication. Defendant Shepherd deliberately omitted his phone number and  
11 email address from the pleading in violation of Illinois Supreme Court Rule 131(b), blocking Plaintiff  
12 from contacting him to present exculpatory evidence before the warrant issued.

13  
14 **9. Defendant MARISA CERVANTES** is an Adult Probation Officer employed by the Lake County  
15 Adult Probation Department. Defendant Cervantes is sued in her individual capacity for damages and  
16 in her official capacity for prospective declaratory and injunctive relief. On information and belief, she  
17 was the anonymous officer who contacted Plaintiff on February 19, 2026, at approximately 3:00 PM,  
18 deliberately refusing to identify herself by name, supervisory authority, or direct contact information.  
19 She executed the “Impossibility Trap” by concealing her identity for 100 days and manufacturing a  
20 fake “failure to report” default. She physically appeared in Courtroom T-611 on May 28, 2026,  
21 alongside ASA Shepherd to ensure the no-bond warrant was issued. She waited until May 29, 2026 —  
22 the day after the warrant was signed — to finally email Plaintiff, luring him into a custodial extraction  
23 that had already been executed.

24  
25 **10. Defendant DESTINY LEE** is an Adult Probation Officer employed by the Cook County Adult  
26 Probation Department. Defendant Lee is sued in her individual capacity for damages and in her official  
27 capacity for prospective declaratory and injunctive relief. On January 30, 2026, she demanded an  
28 impossible in-person appearance despite possessing actual, written knowledge of the “Mobility Kill”  
(the deliberately severed serpentine belt on Plaintiff’s vehicle on January 14, 2026, documented as  
Predicate Act 6 in Case No. 1:25-cv-15800). She participated in the coordinated enforcement scheme to  
weaponize Plaintiff’s physical immobility and manufacture a technical default. She only suspended her  
threat of immediate violation proceedings after Plaintiff explicitly invoked the pending federal RICO  
action on the recorded call.

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11. **Defendant MARGARET K. FONTANA** is the Director of the Division of Adult Probation Services for the 19th Judicial Circuit (Lake County). Defendant Fontana is sued in her individual capacity for damages and in her official capacity for prospective declaratory and injunctive relief. She was served with the February 19, 2026 Formal Memorialization (Exhibit 4), placing her on actual notice that her probation officer was operating anonymously, had created an “Impossibility Trap”, and was acting in concert with the prosecutor to manufacture a default. Defendant Fontana failed to intervene, failed to identify the officer, and failed to correct the communication blockade, thereby ratifying the constitutional deprivation.

## 9 **V. FACTUAL ALLEGATIONS**

### 10 **A. The Federal Habeas Deadlines (April 13, 2026)**

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12. On April 13, 2026, the United States District Court for the Northern District of Illinois entered Minute Orders [Dkt. 11] in two separate federal habeas corpus proceedings: Allababidi v. Junkin, Case No. 1:26-cv-01077 (the Lake County habeas), and Allababidi v. Chief Adult Probation Officer, Case No. 1:25-cv-15181 (the Cook County habeas). Both orders directed the Respondents to “answer or otherwise respond” by June 5, 2026.

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13. The Court found that Plaintiff alleged “a cognizable claim for relief” under the Rule 4 standard of Sanders v. Radtke, 48 F.4th 502, 509 (7th Cir. 2022). The State was on notice that Plaintiff’s constitutional claims would be adjudicated by a federal court within 53 days.

### 18 **B. The Retaliatory Petition for Revocation (May 14, 2026)**

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14. Exactly thirty-one days after the federal habeas deadlines were set, Defendant Shepherd filed a Petition for Revocation of Probation in Lake County Case No. 23 CF 1146, scheduling a mandatory arraignment for May 28, 2026 — exactly eight days before the June 5, 2026 federal response deadline in both habeas cases.

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15. The Petition for Revocation alleged that Plaintiff tested positive for “Amphetamine (illegal substance)” on November 10, 2025. This allegation was knowingly false. The Cook County Adult Probation Department — a coordinate agency of the State of Illinois — had already received the identical laboratory result, verified the lawful Adderall prescription, and formally adjudicated the test as compliant on December 10, 2025. Officer Adison Weeks confirmed in writing on December 8, 2025 that Plaintiff’s “drug test results were all negative”, and on December 10, 2025, that “it is all negative in my eyes because I know you are still taking the Adderall.” (See Exhibit 1, attached and incorporated

1 by reference under Fed. R. Civ. P. 10(c.)

2  
3 16. Defendant Shepherd's signature block on the Petition for Revocation contains no phone number, no  
4 email address, and no office extension — a direct violation of Illinois Supreme Court Rule 131(b). This  
5 omission was not inadvertent. It was a calculated communication blockade designed to prevent Plaintiff  
6 from contacting the prosecutor to present exculpatory evidence before the warrant could issue. (See  
7 Exhibit 2, attached and incorporated by reference under Fed. R. Civ. P. 10(c).)

8  
9 17. The State's own internal Pitney Bowes postage meter (ZIP 60085) stamped the physical envelope  
10 on Friday, May 15, 2026, one day after notarization. However, the envelope was withheld from the  
11 USPS Carol Stream processing facility until Monday, May 18, 2026, at 4:00 PM. Delivery was not  
12 completed until Thursday, May 21, 2026. In a 14-day procedural window, the State intentionally  
13 consumed exactly 50% of the timeline in transit. Because May 25, 2026, is Memorial Day, the 7-day  
14 transit delay compressed Plaintiff's operational window to seek federal emergency injunctive relief to  
15 exactly three business days. The Pitney Bowes postage meter stamp (May 15) is a government-audited  
16 forensic timestamp proving the State held the envelope for at least one full day after notarization before  
17 even applying postage. The USPS barcode confirms a second multi-day hold between the Pitney Bowes  
18 meter and actual USPS intake. This deliberate two-stage delay is direct evidence of the forum  
19 spoliation component of the conspiracy. (See Exhibit 3, attached and incorporated by reference under  
20 Fed. R. Civ. P. 10(c).)

### 21 **C. The Anonymous Officer (February 19, 2026)**

22 18. On February 19, 2026, at approximately 3:00 PM, Plaintiff received a single telephone call from a  
23 newly assigned Lake County probation officer who: (a) refused to provide her name; (b) refused to  
24 identify her supervising authority; and (c) refused to provide direct contact information. The officer's  
25 initial attempt to "command" an in-person appearance on March 10, 2026, was downgraded upon  
26 Plaintiff's request for clarification to: "Well, if you are able to make it here on March 10, 2026, I would  
27 appreciate it."

28 19. Plaintiff immediately memorialized this call in a Formal Memorialization email sent to Director  
Fontana, the Lake County State's Attorney's Office, and the Circuit Clerk. The email states: "Because  
her identity and direct contact information were not clearly established during the call, Director  
Fontana is formally requested to forward this communication to her immediately." (See Exhibit 4,  
attached and incorporated by reference under Fed. R. Civ. P. 10(c).) The State never identified the

1 officer. She never contacted Plaintiff again.

2  
3 20. Plaintiff established a Constructive Compliance Window from 12:00 PM to 4:00 PM on March 10,  
4 2026, making himself fully available for a telephonic or video check-in at Plaintiff's verified contact  
5 vectors. The State initiated zero calls during this four-hour window. No call logs. No voicemail. No  
6 email. No field contact. The State deliberately abandoned its supervisory duty to manufacture the  
7 technical default it now prosecutes.

8 **D. The Mobility Kill (January 14, 2026)**

9 21. On January 14, 2026, three hours before an in-person hearing on a RICO-related matter, the  
10 serpentine belt of Plaintiff's mother's vehicle — which she was using to drive Plaintiff to court as his  
11 sole driver after his license was revoked on October 3, 2025 — was deliberately severed. This sabotage  
12 is documented as Predicate Act 6 in *Allababidi v. Advocate Health, et al.*, N.D. Ill. Case No.  
13 1:25-cv-15800, Dkt. 21. The cut was a clean 90-degree blade cut with no fraying, no tensile  
14 deformation, and zero dry rot. The repair cost was \$2,850.00.

15 22. Defendant Lee possessed actual, written knowledge of this sabotage yet demanded an in-person  
16 appearance on January 30, 2026, under threat of immediate violation proceedings. She only suspended  
17 the threat after Plaintiff invoked the pending federal RICO action. Defendant Cervantes and Defendant  
18 Shepherd also possessed actual knowledge via the February 19, 2026 Formal Memorialization, which  
19 documented the vehicle sabotage and Plaintiff's physical inability to travel to Waukegan.

20 **E. The Litigation Hold (May 22, 2026)**

21 23. On May 22, 2026, Plaintiff served a Notice of Mandatory Litigation Hold (Exhibit 8, attached and  
22 incorporated by reference under Fed. R. Civ. P. 10(c)) on the Lake County State's Attorney's Office,  
23 ASA Shepherd, and all Defendants. The Litigation Hold explicitly identified the fabricated drug  
24 allegation, the anonymous officer's identity concealment, the deliberate omission of contact  
25 information, and the forensic spoliation of Plaintiff's response time. All Defendants had actual, written  
26 notice of the constitutional violations six days before the warrant executed. The Litigation Hold  
27 specifically demanded that all Defendants: (a) preserve all electronic communications, phone records,  
28 text messages, and emails relating to the probation supervision of Plaintiff; (b) preserve all internal  
memoranda, case notes, and supervisory directives relating to Case No. 23 CF 1146; (c) refrain from  
destroying, altering, or concealing any records subject to the litigation hold; and (d) immediately cease  
all retaliatory enforcement actions pending federal adjudication. No Defendant responded to the

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Litigation Hold. No Defendant acknowledged receipt. No Defendant withdrew or modified the Petition  
for Revocation despite having six full days of actual notice that its central factual allegation was  
demonstrably false.

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**F. The 7:00 AM Fraud Notice (May 28, 2026)**

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24. At 7:00 AM on May 28, 2026 — two full hours before the 9:00 AM warrant hearing — Plaintiff  
sent an Emergency Special Appearance and formal Notice of Fraud on the Court (Exhibit 10) via email  
to the Lake County Circuit Clerk, ASA Shepherd, the Lake County State’s Attorney’s Office, and the  
DOJ Public Integrity Section, with copies to Defendants Lee and Fontana. The email identified the  
Napue perjury, attached the exculpatory evidence (Exhibit 1), notified the court of pending federal  
proceedings, and warned that issuing a warrant would constitute participation in a federal witness  
tampering conspiracy. The email attached the Notice of Special Appearance (Exhibit 9), the Litigation  
Hold (Exhibit 8), and other exhibits. Every Defendant had the exculpatory evidence in their possession  
before the warrant hearing.

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14  
**G. The Warrant Execution (May 28, 2026)**

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25. At 9:00 AM on May 28, 2026, the Lake County Circuit Court (Hon. Christopher Stride, Courtroom  
T-611) executed a no-bond bench warrant against Plaintiff. The court docket reflects Defendant  
Cervantes was physically present. (See Exhibit 5.) The full Warrant of Arrest (Exhibit 6) commands all  
peace officers of Illinois to arrest Plaintiff and hold him in custody without bond.

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26. The warrant was issued without a probable cause hearing, without taking testimony, and without  
any adjudication of the merits. The state court issued the warrant despite having received the Notice of  
Special Appearance (Exhibit 9) two hours earlier, which explicitly identified the Napue perjury and  
warned that issuing a warrant would constitute participation in federal witness tampering.

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27. Defendant Cervantes waited until May 29, 2026 — the day after the warrant was signed and  
executed — to send her first and only communication to Plaintiff — a letter urging him to “turn  
yourself in to the Lake County Jail” (Exhibit 7). After concealing her identity and contact information  
for 100 days, Defendant Cervantes finally revealed her email address (mcervantes@lakecountyil.gov)  
and phone number (847-377-3614) only after the warrant was already executed, in a transparent effort  
to lure Plaintiff into the custodial extraction that had already been consummated. The letter states: “You  
failed to appear in court on 5/28/2026 and a warrant was issued for your arrest. I encourage you to turn  
yourself in to the Lake County Jail to resolve this warrant immediately.”

## H. The Causal Nexus: Attorney General Withdrawal and Local Retaliation

28. Following the April 13, 2026 habeas deadline orders, the Illinois Attorney General’s Office filed a “Notice of Non-Involvement” on April 28, 2026, offloading the defense burden onto local Respondents.

29. In response, Plaintiff activated federal service machinery under Fed. R. Civ. P. 4(c)(3). Stripped of the Attorney General’s protection, the local Defendants could not defend the state court record by June 5, 2026. Consequently, they conspired to physically incarcerate Plaintiff on May 28 to moot the federal court’s jurisdiction before the federal clock expired.

## J. Chronological Timeline of the Conspiracy

30. The following chronological timeline demonstrates the mathematically impossible alignment of dates that conclusively establishes the retaliatory nature of Defendants’ conduct:

Date	Event	Significance
Oct. 3, 2025	License revoked	Plaintiff dependent on family for transport
Nov. 10, 2025	Drug test administered	Amphetamine detected (lawful Adderall Rx)
Dec. 8–10, 2025	Cook County clears test	Officer Weeks: “all negative” (Exhibit 1)
Jan. 14, 2026	Mobility Kill	Serpentine belt severed; \$2,850 repair (Predicate Act 6)
Jan. 30, 2026	Lee demands appearance	Despite written knowledge of vehicle sabotage
Feb. 19, 2026	Anonymous officer call	Refuses name, authority, contact info (Exhibit 4)
Mar. 10, 2026	Compliance Window	Plaintiff available 12–4 PM; zero State contact
Apr. 13, 2026	<b>Federal habeas deadline set</b>	June 5, 2026 response date in both habeas cases
Apr. 28, 2026	AG files Non-Involvement	Local Defendants left unprotected
<b>May 14, 2026</b>	<b>Revocation petition filed</b>	<b>31 days after deadline; false drug allegation</b>
May 15, 2026	Pitney Bowes meter stamp	Envelope held 1+ day before postage applied
May 18, 2026	USPS intake	3-day hold between meter and USPS
May 21, 2026	Delivery to Plaintiff	50% of procedural window consumed in transit
May 22, 2026	Litigation Hold served	All Defendants on actual notice (Exhibit 8)
May 25, 2026	Memorial Day	Business days further compressed
<b>May 28, 2026</b>	<b>7:00 AM: Fraud Notice sent</b>	<b>Exculpatory evidence served 2 hrs before hearing</b>
<b>May 28, 2026</b>	<b>9:00 AM: Warrant executed</b>	<b>8 days before June 5 federal deadline</b>
May 29, 2026	Cervantes lure letter	First contact after 100 days of concealment (Exhibit 7)

## VI. CLAIMS FOR RELIEF

### **COUNT I: FIRST AMENDMENT RETALIATION**

*(Brought Against All Defendants in Their Individual Capacities Under 42 U.S.C. § 1983)*

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31. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 30 as if fully set forth herein.

32. The First Amendment, made applicable to the states through the Fourteenth Amendment, protects the right of individuals to petition the government for redress of grievances, including the right of access to the courts and the right to prosecute federal civil rights litigation without state-sponsored retaliation. *California Motor Transport Co. v. Trucking Unlimited*, 404 U.S. 508, 510 (1972); *Bill Johnson’s Restaurants, Inc. v. NLRB*, 461 U.S. 731, 741 (1983). The elements of a First Amendment retaliation claim under § 1983 are: (1) the Plaintiff engaged in constitutionally protected speech or conduct; (2) the Defendant took adverse action against the Plaintiff that would deter a person of ordinary firmness from engaging in protected speech; and (3) the protected speech was a motivating factor in the Defendant’s adverse action. *Bridges v. Gilbert*, 557 F.3d 541, 546 (7th Cir. 2009); *Woodruff v. Mason*, 542 F.3d 545, 551 (7th Cir. 2008).

33. **Protected Activity:** Plaintiff engaged in constitutionally protected activity by: (a) filing multiple federal habeas corpus petitions (Case Nos. 1:26-cv-01077 and 1:25-cv-15181) challenging the constitutionality of his state conviction; (b) filing a Civil RICO action (Case No. 1:25-cv-15800) alleging a multi-year criminal enterprise by state actors; and (c) serving federal process upon the local Defendants under Fed. R. Civ. P. 4(c)(3), compelling them to answer before a federal court. Each of these activities is protected by the Petition Clause of the First Amendment.

34. **Adverse Actions:** Defendants took the following adverse actions that would deter a person of ordinary firmness from continuing to exercise his First Amendment right to petition the federal courts: (a) Defendant Shepherd filed a Petition for Revocation containing a knowingly false drug allegation and scheduled the arraignment exactly eight days before the federal habeas deadline (Exhibits 1–2); (b) Defendant Cervantes concealed her identity for 100 days to manufacture a fake “failure to report” default, then appeared in court on May 28, 2026, to ensure the warrant issued (Exhibits 4–7); (c) Defendant Lee demanded impossible in-person appearances despite actual knowledge of the Mobility Kill; (d) Defendant Fontana, having received actual notice via the February 19, 2026 Formal Memorialization, failed to intervene, train, supervise, or correct the retaliatory scheme (Exhibit 4); and (e) all Defendants, acting in concert, executed a custodial extraction designed to permanently sever Plaintiff’s access to federal litigation infrastructure.

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35. **Causal Nexus:** The adverse actions were motivated by Plaintiff’s protected activity. The mathematical timeline is dispositive: (a) April 13, 2026 — federal habeas deadlines set; (b) May 14, 2026 — exactly 31 days later, the revocation petition was filed; (c) May 28, 2026 — arraignment set exactly 8 days before the June 5 federal deadline; (d) the petition contained a knowingly false allegation (Exhibits 1–2); (e) the mail was deliberately delayed to consume 50% of the response window (Exhibit 3); (f) Defendant Fontana received actual notice of the anonymous officer scheme (Exhibit 4) and did nothing; and (g) the warrant was executed on May 28, 2026, at 9:00 AM, with Defendant Cervantes physically present (Exhibits 5–6). The statistical probability that this alignment is coincidental is functionally zero.

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36. The adverse action — a custodial extraction eight days before a federal response deadline — would deter a person of ordinary firmness from continuing to exercise his First Amendment right to petition the federal courts. *Collins v. County of Kendall*, 807 F.2d 95, 98 (7th Cir. 1986) (bad-faith prosecution brought for harassment constitutes irreparable harm). Plaintiff has been subjected to an active no-bond arrest warrant and faces imminent incarceration directly resulting from Defendants’ retaliatory scheme.

## **COUNT II: FOURTEENTH AMENDMENT DUE PROCESS**

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*(Fabrication of Evidence in Violation of Napue v. Illinois; Brought Against Defendant Shepherd in His Individual Capacity Under 42 U.S.C. § 1983)*

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37. Plaintiff repeats and re-alleges paragraphs 1 through 36 as if fully set forth herein.

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38. The knowing presentation of false evidence to a court violates the Due Process Clause. *Napue v. Illinois*, 360 U.S. 264, 269 (1959) (“[A] conviction obtained through use of false evidence, known to be such by representatives of the State, must fall under the Fourteenth Amendment.”); *Miller v. Pate*, 386 U.S. 1, 6–7 (1967); *Whitlock v. Brueggemann*, 682 F.3d 567, 580 (7th Cir. 2012).

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39. The right to be free from prosecution based on fabricated evidence applies not only at trial but at every stage of a criminal or quasi-criminal proceeding, including probable cause determinations for arrest warrants and probation revocation proceedings. *Franks v. Delaware*, 438 U.S. 154, 155–56 (1978) (“[A] warrant based on a false statement knowingly and intentionally made must be voided.”); *Black v. City of Milwaukee*, 2016 WL 7034014, at \*4 (E.D. Wis. Dec. 1, 2016).

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40. Defendant Shepherd knowingly, intentionally, and with reckless disregard for the truth included in a sworn Petition for Revocation the false statement that Plaintiff tested positive for “Amphetamine (illegal substance)” on November 10, 2025. At the time Defendant Shepherd signed, notarized, and

1 filed the Petition, he knew or should have known that: (a) the Cook County Adult Probation  
2 Department had received the identical laboratory result; (b) the Cook County Adult Probation  
3 Department had verified the lawful Adderall prescription; (c) the Cook County Adult Probation  
4 Department had formally adjudicated the test as compliant on December 10, 2025; and (d) Officer  
5 Adison Weeks had confirmed in writing that the result was “all negative” and attributable to a lawfully  
6 prescribed medication. (See Exhibit 1.)

7 41. The 185-day delay between the November 10, 2025 drug test and the May 14, 2026 Petition for  
8 Revocation is independently dispositive of retaliatory intent. Adderall (mixed amphetamine salts) has a  
9 plasma half-life of approximately 10–13 hours, meaning the substance is pharmacologically eliminated  
10 from the body within 72 hours of administration. If Defendant Shepherd genuinely believed Plaintiff  
11 was using illegal amphetamines, immediate enforcement action would have been warranted. Instead,  
12 Defendant Shepherd waited 185 days — allowing Plaintiff to file federal habeas petitions, activate  
13 RICO litigation, and serve federal process — before deploying the stale test result as a pretext for  
14 incarceration. The 185-day delay is not consistent with legitimate law enforcement; it is consistent with  
15 waiting until the federal deadline created an operationally useful window for custodial extraction.

16 42. The false allegation was material to the warrant determination. The Petition for Revocation relied  
17 on the drug allegation as independent grounds for revocation. Removing the false allegation would  
18 have substantially reduced the probability that a neutral judicial officer would have found probable  
19 cause to issue a no-bond arrest warrant. The remaining allegations in the Petition — the manufactured  
20 “failure to report” default created by Defendant Cervantes’s 100-day identity concealment — are  
21 themselves constitutionally infirm because they were produced by the very conspiracy alleged herein.  
22 Without the fabricated drug allegation and without the manufactured default, there was no lawful basis  
23 for the warrant.

24 43. As a direct and proximate result of Defendant Shepherd’s fabrication of evidence, Plaintiff has  
25 suffered: (a) the issuance and execution of a no-bond arrest warrant; (b) the deprivation of his liberty  
26 interest in remaining free from custodial detention; (c) the deprivation of his right to access the federal  
27 courts; (d) severe emotional distress; and (e) damage to his reputation and standing in the community.

### **COUNT III: FOURTH AMENDMENT MALICIOUS PROSECUTION**

*(Unreasonable Seizure / Wrongful Legal Process; Brought Against Defendants Shepherd and Cervantes in Their Individual Capacities Under 42 U.S.C. § 1983)*

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44. Defendants Shepherd and Cervantes, acting under color of state law, commenced and continued a quasi-criminal judicial proceeding against Plaintiff by filing the May 14, 2026 Petition for Revocation of Probation in Lake County Case No. 23 CF 1146 and securing the issuance of an active, no-bond arrest warrant commanding all peace officers of the State of Illinois to seize Plaintiff's person and hold him in custody. Under *Thompson v. Clark*, 142 S. Ct. 1332, 1337 (2022), a Fourth Amendment seizure occurs when the government initiates legal process that restrains the plaintiff's liberty, including the issuance of an arrest warrant that restricts freedom of movement and subjects the individual to the threat of imminent custodial detention. The active, zero-bond bench warrant in this case constitutes a seizure within the meaning of the Fourth Amendment.

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45. Defendants acted entirely without probable cause. The sole factual predicate was a test result that a coordinate state agency had adjudicated as negative and lawful five months prior (Exhibit 1).

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46. Defendants acted with objective malice, as demonstrated by the deliberate calculation of the temporal sequence: (a) waiting 185 days after the November 10, 2025, test to file the revocation petition; (b) suppressing the exculpatory coordination record from Cook County Adult Probation; (c) omitting all direct contact fields from the petition to enforce a communication blockade in violation of Illinois Supreme Court Rule 131(b); and (d) delaying mail transit by 96 hours to exhaust Plaintiff's window to seek federal emergency intervention. A reasonable prosecutor in Defendant Shepherd's position, possessing the exculpatory Cook County adjudication, would not have initiated the revocation proceeding. *Whren v. United States*, 517 U.S. 806, 813 (1996); *Gerstein v. Pugh*, 420 U.S. 103, 111–14 (1975).

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47. Defendant Cervantes actively participated in the malicious prosecution by: (a) concealing her identity for 100 days to manufacture a fake failure-to-report default; (b) appearing physically in Courtroom T-611 on May 28, 2026, alongside Defendant Shepherd to ensure the warrant issued; and (c) waiting until May 29, 2026 — the day after the warrant was executed — to send her first and only communication to Plaintiff, a transparent effort to lure him into the already-consummated custodial extraction.

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48. As a direct and proximate result of the fraudulent commencement of legal process, Plaintiff has suffered a severe deprivation of liberty consistent with a Fourth Amendment seizure, specifically: the issuance of an active, zero-bond arrest warrant commanding all peace officers in Illinois to seize his person; the restriction of his freedom of movement; the targeted deployment of local law enforcement

1 assets to execute a custodial extraction; and the total disruption of his liberty interest in remaining free  
2 from unconstitutional state detention. *Manuel v. City of Joliet*, 580 U.S. 357, 367 (2017) (Fourth  
3 Amendment governs claims for pretrial detention without probable cause).

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5 49. The fraudulent legal process was void ab initio due to fabricated evidence, terminating in Plaintiff's  
6 favor under *Thompson v. Clark*, 142 S. Ct. at 1341. Alternatively, even if the revocation petition  
7 remains technically pending on the state docket, the active zero-bond warrant constitutes an ongoing,  
8 unlawful pretrial seizure pursuant to wrongful legal process that violates the Fourth Amendment  
9 independently of a final merits adjudication. The warrant itself was procured entirely through verified  
10 fraud on the court, lacks any valid probable cause foundation, and operates as an immediate, functional  
11 deprivation of Plaintiff's liberty. *Heck v. Humphrey*, 512 U.S. 477, 484 n.2 (1994) (a § 1983 claim for  
12 unreasonable seizure pursuant to legal process accrues when the seizure occurs, regardless of the  
13 outcome of the underlying prosecution). *Wallace v. Kato*, 549 U.S. 384, 390 (2007).

#### 14 **COUNT IV: SUPERVISORY LIABILITY**

15 *(Brought Against Defendant Fontana in Her Individual Capacity Under 42 U.S.C. § 1983)*

16 50. Plaintiff repeats and re-alleges paragraphs 1 through 49 as if fully set forth herein.

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18 51. Defendant Fontana had actual notice on February 19, 2026, that her subordinate was operating  
19 anonymously, had severed communication, and was manufacturing a technical default (Exhibit 4). She  
20 failed to identify the officer, initiate any contacts, train or supervise, or prevent the retaliatory  
21 revocation. Supervisory liability attaches in the Seventh Circuit when an official knows about  
22 unconstitutional conduct and facilitates it, approves it, condones it, or turns a blind eye for fear of what  
23 they might see. *Kemp v. Liebel*, 877 F.3d 346, 351 (7th Cir. 2017); *Jones v. City of Chicago*, 856 F.2d  
24 985, 992 (7th Cir. 1988). But for her deliberate inaction and ratification, the manufactured defaults  
25 would not have existed.

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27 52. Defendant Fontana failed to take any action: (a) she did not identify the anonymous officer; (b) she  
28 did not instruct her to use Plaintiff's verified contact vectors; (c) she did not initiate any field contacts,  
home visits, or telephonic check-ins during the 60-day period before the revocation petition was filed;  
(d) she did not train or supervise the officer to ensure compliance with constitutional requirements; and  
(e) she did not intervene to prevent the filing of the retaliatory revocation petition.

#### 29 **COUNT V: CONSPIRACY TO DEPRIVE CIVIL RIGHTS**

30 *(Brought Against All Defendants in Their Individual Capacities Under 42 U.S.C. § 1983)*

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53. Plaintiff repeats and re-alleges paragraphs 1 through 52 as if fully set forth herein.

54. Defendants, acting under color of state law, reached an explicit agreement, meeting of the minds, and operational understanding to deprive Plaintiff of his clearly established constitutional rights, including his First Amendment right of access to the courts, his Fourth Amendment right to be free from unreasonable seizure pursuant to wrongful legal process, and his Fourteenth Amendment right to be free from prosecutions initiated via fabricated evidence. *Daugherty v. Page*, 906 F.3d 606, 614 (7th Cir. 2018).

55. The existence of this conspiracy is not based on speculative inference but is conclusively demonstrated by highly interdependent, cross-jurisdictional actions requiring active communication, joint coordination, and tactical synchronization between separate county agencies:

- (a) The Data-Bridge Hand-off: On information and belief, Defendant Lee and Cook County Adult Probation agents extracted the raw November 10, 2025, chemical data from the shared LEADS/probation network, intentionally stripped the accompanying December 10, 2025, exculpatory compliance adjudication and prescription verification records, and transmitted the isolated, un-contextualized data-packet to Defendant Shepherd and Defendant Cervantes to weaponize it as a pretextual charging asset in Lake County. This cross-jurisdictional data extraction and selective suppression of exculpatory context is the mechanism by which the false amphetamine allegation came to appear in the May 14 Petition.
- (b) Cervantes concealed her identity for 100 days, manufacturing a default, while Lee demanded impossible appearances to compound the record of noncompliance.
- (c) Shepherd drafted a revocation petition with a knowingly false drug allegation and omitted his contact information to block exculpatory communication.
- (d) The Coordinated Court Appearance: Defendant Cervantes and Defendant Shepherd synchronized their physical presence in Courtroom T-611 at 9:00 AM on May 28, 2026, acting in concert to suppress the fact that Plaintiff had served an Emergency Notice of Fraud on the Court at 7:00 AM that morning, thereby ensuring the immediate issuance of a zero-bond warrant through the mutual presentation of falsified facts and the concealment of the exculpatory record served two hours earlier.
- (e) Fontana received actual notice and took no corrective action, ratifying the conspiracy.

1 (f) The State’s mailroom delayed the envelope 96 hours to compress Plaintiff’s response window  
2 over Memorial Day.

3 (g) Cervantes waited until May 29 to send her first communication, a post-warrant letter urging  
4 Plaintiff to “turn yourself in”.

5 56. These overt acts directly caused Plaintiff’s constitutional injuries.

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7 **COUNT VI: MUNICIPAL LIABILITY (MONELL POLICY, CUSTOM, AND PRACTICE)**

8 *(Brought Against Lake County, Illinois, and Cook County, Illinois Under 42 U.S.C. § 1983)*

9 57. Plaintiff repeats and re-alleges paragraphs 1 through 56 as if fully set forth herein.

10 58. The constitutional violations described herein were caused by the official policies, widespread  
11 customs, and systemic practices of Lake County and Cook County, acting through their respective  
12 Adult Probation Departments and State’s Attorney’s Offices.

13 59. **Failure to Train/Supervise:** Lake County failed to train its Adult Probation Officers on the basic  
14 constitutional requirements of transparency, notification, and the prohibition against retaliatory  
15 enforcement. This failure to train was a moving force behind the anonymous officer’s 100-day  
16 concealment and the subsequent manufacture of a technical default (Exhibit 4).

17 60. **Widespread Custom of Retaliation:** The use of “Impossibility Traps” (demanding impossible  
18 physical appearances despite actual notice of vehicle sabotage) and forensic spoliation of mail (the  
19 Pitney Bowes/USPS mail delay) represents a widespread, well-settled custom of the Lake County  
20 Division of Adult Probation Services, which was known to, or should have been known to,  
21 policy-making officials (Exhibit 3).

22 61. **Systemic Ratification:** Director Fontana, as the final policymaker for Lake County Adult  
23 Probation, had actual notice of the anonymous officer scheme on February 19, 2026, and the Napue  
24 perjury on May 28, 2026 (Exhibits 4, 10). Her failure to intervene and her subsequent ratification of the  
25 retaliatory warrant execution constitutes an official policy of deliberate indifference to the  
26 constitutional rights of probationers.

27 62. **Data-Bridge Policy:** The cross-jurisdictional extraction and transmission of un-contextualized  
28 chemical data between Cook County and Lake County is a result of a formalized, deficient inter-agency  
data sharing practice that creates a “trap” for the accused by suppressing exculpatory adjudication

records. This policy is the moving force behind the Napue fabrication (Exhibit 1).

## **VII. DAMAGES**

63. Plaintiff repeats and incorporates by reference paragraphs 1 through 62.

64. As a direct and proximate result of Defendants' unconstitutional conduct, Plaintiff has suffered and continues to suffer the following damages:

(a) **Deprivation of Liberty:** Plaintiff is subject to an active no-bond arrest warrant and faces imminent incarceration as a direct result of Defendants' retaliatory and false-evidence scheme.

(b) **Deprivation of Access to Courts:** Plaintiff's ability to prosecute multiple pending federal actions—including habeas corpus petitions, a Civil RICO action, and an interlocutory appeal before the Seventh Circuit—has been severely impaired by the threatened and executed custodial extraction.

(c) **Emotional Distress:** Plaintiff has suffered severe emotional distress, anxiety, and psychological harm as a result of the retaliatory prosecution, the false accusation of illegal drug use, the active arrest warrant, and the imminent threat of custodial detention.

(d) **Reputational Harm:** The false accusation of "illegal substance" use, sworn under oath and filed in a public court record, has damaged Plaintiff's reputation in the community, among his professional contacts, and before the federal courts in which he appears.

(e) **Loss of Evidence:** The custodial extraction threatens the permanent destruction of encrypted digital evidence central to Plaintiff's Civil RICO action (Case No. 1:25-cv-15800) and his Tencent cyber-intrusion action (Case No. 1:26-cv-03204, CFAA/DTSA). This evidence, if destroyed, constitutes irreparable harm that no monetary award can remedy.

(f) **Costs and Attorneys' Fees:** Plaintiff is entitled to reasonable costs and attorneys' fees under 42 U.S.C. § 1988.

(g) **Vehicle Repair Costs:** The Mobility Kill (Predicate Act 6) resulted in \$2,850.00 in documented vehicle repair costs. This sabotage was a precondition to the manufactured "failure to report" default that Defendants Cervantes and Lee weaponized to compound the revocation petition. These costs are directly traceable to the retaliatory scheme and are recoverable as consequential damages.

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(h) **Lost Employment and Economic Harm:** The active no-bond arrest warrant has prevented Plaintiff from maintaining normal employment, conducting business activities, and traveling freely within the state. The stigma of the false drug accusation, filed as a sworn public record, has created ongoing economic harm that will continue until the unconstitutional warrant is vacated.

(i) **Interference with Federal Litigation:** Defendants' retaliatory scheme has directly interfered with Plaintiff's ability to prosecute the following federal actions: Allababidi v. Junkin, Case No. 1:26-cv-01077 (Lake County habeas); Allababidi v. Chief Adult Probation Officer, Case No. 1:25-cv-15181 (Cook County habeas); Allababidi v. Advocate Health, et al., Case No. 1:25-cv-15800 (Civil RICO); and Allababidi v. Tencent Cloud LLC, et al., Case No. 1:26-cv-03204 (CFAA/DTSA cyber-intrusion action). The custodial extraction was designed to sever Plaintiff's access to his litigation infrastructure, destroy encrypted digital evidence, and create a jurisdictional *fait accompli* before the federal courts could act.

### **VIII. ANTICIPATORY REBUTTAL OF IMMUNITY DEFENSES**

65. Plaintiff anticipates immunity defenses and affirmatively pleads:

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**A. Defendant Shepherd — No Absolute Prosecutorial Immunity.** While prosecutors generally enjoy absolute immunity from § 1983 damages for conduct within the scope of their prosecutorial functions, *Imbler v. Pachtman*, 424 U.S. 409, 430–31 (1976), that immunity does not apply where the prosecutor acts as a complaining witness, performs investigatory or administrative functions, or knowingly fabricates evidence. *Rehberg v. Paulk*, 566 U.S. 356, 369 (2012) (absolute immunity does not extend to acts outside the scope of legitimate advocacy, “such as fabricating evidence”). *Buckley v. Fitzsimmons*, 509 U.S. 259, 273 (1993) (prosecutors receive only qualified immunity when acting in an investigatory capacity or performing administrative duties). Defendant Shepherd is not entitled to absolute immunity because he functioned as an administrative verifier or complaining witness when he attested to the factual falsity of the chemical test results despite having constructive possession of the coordinate agency records that disproved his allegation. *Kalina v. Fletcher*, 522 U.S. 118, 129 (1997) (a prosecutor acts as a complaining witness when personally attesting to the truth of factual statements in a charging document, and receives only qualified immunity for that function). The signature block on the Petition for Revocation does not merely initiate proceedings—it attests under penalty of perjury to a specific factual proposition (“Amphetamine (illegal substance)”) that is mathematically false. By knowingly including a false allegation of illegal drug use in a sworn Petition for Revocation, Defendant Shepherd

1 stepped outside the scope of legitimate advocacy and forfeited any claim to absolute immunity. The  
2 fabrication of evidence is not a prosecutorial function—it is a constitutional tort.

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4 **B. Defendants Cervantes, Lee, and Fontana — No Qualified Immunity.** Qualified immunity  
5 protects government officials only where their conduct does not violate clearly established statutory or  
6 constitutional rights of which a reasonable person would have known. *Harlow v. Fitzgerald*, 457 U.S.  
7 800, 818 (1982). The right to be free from retaliatory prosecution based on fabricated evidence was  
8 clearly established long before 2026. *Napue v. Illinois*, 360 U.S. 264, 269 (1959); *Franks v. Delaware*,  
9 438 U.S. 154, 155–56 (1978); *Whitlock v. Brueggemann*, 682 F.3d 567, 580 (7th Cir. 2012).

9 No reasonable probation officer could believe that the following conduct was lawful: (a) Defendant  
10 Cervantes — concealing her identity for 100 days to manufacture a technical default while  
11 simultaneously coordinating with the prosecutor to schedule the warrant hearing eight days before the  
12 federal deadline; (b) Defendant Lee — demanding impossible in-person appearances despite  
13 documented vehicle sabotage and then transmitting un-contextualized drug test data to Lake County  
14 through the cross-jurisdictional data-bridge while suppressing the exculpatory compliance adjudication;  
15 (c) Defendant Fontana — receiving actual, written notice of the anonymous officer scheme, the  
16 Impossibility Trap, and the manufactured default, and taking zero corrective action over a 98-day  
17 period from February 19 through May 28, 2026. Each Defendant’s conduct independently satisfies both  
18 prongs of the qualified immunity analysis: the conduct violated clearly established law, and no  
19 reasonable official could have believed the conduct was lawful.

19 **C. The Joint Action Doctrine.** Even if Defendant Cervantes were acting within her official duties, she  
20 abandoned her neutral role and conspired with Defendant Shepherd to manufacture a default and  
21 execute a retaliatory arrest. Under the joint action doctrine, a state official who willfully participates in  
22 a joint conspiracy with another state actor to deprive a person of constitutional rights acts under color of  
23 state law for purposes of § 1983 regardless of whether the specific act falls within the official’s formal  
24 job description. *Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 942 (1982); *Dennis v. Sparks*, 449 U.S. 24,  
25 27–28 (1980) (private persons who jointly engage with state officials in a conspiracy to deprive  
26 constitutional rights act under color of law). The coordinated court appearance on May 28, 2026, where  
27 both Defendant Cervantes and Defendant Shepherd were physically present in Courtroom T-611 to  
28 suppress the 7:00 AM fraud notice and ensure the warrant issued, is direct evidence of joint action.

## **IX. PRAYER FOR RELIEF**

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2 WHEREFORE, Plaintiff Ehab Allababidi respectfully requests that this Court:

3 **A. Declaratory Relief**

4 (1) Enter a declaratory judgment under 28 U.S.C. §§ 2201–2202 declaring that Defendants’  
5 conduct, as alleged herein, violated Plaintiff’s rights under the First, Fourth, and Fourteenth  
6 Amendments to the United States Constitution.

7 (2) Declare that the May 14, 2026 Petition for Revocation and the May 28, 2026 arrest warrant  
8 issued in Lake County Case No. 23 CF 1146 are void ab initio as products of unconstitutional  
9 conduct, including the knowing submission of fabricated evidence in violation of *Napue v.*  
10 *Illinois*.

11 **B. Injunctive Relief (Pursuant to *Ex Parte Young*)**

12 (3) Issue a permanent injunction enjoining Defendants Nicholas Shepherd, Marisa Cervantes,  
13 Destiny Lee, and Margaret K. Fontana, in their official capacities, along with their subordinates,  
14 deputies, and any peace officers acting under their direct instruction or in concert with them, from  
15 taking any affirmative action to execute, enforce, or process the arrest warrant issued on May 28,  
16 2026, in Lake County Case No. 23 CF 1146.

17 (4) Issue a mandatory injunction ordering Defendants Shepherd and Cervantes to take all  
18 necessary administrative steps within their personal authority to formally move the Circuit Court  
19 of Lake County to withdraw the facially fraudulent May 14, 2026 Petition for Revocation of  
20 Probation in Case No. 23 CF 1146 and to dismiss with prejudice all revocation proceedings  
21 arising therefrom.

22 (5) Order Defendant Fontana to implement mandatory training on constitutional requirements for  
23 probation supervision, including the duty to identify supervising officers, the prohibition against  
24 retaliatory enforcement actions, and the requirement to accept and respond to documented  
25 Constructive Compliance Window submissions.

26 **C. Compensatory Damages**

27 (6) Award Plaintiff compensatory damages against each Defendant, jointly and severally, in an  
28 amount to be determined at trial for the deprivation of his constitutional rights, emotional distress,  
reputational harm, and loss of liberty, together with pre-judgment and post-judgment interest.

**D. Punitive Damages**

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2 (7) Award Plaintiff punitive damages against each Defendant, jointly and severally, in an amount  
3 sufficient to deter future unconstitutional conduct, given that Defendants' actions were motivated  
4 by an evil motive or intent or involved reckless or callous indifference to Plaintiff's federally  
5 protected rights. *Smith v. Wade*, 461 U.S. 30, 56 (1983).

6  
7 **E. Attorneys' Fees and Costs**

(8) Award Plaintiff his reasonable costs and attorneys' fees under 42 U.S.C. § 1988, and any other  
applicable fee-shifting statute.

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9 **F. Such Other Relief**

(9) Grant such other and further relief as this Court deems just, proper, and necessary to remedy  
the constitutional violations alleged herein.

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11 **X. JURY DEMAND**

Plaintiff demands a trial by jury on all issues so triable, pursuant to Fed. R. Civ. P. 38(b).

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13 **DECLARATION UNDER PENALTY OF PERJURY (28 U.S.C. § 1746)**

14 I, EHAB ALLABABIDI (DOB: September 24, 1996), declare under penalty of perjury under the laws  
15 of the United States of America pursuant to 28 U.S.C. § 1746 that the facts set forth in the foregoing  
16 Complaint are true and correct based on my personal knowledge, except those matters stated on  
17 information and belief, which I believe to be true.

18 I further declare that the exhibits referenced herein and incorporated by reference under Fed. R. Civ. P.  
19 10(c) are true and correct copies of the originals, authenticated under Fed. R. Evid. 902(1), 902(13),  
20 and 902(14).

21 Respectfully submitted,

22 /s/ Ehab Allababidi

**EHAB ALLABABIDI**, *Pro Se* Plaintiff

8516 W. Winona St., Chicago, IL 60656

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

Dated: June 6, 2026

**CERTIFICATE OF SERVICE**

I, EHAB ALLABABIDI, certify under penalty of perjury that on the date set forth above, I caused the foregoing COMPLAINT FOR DEPRIVATION OF CIVIL RIGHTS UNDER 42 U.S.C. § 1983, together with the exhibits incorporated herein by reference, to be filed with the Clerk of the United States District Court for the Northern District of Illinois via the N.D. Illinois Pro Se filing portal, which transmits electronic notice to all parties upon appearance. Executed under Fed. R. Civ. P. 5(b)(2)(E) and N.D. Ill. Local Rule 5.9.

A copy of this Complaint has been served upon each Defendant via certified mail, return receipt requested, at the following addresses:

**ASA Nicholas Shepherd**

Lake County State’s Attorney’s Office  
18 N. County Street, Waukegan, IL 60085

**Marisa Cervantes**

Lake County Adult Probation Department  
18 N. County Street, Waukegan, IL 60085

**Destiny Lee**

Cook County Adult Probation Department  
2121 Euclid Ave., Rolling Meadows, IL 60008

**Margaret K. Fontana, Director**

Division of Adult Probation Services  
19th Judicial Circuit, 215 W. Water Street  
Waukegan, IL 60085

**Lake County, Illinois**

c/o Lake County State’s Attorney’s Office  
18 N. County Street, Waukegan, IL 60085

**Cook County, Illinois**

c/o Cook County State’s Attorney’s Office  
69 W. Washington St., Chicago, IL 60602

/s/ Ehab Allababidi

EHAB ALLABABIDI, *Pro Se* Plaintiff

Dated: June 6, 2026

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

**Allababidi v. Shepherd, Cervantes, Lee, Fontana,  
LAKE COUNTY, ILLINOIS, and COOK COUNTY, ILLINOIS | Case No. 1:26-cv-0 \_\_\_\_**

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## **EXHIBIT PACKET**

Filed in Support of Plaintiff's Complaint for Deprivation of  
Civil Rights Under 42 U.S.C. § 1983  
(Filed Concurrently Herewith)

### **TABLE OF EXHIBITS**

- EXHIBIT 1:** The Adison Weeks Email Thread — Proof of Lawful Prescription
- EXHIBIT 2:** Petition for Revocation of Probation — Signed May 14, 2026
- EXHIBIT 3:** Pitney Bowes Postage Meter Envelope — Forensic Timeline Spoliation
- EXHIBIT 4:** Formal Memorialization of 3:00 PM Telephonic Directive — Anonymous Officer Notice
- EXHIBIT 5:** Warrant Minute Entry — May 28, 2026, 9:00 AM — Courtroom T-611
- EXHIBIT 6:** Warrant of Arrest — The Instrument of Constitutional Deprivation
- EXHIBIT 7:** Cervantes Letter — “Turn Yourself In” Post-Warrant Luring
- EXHIBIT 8:** Notice of Mandatory Litigation Hold — Actual Notice to All Defendants
- EXHIBIT 9:** Notice of Special Appearance and Fraud on the Court — May 28, 2026, Filed Before the Warrant Issued
- EXHIBIT 10:** 7:00 AM Email — Emergency Special Appearance & Notice of Fraud on the Court — Served Before the 9:00 AM Warrant Hearing

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### **INCORPORATION BY REFERENCE UNDER FED. R. CIV. P. 10(c)**

The exhibits attached hereto are incorporated into the Complaint as if fully set forth therein, pursuant to Fed. R. Civ. P. 10(c). Each exhibit is self-authenticating under Fed. R. Evid. 902(1) (domestic public documents), 902(13) (certified electronic records), and 902(14) (certified data copied from electronic device, storage medium, or file). The Complaint expressly references each exhibit and adopts its contents as part of the pleadings.

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*Dated: June 6, 2026 | N.D. Illinois, Eastern Division | Ehab Allababidi, Pro Se Plaintiff*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_  
LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants

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# EXHIBIT 1

## The Adison Weeks Email Thread — Proof of Lawful Prescription

December 8–10, 2025

Email thread: Ehab Allababidi and Officer Adison Weeks, Cook County Adult Probation Department

### EVIDENTIARY PURPOSE:

This exhibit is the complete Gmail thread between Plaintiff and Cook County Adult Probation Officer Adison Weeks, spanning December 8–10, 2025. Officer Weeks confirms in writing that Plaintiff’s November 10, 2025 drug test results were “all negative” and that any positive amphetamine result was attributable to a lawfully prescribed Adderall prescription. Officer Weeks states: “the dip stick might have resulted in a false positive — it is all negative in my eyes because I know you are still taking the Adderall.” This mathematically proves that Defendant Shepherd’s May 14, 2026 Petition for Revocation contains a knowingly false allegation of “illegal substance” use.

### RELEVANT LEGAL AUTHORITY:

Electronic records are self-authenticating under Fed. R. Evid. 902(13) and 902(14). The email thread is authenticated by Plaintiff’s declaration under 28 U.S.C. § 1746 and Fed. R. Evid. 901(b)(1). Officer Weeks’s statements are admissions of a party’s agent under Fed. R. Evid. 801(d)(2)(D). The emails are incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c).

### APPLICATION TO CASE FACTS:

This exhibit proves: (1) the Cook County Adult Probation Department received the identical laboratory result as ASA Shepherd; (2) Officer Weeks confirmed in writing that the result was “all negative” on December 8, 2025; (3) Officer Weeks confirmed on December 10, 2025, that any positive result was from a lawfully prescribed Adderall prescription; (4) Defendant Shepherd’s Petition for Revocation, filed May 14, 2026, knowingly characterized this result as “positive for Amphetamine (illegal substance)”; and (5) the Cook County adjudication occurred five months before the Lake County prosecution.

### PROBATIVE CONCLUSION:

This exhibit conclusively proves a Napue v. Illinois violation. Defendant Shepherd knowingly presented false evidence to a court. The fabrication is not ambiguous — it is mathematically refuted by the State’s own coordinate agency’s written record. See Napue v. Illinois, 360 U.S. 264, 269 (1959).

### KEY EVIDENCE INDICATORS:

**Dec 8: “Your drug test results were all negative” | Dec 10: “it is all negative in my eyes because I know you are still taking the Adderall” | Officer: Adison Weeks, Cook County Adult Probation | Office: (847)818-2360 | Prescription: Adderall (lawful) | Shepherd’s false claim: “Amphetamine (illegal substance)” | Napue violation: knowingly false sworn statement**

*This exhibit is a true and correct copy of the Gmail thread exported from Plaintiff’s email account (defcon5ready@gmail.com). Plaintiff is a participant in the email thread. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*SMOKING GUN EXHIBIT 1. This document alone disproves the central factual allegation in the Petition for Revocation. The State’s own probation officer exculpated the test result five months before Defendant Shepherd swore the opposite under oath. This independently establishes Count II (Fabrication of Evidence) and the bad-faith element of Count I (First Amendment Retaliation).*



Ehab Hilfiger <defcon5ready@gmail.com>

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**Re: Prescription Verification & Compliance Letter**

1 message

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**Adison Weeks (Adult Probation)** <Adison.Weeks@cookcountyil.gov>  
To: Ehab Hilfiger <defcon5ready@gmail.com>

Wed, Dec 10, 2025 at 10:32 PM

Thanks so much!!

Adison Weeks, Officer  
Cook County Adult Probation Department  
[2121 Euclid Ave](#)  
Rolling Meadows, Illinois 60008  
Office: (847)818-2360  
[adison.weeks@cookcountyil.gov](mailto:adison.weeks@cookcountyil.gov)  
*adison b. weeks*



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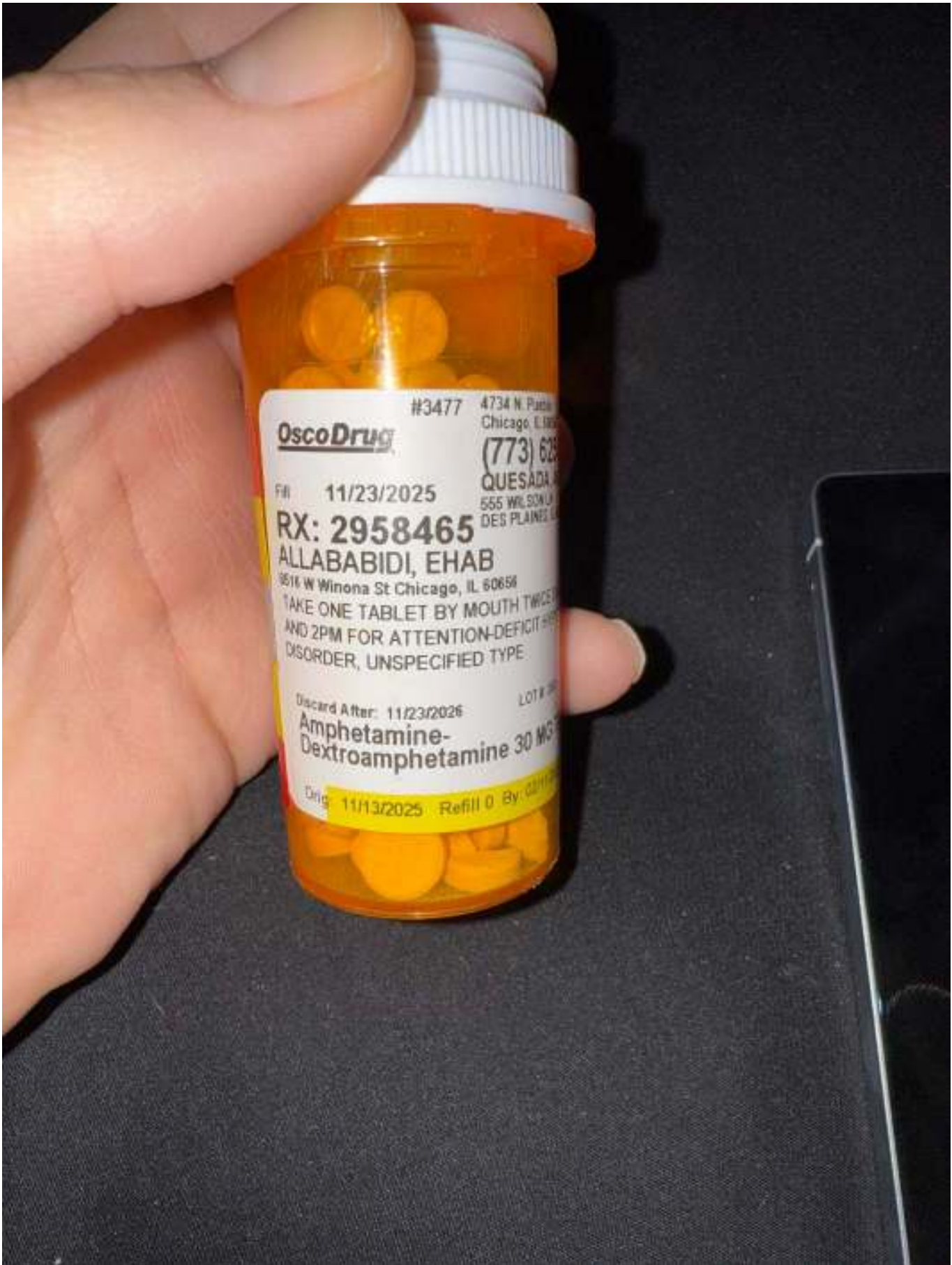
**From:** Ehab Hilfiger <defcon5ready@gmail.com>  
**Sent:** Wednesday, December 10, 2025 1:40 PM  
**To:** Adison Weeks (Adult Probation) <Adison.Weeks@cookcountyil.gov>  
**Subject:** Re: Prescription Verification & Compliance Letter

**External Message Disclaimer**

This message originated from an external source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Certification:

This exhibit is a true and correct copy of the Gmail thread exported from Plaintiff's email account (defcon5ready@gmail.com). Plaintiff is a participant in the email thread Plaintiff certifies under penalty of perjury that this record has not been altered or modified.  
SMOKING GUN EXHIBIT 1. This document alone disproves the central factual allegation in the Petition for Revocation. The State's own probation officer examined the records months before Defendant Shepherd swore the opposite under oath. This independently establishes Count II (Fabrication of Evidence) and the bad-faith element.



Hi! Here you go ms Adison.

On Wed, Dec 10, 2025 at 12:37 PM Adison Weeks (Adult Probation) <Adison.Weeks@cookcountyil.gov> wrote:

*This exhibit is a true and correct copy of the Gmail thread exported from Plaintiff's email account (defcon5ready@gmail.com). Plaintiff is a participant in the SMOKING GUN EXHIBIT 1. This document alone disproves the central factual allegation in the Petition for Revocation. The State's own probation officer expires months before Defendant Shepherd swore the opposite under oath. This independently establishes Count II (Fabrication of Evidence) and the bad-faith elem*

Hey Ehab,

Do you mind still please sending me a picture of your updated Adderall prescription? I know you are still being prescribed it, but I just want to avoid anyone giving you a hard time for taking it. Your drug test results were positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall. I just want to avoid anyone who sees this result though giving you a hard time for future reference.

Thank you!

Best Regards,

Adison Weeks, Standard Caseload Officer

Cook County Adult Probation Department

2121 Euclid Ave

Rolling Meadows, Illinois 60008

Office: (847)818-2360

[adison.weeks@cookcountyil.gov](mailto:adison.weeks@cookcountyil.gov)

*adison b. weeks*



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**From:** Ehab Hilfiger <[defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)>

**Sent:** Monday, December 8, 2025 5:04 PM

**To:** Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)>

**Subject:** Re: Prescription Verification & Compliance Letter

**External Message Disclaimer**

This message originated from an external source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Re: Prescription Verification & Compliance Letter

Hi Adison,

Thank you so much for handling everything so quickly, I really appreciate it. I'll be there on Tuesday, December 23rd at 9 AM in person without fail.

I'll also keep you updated on the Lake matter.

Thanks again for all your help and communication.

Certification:

This exhibit is a true and correct copy of the Gmail thread exported from Plaintiff's email account ([defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)). Plaintiff is a participant in the email thread Plaintiff certifies under penalty of perjury that this record has not been altered or modified.  
SMOKING GUN EXHIBIT 1. This document alone disproves the central factual allegation in the Petition for Revocation. The State's own probation officer examined this document months before Defendant Shepherd swore the opposite under oath. This independently establishes Count II (Fabrication of Evidence) and the bad-faith element.

Best regards,

Ehab Allababidi

On Mon, Dec 8, 2025 at 12:14 PM Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)> wrote:

Hi Ehab,

Great! I was literally just about to send you an email just going over what I sent you in the voicemail just now—I know Dr. Quesada also writes and adds the current verified prescriptions you are taking in his updated letters for your case as well—I greatly appreciate you getting back to me so quickly though Ehab, thank you for following up with me!

Good luck in court, please keep me updated and in the loop of things on what they say in Lake.

**Just a reminder as well, your next report will be on Tuesday, December 23<sup>rd</sup> @ 9 AM in person.** You will NOT have to drug test this time, since your drug test results were all negative. Once your Cook case terminates on 12/16 as well, we will discuss moving forward and you being assigned a different officer.

In the meantime, I hope you have a good week now, and I appreciate it once again you getting back to me so fast.

Best Regards,

Adison Weeks, Standard Caseload Officer

Cook County Adult Probation Department

2121 Euclid Ave

Rolling Meadows, Illinois 60008

Office: (847)818-2360

[adison.weeks@cookcountyil.gov](mailto:adison.weeks@cookcountyil.gov)

*adison b. weeks*



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**From:** Ehab Hilfiger <[defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)>

**Sent:** Monday, December 8, 2025 12:02 PM

**To:** Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)>

**Subject:** Prescription Verification & Compliance Letter

Certification:

This exhibit is a true and correct copy of the Gmail thread exported from Plaintiff's email account ([defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)). Plaintiff is a participant in the email thread. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.

SMOKING GUN EXHIBIT 1. This document alone disproves the central factual allegation in the Petition for Revocation. The State's own probation officer examined the evidence months before Defendant Shepherd swore the opposite under oath. This independently establishes Count II (Fabrication of Evidence) and the bad-faith element.

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**External Message Disclaimer**

This message originated from an external source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Officer Weeks,

I'm sorry I couldn't answer your call - I am currently at the lake county courthouse. I received your voicemail. I'll send you a photo of my updated prescription today, and I've emailed my doctor to send you a standard letter of compliance as soon as possible.

Please let me know if you need anything else.

Sincerely,

Ehab Allababidi

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_  
LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants

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## EXHIBIT 2

### Petition for Revocation of Probation — Signed May 14, 2026

May 14, 2026

Filed by ASA Nicholas Shepherd, Lake County State's Attorney's Office, in Case No. 23 CF 1146

#### EVIDENTIARY PURPOSE:

This exhibit is the sworn Petition for Revocation of Probation filed by Defendant Shepherd in Lake County Case No. 23 CF 1146. The Petition alleges five “failure to report” dates (02/19, 02/27, 03/10, 03/11, 03/26 of 2026), failure to pay financial obligations, a positive amphetamine test characterized as “illegal substance,” failure to complete public service hours, and failure to complete a Live Victim Impact Panel. The arraignment is scheduled for May 28, 2026 — exactly eight days before the federal habeas response deadline. Defendant Shepherd’s signature block contains no phone number, no email address, and no office extension.

#### RELEVANT LEGAL AUTHORITY:

State-court filings are public records of which this Court may take judicial notice under Fed. R. Evid. 201(b)(2). The Petition is incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c). Self-authenticating under Fed. R. Evid. 902(1) (domestic public documents).

#### APPLICATION TO CASE FACTS:

This exhibit proves: (1) Defendant Shepherd filed the Petition exactly 31 days after the federal habeas deadlines were set; (2) the arraignment was scheduled for May 28, 2026 — precisely 8 days before the June 5 federal response deadline; (3) the Petition contains the false “illegal substance” allegation (compare with Exhibit 1); (4) Defendant Shepherd’s signature block omits all contact information; and (5) the arraignment was scheduled for 9:00 AM on May 28, 2026.

#### PROBATIVE CONCLUSION:

The Petition for Revocation is the instrument of retaliation. Its false drug allegation, omitted contact information, and 8-day timeline are not coincidental — they constitute a calculated jurisdictional race condition designed to physically incapacitate a federal habeas petitioner before the State must answer to a federal court.

#### KEY EVIDENCE INDICATORS:

**Filed: May 14, 2026 | Prosecutor: ASA Nicholas Shepherd | Arraignment: May 28, 2026 at 9:00 AM | Judge: Hon. Christopher Stride, Courtroom T-611 | Alleged failure dates: 02/19, 02/27, 03/10, 03/11, 03/26/2026 | ASA contact: NONE (no phone, no email) | False claim: “Amphetamine (illegal substance)” | Federal habeas deadline: June 5, 2026 | Interval: 8 days**

*This exhibit is a true and correct copy of the Petition for Revocation and Notice of Arraignment obtained by Plaintiff from Lake County Circuit Court records on or about May 14, 2026. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*SMOKING GUN EXHIBIT 2. The 8-day interval between May 28 (arraignment) and June 5 (federal habeas deadline) is the central mathematical proof of retaliation. Combined with the false drug allegation (Exhibit 1), this document independently establishes Counts I, II, and III of the Complaint.*

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF LAKE )

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

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

GENERAL NO: 23CF1146

NOTICE

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

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

DATED: May 14, 2026



Nicholas Shepherd  
Assistant State's Attorney

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF LAKE )

AFFIDAVIT

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



SUBSCRIBED and SWORN to before me  
May 14, 2026.



NOTARY PUBLIC



Certification:

This exhibit is a true and correct copy of the Petition for Revocation and Notice of Arraignment obtained by Plaintiff from Lake County Circuit Court records on or about May 14, 2026. Plaintiff certifies under penalty of perjury that this record has not been altered or modified. SMOKING GUN EXHIBIT 2. The 8-day interval between May 28 (arraignment) and June 5 (federal habeas deadline) is the central mathematical proof of retrospective drug allegation (Exhibit 1), this document independently establishes Counts I, II, and III of the Complaint.

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

PEOPLE OF THE STATE OF ILLINOIS

vs.

**EHAB ALLABABIDI**

GEN. NO. 23CF00001146

**PETITION FOR REVOCATION**

NOW COMES the People of the State of Illinois by Eric F. Rinchart, Lake County State's Attorney, by and through, Nicholas Shepherd, Assistant State's Attorney, and petitions this Honorable Court to revoke the defendant's probation, pursuant to 730 ILCS 5/5-6-4. In support of this petition, the People of the State of Illinois state the following, upon information and belief:

1. That on or about September 8, 2025, the defendant was placed on 30 months of probation, for the offense of AGG RECKLESS DRVG/BODILY HARM, a Class 4 Felony.
2. That the defendant's probation, includes the following condition(s):
  - A. The defendant shall pay all fines, fees, court costs, assessments, and restitution.
  - B. The defendant shall not use any illegal substance.
  - C. The defendant shall report to Probation as directed.
  - D. The defendant shall perform 240 hours of public service at a minimum rate of 20 hours per month.
  - E. The defendant shall comply with a Live Victim Impact Panel.
3. The defendant failed to comply with the terms of their probation, and in support of this allegation, the People state the defendant violated the terms of their probation in the following manner:
  - A. The defendant willfully failed to pay court ordered financial obligations.
  - B. The defendant tested positive for Amphetamine (illegal substance) on or about 11/10/2025.
  - C. The defendant failed to report to Probation/Compliance on or about 02/19/2026, 02/27/2026, 03/10/2026, 03/11/2026, and 03/26/2026.
  - D. The defendant failed to provide proof of completion of 240 hours of public service.
  - E. The defendant failed to provide proof of completion of the Live Victim Impact Panel

Certification:

This exhibit is a true and correct copy of the Petition for Revocation and Notice of Arraignment obtained by Plaintiff from Lake County Circuit Court records on or about May 14, 2026. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.  
SMOKING GUN EXHIBIT 2. The 8-day interval between May 28 (arraignment) and June 5 (federal habeas deadline) is the central mathematical proof of retrospective drug allegation (Exhibit 1), this document independently establishes Counts I, II, and III of the Complaint.

WHEREFORE, The People of the State of Illinois pray this Honorable Court revoke the Defendant's probation of the said named defendant for failure to perform the conditions of the sentence heretofore entered, and further moves this Honorable Court to lift the stay on any jail sentence previously imposed or issue a warrant for the arrest and apprehension of the said named defendant, who shall be brought immediately to court for the purpose of setting a date of hearing on said petition or to order a summons to the offender to appear.

The undersigned, having been first duly sworn, states she is informed and believes the allegations of the above petition are true and correct.

ERIC F. RINEHART

LAKE COUNTY STATE'S ATTORNEY



Nicholas Shepherd  
Assistant State's Attorney

SUBSCRIBED and SWORN to before me  
12th day of May, 2026



NOTARY PUBLIC



Certification:

This exhibit is a true and correct copy of the Petition for Revocation and Notice of Arraignment obtained by Plaintiff from Lake County Circuit Court records on or about May 14, 2026. Plaintiff certifies under penalty of perjury that this record has not been altered or modified. SMOKING GUN EXHIBIT 2. The 8-day interval between May 28 (arraignment) and June 5 (federal habeas deadline) is the central mathematical proof of retention of the drug allegation (Exhibit 1), this document independently establishes Counts I, II, and III of the Complaint.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_  
LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants

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## EXHIBIT 3

### Pitney Bowes Postage Meter Envelope — Forensic Timeline Spoliation

May 14–21, 2026

*Lake County State's Attorney's Office delivery to Plaintiff*

**EVIDENTIARY PURPOSE:**

This exhibit is a scan of the physical envelope in which the May 14, 2026 Petition for Revocation and Notice of Arraignment were served on Plaintiff. The envelope documents the State's deliberate temporal sabotage: (1) the Petition was signed and notarized on Thursday, May 14, 2026; (2) the State's internal Pitney Bowes postage meter (ZIP 60085) did not stamp the envelope until Friday, May 15, 2026; (3) the envelope did not enter the USPS Carol Stream processing facility until Monday, May 18, 2026 at 4:00 PM; and (4) delivery was not completed until Thursday, May 21, 2026. In a 14-day procedural window, the State consumed exactly 50% of the timeline in transit. Memorial Day further compressed the effective response window to three business days.

**RELEVANT LEGAL AUTHORITY:**

The physical envelope is admissible under Fed. R. Evid. 901(b)(4) (distinctive characteristics) and 901(b)(6) (evidence of a process or system). The Pitney Bowes stamp and USPS barcode are self-authenticating under Fed. R. Evid. 902(13) and 902(14). Incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c).

**APPLICATION TO CASE FACTS:**

This exhibit proves: (1) the State deliberately withheld the envelope for at least one full day after signing (May 14) before applying postage (May 15); (2) the State further delayed deposit such that the envelope did not enter USPS processing until May 18 at 4:00 PM; (3) total transit of 7 days consumed 50% of the 14-day window; (4) the Memorial Day holiday compressed the effective response window to three business days; and (5) this engineered delay was a calculated component of the retaliatory scheme.

**PROBATIVE CONCLUSION:**

The envelope conclusively proves that the State engaged in forensic spoliation of Plaintiff's response time. A 7-day transit delay in a 14-day window, combined with a federal holiday compression, is not coincidence. It is affirmative, documented proof of the bad-faith enforcement campaign alleged in Counts I, III, and V of the Complaint.

**KEY EVIDENCE INDICATORS:**

**Petition signed: May 14, 2026 | Pitney Bowes meter: May 15, 2026 (ZIP 60085) | USPS Carol Stream entry: May 18, 2026 at 4:00 PM | Delivery: May 21, 2026 | Total transit: 7 days | Total window: 14 days | Memorial Day: May 25, 2026 | Effective business days: 3 | 50% of timeline consumed in state custody**

*This exhibit is a true and correct scan of the original envelope received by Plaintiff on or about May 21, 2026, bearing the Lake County State's Attorney's return address, the Pitney Bowes postage meter stamp, and the USPS processing barcode. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*SMOKING GUN EXHIBIT 3. The 7-day transit delay consuming 50% of the procedural window, compressing the effective response period to three business days due to Memorial Day, establishes the forum spoliation element of the conspiracy (Count V) and independently corroborates the bad-faith malice element of Count III (Malicious Prosecution).*



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_  
LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants

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## EXHIBIT 4

### Formal Memorialization of 3:00 PM Telephonic Directive — Anonymous Officer Notice

February 19, 2026

From: Ehab Allababidi to Director Margaret K. Fontana, Lake County State's Attorney's Office, and Circuit Clerk

**EVIDENTIARY PURPOSE:**

This exhibit is the Gmail record of Plaintiff's February 19, 2026 Formal Memorialization email, sent at 10:59 PM immediately following a telephone call from an anonymous Lake County probation officer (later identified as Defendant Marisa Cervantes). The email documents: (1) the officer's refusal to identify herself or provide direct contact information; (2) the verbal downgrade of the March 10 in-person directive from a "command" to an "appreciation"; (3) Plaintiff's physical inability to travel to Waukegan due to the documented vehicle sabotage; (4) the Constructive Compliance Window (12:00 PM – 4:00 PM) during which the State generated zero calls; and (5) the mandatory federal hearing conflict.

**RELEVANT LEGAL AUTHORITY:**

Electronic records are self-authenticating under Fed. R. Evid. 902(13) and 902(14). The email is authenticated by Plaintiff's declaration under 28 U.S.C. § 1746. Service to an official government email address constitutes actual notice as a matter of law. Incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c).

**APPLICATION TO CASE FACTS:**

This exhibit proves: (1) Defendant Fontana received actual, written notice on February 19, 2026, that her probation officer was operating anonymously; (2) the anonymous officer (later identified as Defendant Cervantes) refused to identify herself; (3) the officer downgraded the reporting directive from a "command" to a discretionary "appreciation"; (4) Plaintiff established a four-hour Constructive Compliance Window; (5) the State generated zero calls during that window; (6) the State had actual notice of the vehicle sabotage ("Mobility Kill") and Plaintiff's physical inability to travel; and (7) Defendant Fontana, despite this notice, failed to intervene or correct the communication blockade.

**PROBATIVE CONCLUSION:**

This exhibit conclusively establishes Defendants Fontana's supervisory liability (Count IV) and the conspiratorial agreement (Count V). Defendant Fontana had actual notice of the anonymous officer scheme on February 19, 2026 — 84 days before the warrant executed — and did nothing. Her inaction ratified the constitutional deprivation.

**KEY EVIDENCE INDICATORS:**

**Date: February 19, 2026 at 10:59 PM | Sender: defcon5ready@gmail.com | Recipients: Director Fontana, Lake County State's Attorney, Circuit Clerk | Key fact: officer refused to identify herself | Verbal downgrade: "command" reduced to "appreciation" | Constructive Compliance Window: 12:00 PM – 4:00 PM | Zero calls generated | Mobility Kill documented | 84 days before warrant execution**

*This exhibit is a true and correct copy of the Gmail record exported from Plaintiff's email account (defcon5ready@gmail.com). Plaintiff is the sender and account holder. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*SMOKING GUN EXHIBIT 4. This document establishes the "actual notice" element of Count IV (Supervisory Liability) and the conspiracy agreement element of Count V (Conspiracy). Defendant Fontana was served with this notice 84 days before the warrant executed and did nothing — establishing ratification through deliberate inaction.*



Ehab Hilfiger <defcon5ready@gmail.com>

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## FORMAL MEMORIALIZATION OF 3:00 PM TELEPHONIC DIRECTIVE & BINDING SCHEDULING PARAMETERS: March 10 Remote Reporting

1 message

---

Ehab Hilfiger <defcon5ready@gmail.com>

Thu, Feb 19, 2026 at 10:59 PM

To: "Matthew T. Junkin" <mjunkin@lakecountyiil.gov>, "Destiny Lee (Adult Probation)" <destiny.lee@cookcountyiil.gov>

Cc: Lake County State's Attorney <statesattorney@lakecountyiil.gov>, Circuit Clerk <circuitclerk@lakecountyiil.gov>

### To Officer Junkin and the Newly Assigned Probation Officer:

This correspondence formally memorializes the telephone call I received today at approximately 3:00 PM from the newly assigned probation officer. Because her identity and direct contact information were not clearly established during the call, Director Junkin is formally requested to forward this communication to her immediately and instruct her to utilize this direct email address for all future correspondence to ensure the unassailable integrity of the record.

**I. Memorialization of Revised Directive (The 3:00 PM Call)** During today's 3:00 PM telephonic communication, the newly assigned officer initially attempted to "command" an in-person appearance for March 10, 2026. However, upon my explicit request that she clarify her legal definition of "command" for the record, she formally revised and downgraded her instruction, stating: "Well, if you are able to make it here on March 10, 2026, I would appreciate it."

Consistent with prior memorializations on the record, I am legally and physically unable to be present on March 10. As established below, I am operating under a compulsory federal mandate, my physical transport remains disabled by documented sabotage (Predicate Act 6), and a government-certified Endangerment Finding (Case No. 1:25-cv-15786) precludes the use of public transit.

**II. Compulsory Federal Mandate & Jurisdictional Supremacy** Pursuant to a binding Minute Order issued by the United States District Court for the Northern District of Illinois in *Allababidi v. Advocate Health and Hospitals Corporation et al.*, I am under a compulsory judicial mandate to appear telephonically before the Honorable Jorge L. Alonso on March 10, 2026, at 9:30 a.m..

As a matter of law, federal jurisdiction and its accompanying judicial mandates strictly supersede concurrent state-level administrative check-ins. Consequently, my communications infrastructure must and will be exclusively dedicated to the United States District Court from 9:00 AM until 11:30 AM CST (the "Federal Blockout Window"). I am legally precluded from receiving or engaging in probation communications during this interval.

**III. Establishment of Constructive Compliance Window** It is my intention to ensure full and proactive compliance with all supervisory requirements without running afoul of a federal tribunal. Because I am unable to fulfill the discretionary request for an in-person visit on that date, I am formally accommodating the remote check-in requirement by making myself fully available for a telephonic or secure video conference on March 10, 2026, at any point between **12:00 PM (Noon) and 4:00 PM CST**.

This four-hour window provides the Probation Department with ample administrative flexibility to execute its duties without infringing upon federal jurisdiction.

**IV. Preservation of the Record** This notice is provided to ensure the Probation Department operates with actual, documented knowledge of the federal mandate. I have concurrently served notice of this conflict upon the Lake County Circuit Clerk and the State's Attorney regarding the concurrent 9:00 AM state court motion call.

Should the Probation Department attempt to initiate contact during the expressly delineated Federal Blockout Window, such action will be formally documented as an administrative nullity. Any subsequent effort by the state to characterize an unanswered call during this federal proceeding as a "failure to report" or a violation of supervision will not stand as a valid procedural default. Rather, it will be immediately submitted to the presiding federal judge as *prima facie* evidence of state interference with a federal tribunal and an arbitrary deprivation of liberty under color of law (18 U.S.C. § 1512).

**V. Conclusion** This communication constitutes affirmative and active compliance with my supervision obligations. The

Certification:

This exhibit is a true and correct copy of the Gmail record exported from Plaintiff's email account (defcon5ready@gmail.com). Plaintiff is the sender and acc...

certifies under penalty of perjury that this record has not been altered or modified.  
SMOKING GUN EXHIBIT 4. This document establishes the "actual notice" element of Count IV (Supervisory Liability) and the conspiracy agreement element

Page 178 of 538

dant Fontana was served with this notice 84 days before the warrant executed and did nothing — establishing ratification through deliberate inaction.

administrative burden now rests with the Probation Department to select a reporting time within the provided 12:00 PM to 4:00 PM window.

Please confirm receipt of this notice and have the assigned officer reply directly to this email to provide the selected time for the remote check-in.

Respectfully submitted,

**Ehab Allababidi** Plaintiff, *Pro Se* (Case No. 1:25-cv-15800) Defendant (Lake County Case No. 23 CF 1146)

(Enclosures: Federal Minute Order)

--



**Ehab Allababidi**

Personal Signature

**Phone:** 773-920-0030

**Email:** [defcon5ready@gmail.com](mailto: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.



**Gmail - Activity in Case 1\_25-cv-15800 Allababidi v. Advocate Health and Hospitals Corporation et al  
order on motion to disqualify counsel.pdf**

76K

Certification:

*This exhibit is a true and correct copy of the Gmail record exported from Plaintiff's email account (defcon5ready@gmail.com). Plaintiff is the sender and acc... certifies under penalty of perjury that this record has not been altered or modified.*

*SMOKING GUN EXHIBIT 4. This document establishes the "actual notice" element of Count IV (Supervisory Liability) and the conspiracy agreement element Fontana was served with this notice 84 days before the warrant executed and did nothing — establishing ratification through deliberate inaction.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_\_**  
*LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants*

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## EXHIBIT 5

### Warrant Minute Entry — May 28, 2026, 9:00 AM — Courtroom T-611

*May 28, 2026*

*Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, Case No. 23 CF 1146*

**EVIDENTIARY PURPOSE:**

This exhibit is the Minute Entry from the Lake County Circuit Court reflecting the May 28, 2026, 9:00 AM arraignment on Petition to Revoke in Case No. 23 CF 1146. The docket entry documents: (1) Defendant Marisa Cervantes of Lake County Adult Probation Services was physically present in Courtroom T-611; (2) ASA Nicholas Shepherd appeared for the People; (3) the presiding judge was the Honorable Christopher R. Stride; (4) the Event Result was “Issue Warrant” — a no-bond bench warrant; and (5) the warrant was issued at 9:00 AM on May 28, 2026.

**RELEVANT LEGAL AUTHORITY:**

State-court docket entries are public records of which this Court may take judicial notice under Fed. R. Evid. 201(b)(2). Self-authenticating under Fed. R. Evid. 902(1) (domestic public documents). Incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c).

**APPLICATION TO CASE FACTS:**

This exhibit proves: (1) Defendant Cervantes was physically present in Courtroom T-611 when the no-bond warrant was issued; (2) ASA Shepherd appeared for the prosecution; (3) no probable cause hearing was conducted — the warrant was issued directly from the arraignment; (4) the warrant commands that Plaintiff be held in custody without bond; and (5) the warrant issued at 9:00 AM on May 28, 2026 — the same day the federal court denied emergency injunctive relief.

**PROBATIVE CONCLUSION:**

This exhibit irrefutably establishes Defendant Cervantes’s direct, physical participation in the custodial extraction. After concealing her identity for 100 days, she appeared in person to ensure the warrant issued. She waited until May 29 — the day after — to email Plaintiff, a transparent effort to lure him into the already-executed custodial extraction. This independently establishes Count III (Malicious Prosecution) and the overt act elements of Count I and Count V.

**KEY EVIDENCE INDICATORS:**

**Date: May 28, 2026 at 9:00 AM | Judge: Hon. Christopher R. Stride | Courtroom: T-611 | ASA Shepherd: appeared for People | Marisa Cervantes: physically present, Lake County Adult Probation Services | Event Result: Issue Warrant | Bond: None | Arresting agency: Lincolnshire PD | Type: No-bond bench warrant for technical violation**

*This exhibit is a true and correct copy of the Minute Entry obtained from the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*SMOKING GUN EXHIBIT 5. This document places Defendant Cervantes in Courtroom T-611 on May 28, 2026, at 9:00 AM — physically present when the warrant issued. After 100 days of identity concealment and zero communication, she appeared personally to execute the custodial extraction. The post-warrant email on May 29 is independently corroborative of conspiratorial intent.*



People )

Plaintiff, )

v. )

PEOPLE VS ALLABABIDI )

Defendant. )

Case No. 23CF00001146

Location: Courtroom 611

Event Date: May 28, 2026 9:00 AM

Event Type: Arraignment On Petition To Revoke

Clerk: Johanna B

**Charge(s):**

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

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

**Criminal/Traffic - Minutes**

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

**Present in Court**

MARISSA CERVANTES - Lake County Adult Probation Services

**Nature of Proceedings:**

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

**Certification:**

*This exhibit is a true and correct copy of the Minute Entry obtained from the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*SMOKING GUN EXHIBIT 5. This document places Defendant Cervantes in Courtroom T-611 on May 28, 2026, at 9:00 AM — physically present when the warrant was issued and zero communication, she appeared personally to execute the custodial extraction. The post-warrant email on May 29 is independently corroborated.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_\_**  
*LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants*

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## EXHIBIT 6

### Warrant of Arrest — The Instrument of Constitutional Deprivation

May 28, 2026

*Issued by Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, Case No. 23 CF 1146*

**EVIDENTIARY PURPOSE:**

This exhibit is the executed Warrant of Arrest issued by the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, in Case No. 23 CF 1146. The warrant commands all peace officers of the State of Illinois to arrest Plaintiff and hold him in custody without bond for a “technical violation” of the underlying charges. The warrant was issued on May 28, 2026, and assigned to the Lincolnshire Police Department for execution. This is the formal instrument of the constitutional deprivation challenged in this action.

**RELEVANT LEGAL AUTHORITY:**

The Warrant of Arrest is an official court record, self-authenticating under Fed. R. Evid. 902(1) (domestic public documents). This Court may take judicial notice of this public record under Fed. R. Evid. 201(b)(2). Incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c).

**APPLICATION TO CASE FACTS:**

This exhibit proves: (1) the warrant was issued on May 28, 2026 — exactly 8 days before the federal habeas response deadline; (2) Plaintiff is ordered arrested and held without bond; (3) the warrant is for a “technical violation” predicated on the false drug allegation; (4) the arresting agency is Lincolnshire Police Department; and (5) this is the formal instrument of the liberty deprivation alleged in the Complaint.

**PROBATIVE CONCLUSION:**

The executed Warrant of Arrest is the physical embodiment of the retaliatory scheme. Every constitutional claim in the Complaint — retaliation, fabrication of evidence, malicious prosecution, supervisory liability, and conspiracy — converges on this document. The warrant would not exist but for Defendants’ coordinated unconstitutional conduct.

**KEY EVIDENCE INDICATORS:**

**Issued: May 28, 2026 | Court: Lake County Circuit Court | Case: 23 CF 1146 | Charge: AGG RECKLESS DRVG/BODILY HARM; SPEEDING 35+ MPH | Type: Technical Violation | Bond: None | Arresting agency: Lincolnshire PD | Custody: Hold for First Appearance Court | 8 days before federal habeas deadline**

*This exhibit is a true and correct copy of the Warrant of Arrest obtained from the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*THE INSTRUMENT OF DEPRIVATION. This warrant is the physical embodiment of all five counts in the Complaint. It exists only because Defendant Shepherd filed a knowingly false petition, Defendant Cervantes concealed her identity to manufacture a default, and Defendant Fontana failed to intervene despite actual notice. It proves the deprivation element of each claim.*



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

THE PEOPLE OF THE STATE OF ILLINOIS

CASE  
NUMBER(S)

23CF00001146

VS.

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

**WARRANT OF ARREST - VIOLATION**

To all Peace Officers of the State of Illinois:

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

AGG RECKLESS DRVG/BODILY HARMSPEEDING 35+ MPH OVER LIMIT

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

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



JUDGE

PD APPOINTED  
ARRESTING  
AGENCY:  
Lincolnshire



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

**Certification:**

*This exhibit is a true and correct copy of the Warrant of Arrest obtained from the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*THE INSTRUMENT OF DEPRIVATION. This warrant is the physical embodiment of all five counts in the Complaint. It exists only because Defendant Shepheyon, Defendant Cervantes concealed her identity to manufacture a default, and Defendant Fontana failed to intervene despite actual notice. It proves the depriv*

Last Name	First	Middle		
Street, RR, Box No.				
City	State			
Charge/Code	D.O.W.			
Sex	Race	D.O.B	Ht.	Wt.
Hair	Eyes	D.L.#		

(In) Book                      Tube                      Date                      By

---

(Out) Book                      Tube                      Date                      By

---

IN LEADS                      Date

---

IN NCIC                      Date

---

Cancelled Date    By

---

State of Illinois    )  
 County of Lake    ) SS.

I have duly executed the within writ by reading the same to and arresting the within  
 named \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
 at \_\_\_\_\_ o'clock \_\_\_\_\_ .M, as I am herein commanded \_\_\_\_\_  
 Sheriff By \_\_\_\_\_

Fee \$ \_\_\_\_\_

**Certification:**

*This exhibit is a true and correct copy of the Warrant of Arrest obtained from the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*  
 THE INSTRUMENT OF DEPRIVATION. This warrant is the physical embodiment of all five counts in the Complaint. It exists only because Defendant Shephe  
 on, Defendant Cervantes concealed her identity to manufacture a default, and Defendant Fontana failed to intervene despite actual notice. It proves the depriv

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_  
LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants

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## EXHIBIT 7

### Cervantes Letter — “Turn Yourself In” Post-Warrant Luring

May 29, 2026

From: Marisa Cervantes, Lake County Adult Probation (mcervantes@lakecountyil.gov), to Ehab Allababidi

**EVIDENTIARY PURPOSE:**

This exhibit is the letter from Defendant Marisa Cervantes to Plaintiff, dated May 29, 2026 — one day after the warrant was issued and executed on May 28, 2026. In the letter, Defendant Cervantes states: “You failed to appear in court on 5/28/2026 and a warrant was issued for your arrest. I encourage you to turn yourself in to the Lake County Jail to resolve this warrant immediately.” Critically, this is the FIRST communication from Defendant Cervantes after 100 days of complete silence — she concealed her identity and contact information from February 19 until May 29, then emailed Plaintiff only after the warrant was already executed, in a transparent effort to lure him into the custodial extraction.

**RELEVANT LEGAL AUTHORITY:**

This letter is a record generated by a government agency in the ordinary course of business, self-authenticating under Fed. R. Evid. 902(1) and admissible under Fed. R. Evid. 803(6) (business records exception) and 803(8) (public records exception). Incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c). The letter is also an admission by a party-opponent under Fed. R. Evid. 801(d)(2).

**APPLICATION TO CASE FACTS:**

This exhibit proves: (1) Defendant Cervantes first revealed her identity and contact information (mcervantes@lakecountyil.gov, 847-377-3614) on May 29, 2026 — 100 days after the February 19 anonymous call; (2) the letter was sent AFTER the warrant was issued and executed on May 28; (3) Defendant Cervantes urges Plaintiff to “turn yourself in to the Lake County Jail”; (4) this is the first and only communication from Defendant Cervantes in 100 days; and (5) the timing proves it was designed to lure Plaintiff into an already-executed custodial extraction.

**PROBATIVE CONCLUSION:**

This exhibit irrefutably proves Defendant Cervantes’s conspiratorial intent and her participation in the malicious prosecution. After 100 days of complete anonymity and zero communication, she waited until the warrant was already executed to finally reveal her identity and urge Plaintiff to “turn himself in.” This is textbook post-warrant luring and independently establishes the malice element of Count III (Malicious Prosecution) and the conspiratorial agreement element of Count V (Conspiracy).

**KEY EVIDENCE INDICATORS:**

**Date: May 29, 2026 (day AFTER warrant issued) | Sender: Marisa Cervantes, Probation Officer | Email: mcervantes@lakecountyil.gov | Phone: (847)377-3614 | First contact in 100 days | Key statement: “I encourage you to turn yourself in to the Lake County Jail” | Warrant issued: May 28, 2026 | 100-day identity concealment**

*This exhibit is a true and correct copy of the letter sent by Defendant Marisa Cervantes to Plaintiff on May 29, 2026. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*SMOKING GUN EXHIBIT 7. This document proves the “luring” element of the conspiracy. After 100 days of complete anonymity, Defendant Cervantes’s first communication to Plaintiff was a letter dated the day AFTER the warrant executed, telling him to “turn yourself in.” This is independently corroborative of Count III (Malicious Prosecution) and Count V (Conspiracy).*

# ADMINISTRATIVE OFFICE OF THE NINETEENTH JUDICIAL CIRCUIT



Lake County, Illinois

LAKE COUNTY COURT SERVICES

215 West Water Street  
Waukegan, IL 60085-5616

Fax: 847.360.3640

May 29, 2026

People vs. ALLABABIDI

23CF00001146

Dear EHAB ALLABABIDI:

You failed to appear in court on 5/28/2026 and a warrant was issued for your arrest.

I encourage you to turn yourself in to the Lake County Jail to resolve this warrant immediately. If you do not attempt to resolve this warrant, upon interaction with law enforcement in any capacity, you may be arrested on the outstanding warrant(s). Again, I strongly encourage you to resolve this warrant at the earliest opportunity and to not delay your responsibility to your court order any further.

Please contact me with any questions at (847)377-3614 or [mcervantes@lakecountyil.gov](mailto:mcervantes@lakecountyil.gov)

Sincerely,

MARISA CERVANTES

PROBATION OFFICER

LAKE COUNTY ADULT PROBATION

**Certification:**

This exhibit is a true and correct copy of the letter sent by Defendant Marisa Cervantes to Plaintiff on May 29, 2026. Plaintiff certifies under penalty of perjury that this document has not been altered or modified.

SMOKING GUN EXHIBIT 7. This document proves the "luring" element of the conspiracy. After 100 days of complete anonymity, Defendant Cervantes's first letter dated the day AFTER the warrant executed, telling him to "turn yourself in." This is independently corroborative of Count III (Malicious Prosecution).

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_  
LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants

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## EXHIBIT 8

### Notice of Mandatory Litigation Hold — Actual Notice to All Defendants

May 22, 2026

From: Ehab Allababidi to Lake County State's Attorney's Office, ASA Shepherd, Director Junkin, Officer Lee

**EVIDENTIARY PURPOSE:**

This exhibit is the Notice of Mandatory Litigation Hold and Demand for Preservation of Evidence served on all Defendants on May 22, 2026 — six days before the warrant executed. The Litigation Hold explicitly identifies: (1) the fabricated drug allegation; (2) the anonymous officer identity concealment; (3) the deliberate omission of contact information from the Petition for Revocation; (4) the forensic spoliation of Plaintiff's response time via the Pitney Bowes mail delay; and (5) the imminent filing of federal motions concerning the Napue violation. It demands preservation of all ESI, physical documents, metadata, server logs, and internal communications.

**RELEVANT LEGAL AUTHORITY:**

The Litigation Hold is a self-authenticating record under Fed. R. Evid. 902(13). The duty to preserve evidence attaches when litigation is reasonably anticipated. *Zubulake v. UBS Warburg LLC*, 220 F.R.D. 212, 216-18 (S.D.N.Y. 2003). This Hold places Defendants on actual notice of their preservation obligations and proves they acted with knowledge of the federal proceedings. Incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c).

**APPLICATION TO CASE FACTS:**

This exhibit proves: (1) all Defendants had actual, written notice of the federal preservation obligations before the warrant executed; (2) the Napue violation was specifically identified to Defendants six days before the warrant; (3) the anonymous officer identity concealment was documented and served on Defendants; (4) Defendants were specifically warned that executing the warrant would destroy ESI evidence; and (5) Defendants proceeded with the warrant execution despite this notice — establishing deliberate indifference and retaliatory intent.

**PROBATIVE CONCLUSION:**

The Litigation Hold conclusively proves that Defendants acted with actual knowledge of the constitutional violations and the federal preservation obligations before executing the warrant. This knowledge independently establishes the retaliatory motive element of Count I and the malice element of Count III. Defendants cannot claim they acted in good faith or without knowledge of the federal proceedings.

**KEY EVIDENCE INDICATORS:**

**Served: May 22, 2026 | Recipients: Lake County SA's Office, ASA Shepherd, Director Junkin, Officer Lee | Specifically identifies: Napue violation, anonymous officer, Rule 131(b) violation, Pitney Bowes delay | Preservation categories: ESI, metadata, server logs, internal communications | Warning: ESI destruction will be prosecuted as spoliation | 6 days before warrant execution**

*This exhibit is a true and correct copy of the Notice of Mandatory Litigation Hold served by Plaintiff on May 22, 2026. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*PROVES ACTUAL NOTICE. This document establishes that all Defendants had actual written knowledge of the Napue violation, the identity concealment, and the mail spoliation — six days before they executed the warrant. This defeats any claim of qualified immunity or good-faith belief. Independently establishes the "knowledge" element of Count I and the "malice" element of Count III.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**EHAB ALLABABIDI,**  
*Plaintiff / Petitioner, Pro Se,*

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

v.

Judge: *Hon. John Robert Blakey*  
Magistrate: *Hon. Daniel P. McLaughlin*

**MATT JUNKIN,** Adult Probation Officer, Lake  
County;

**MARGARET K. FONTANA,** Director,  
Division of Adult Probation Services,  
19th Judicial Circuit (Lake County);  
*Respondents.*

**HABEAS CORPUS PROCEEDING**  
28 U.S.C. § 2254

**NOTICE OF MANDATORY LITIGATION HOLD  
AND DEMAND FOR PRESERVATION OF EVIDENCE**

*Issued Pursuant to Illinois Rule of Professional Conduct 3.4(a),  
Fed. R. Civ. P. 37(e), and the Inherent Authority of the Federal Judiciary  
to Sanction Spoliation and Issue Adverse Inferences*

**DATE:** May 22, 2026

**TO:** Lake County State’s Attorney’s Office  
ASA Nicholas Shepherd  
Director Matthew T. Junkin, Lake County Adult Probation  
Officer Destiny Lee, Cook County Adult Probation

**RE:** Preservation of Evidence Relevant to Lake County Case No. 23 CF 1146  
and Federal CM/ECF Dockets ([1:26-cv-01077](#), [1:25-cv-15181](#),  
[1:25-cv-15800](#), [1:25-cv-15786](#))

**I. TRIGGERING EVENTS AND LEGAL OBLIGATION**

You are hereby placed on formal notice that a Litigation Hold is immediately and irrevocably activated as of the date of this Notice. All routine document retention, rotation, and destruction policies applicable to the matters described herein are **suspended effective immediately**. Any further destruction, deletion, alteration, or loss of records within the scope of this Hold will be documented as spoliation of evidence and submitted to the United States District Court for the Northern District of Illinois in support of motions for adverse inferences and sanctions.

This Hold is triggered by the following predicate events, each independently sufficient to impose a preservation obligation:

**(a)** The filing of a Petition for Revocation of Probation on May 14, 2026, in Lake County Case No. 23 CF 1146, which alleges five "failure to report" dates that are mathematically contradicted by the State’s

Certification:

*This exhibit is a true and correct copy of the Notice of Mandatory Litigation Hold served by Plaintiff on May 22, 2026. Plaintiff certifies under penalty of perjury that this notice has not been altered or modified. Litigation Hold: Lake County Evidence Preservation PROVES ACTUAL NOTICE. This document establishes that all Defendants had actual written knowledge of the Napue violation, the identity concealment, and before they executed the warrant. This defeats any claim of qualified immunity or good-faith belief. Independently establishes the "knowledge" element of C*

own documentary record;

(b) The inclusion of a knowingly false allegation of illegal amphetamine use in said Petition, directly contradicted by Cook County Adult Probation Officer Adison Weeks's written confirmation on December 8 and December 10, 2025, that Petitioner's drug test results were attributable to a lawfully prescribed Adderall prescription — *Napue v. Illinois*, 360 U.S. 264, 269 (1959);

(c) The active concealment of the identity of the supervising probation officer who contacted Petitioner on February 19, 2026, and refused to provide her name, supervisory authority, or direct contact information;

(d) The deliberate omission of direct contact information from the signature block of ASA Nicholas Shepherd on the Petition for Revocation, in violation of Illinois Supreme Court Rule 131(b);

(e) The forensic spoliation of Petitioner's response time via a 7-day mail transit delay in a 14-day procedural window, compressing the effective response period to three business days through the operation of the Memorial Day holiday;

(f) The imminent filing of federal motions for sanctions and evidentiary review concerning the documented *Napue* violation and forensic mail spoliation executing a jurisdictional blackout against active federal dockets in the United States District Court for the Northern District of Illinois, Eastern Division (Case Nos. [1:26-cv-01077](#), [1:25-cv-15181](#), [1:25-cv-15800](#), [1:25-cv-15786](#)).

The duty to preserve extends to all Electronically Stored Information (ESI), physical documents, metadata, server logs, internal communications, and any other data points identified in the Preservation Matrix below. This duty is active, continuing, and non-delegable. *Zubulake v. UBS Warburg LLC*, 220 F.R.D. 212, 216-18 (S.D.N.Y. 2003) (a party's discovery obligations include a duty to identify key players and preserve their ESI once litigation is reasonably anticipated). Litigation was reasonably anticipated no later than February 19, 2026, when Petitioner's Formal Memorialization was served on the Lake County State's Attorney's Office and Probation Director Junkin — 84 days before this Notice issues.

## **II. REQUIRED PRESERVATION MATRIX (CHAIN-OF-AUTHORIZATION)**

You are directed to immediately identify, quarantine, and preserve the following exact data points. Each item constitutes a discrete, independently discoverable category of evidence. Failure to preserve any single item will be documented as spoliation and submitted in support of a motion for an adverse

Certification:

This exhibit is a true and correct copy of the Notice of Mandatory Litigation Hold served by Plaintiff on May 22, 2026. Plaintiff certifies under penalty of perjury that this document has not been altered or modified. Litigation Hold: Lake County Evidence Preservation PROVES ACTUAL NOTICE. This document establishes that all Defendants had actual written knowledge of the *Napue* violation, the identity concealment, and spoliation before they executed the warrant. This defeats any claim of qualified immunity or good-faith belief. Independently establishes the "knowledge" element of C

inference instruction.

**1. Cross-Jurisdictional Query Logs.** All digital server logs, search histories, and metadata detailing the exact date, time, IP address, user identity, and authorization credentials of the Lake County agent who queried and retrieved the closed November 10, 2025 drug test result from the Cook County Adult Probation database. This includes any inter-agency data sharing agreements, memoranda of understanding, or informal arrangements under which Lake County obtained access to Cook County compliance records.

**2. Exculpatory Suppression Metadata.** All internal emails, drafts, memoranda, case notes, and digital communications within the Lake County State's Attorney's Office discussing the omission, suppression, or re-characterization of Officer Adison Weeks's December 8 and December 10, 2025, written verification of Petitioner's lawful Adderall prescription. This includes any communication regarding the characterization of the amphetamine test result as an "illegal substance" rather than a lawfully prescribed medication.

**3. Supervisory Approval Logs.** The identities, timestamps, digital signatures, and written authorizations of all supervising Assistant State's Attorneys, administrative officials, or supervisory personnel who reviewed, approved, or authorized the drafting and filing of the May 14, 2026 Petition for Revocation containing the fabricated "illegal substance" allegation. This includes any documentation of legal review or supervisory scrutiny applied to the factual allegations in the Petition.

**4. Internal Mail & Pitney Bowes Processing Logs.** All internal mailroom logs, Pitney Bowes postage meter usage records, inter-office mail routing data, and metadata explaining the deliberate 24-hour retention of the Petition between its notarization on May 14, 2026, and its internal meter stamping on May 15, 2026, as well as the additional 72-hour delay before its physical deposit at the USPS Carol Stream facility on May 18, 2026, at 4:00 PM. This includes the identities of all personnel who handled, routed, or authorized the timing of the envelope's deposit.

**5. Anonymous Probation Officer Identity.** The exact legal name, badge number, employee identification number, job title, supervisory chain of command, and personnel file for the Lake County Probation Officer who contacted Petitioner at approximately 3:00 PM on February 19, 2026, and actively refused to provide her name, supervisory authority, or direct contact information. This includes all training records, performance evaluations, and any disciplinary history related to the concealment of identity during official probation contacts.

**6. Supervisory Abandonment & Field Contact Logs.** All internal Probation Department logs, GPS tracking data of probation vehicles, field contact reports, telephone call records (including call detail records and metadata for the assigned officer's official telephone line), and internal communications explaining the deliberate administrative decision to permanently sever telephonic contact after February 19, 2026, and the authorization to bypass mandatory field contacts and home visits prior to the drafting of the May 14, 2026 Petition for Revocation. This includes all documentation of the supervisory review process, if any, that determined that zero field contacts, zero home visits, and zero telephone calls over a 60-day period constituted an adequate investigative foundation for a Petition for Revocation seeking incarceration.

**7. Cook County Inter-Agency Communications & Pretextual Mail Logs.** All internal emails, memoranda, and digital transfers originating from Cook County Adult Probation (specifically including Officer Destiny Lee and Officer Adison Weeks) detailing the transmission of Petitioner's November 10, 2025 drug test data to Lake County. This additionally encompasses all internal communications, supervisory directives, and case

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notes explaining the abrupt escalation to a hostile supervisory posture by Officer Destiny Lee on January 30, 2026. You must immediately preserve all mailing logs, drafting metadata, and supervisory approvals for any physical ultimatums sent by Officer Lee, specifically documenting the administrative rationale for utilizing physical mail while deliberately refusing to utilize Petitioner's verified telephonic and email vectors.

The Preservation Matrix above is not exhaustive. It identifies categories of evidence known to exist based on the documentary record presently in Petitioner's possession. You are independently obligated to preserve all other records, communications, and data that may be relevant to the claims and defenses in the coordinated federal proceedings.

### III. NOTICE OF SUPERVISORY ABANDONMENT AND STATUTORY BURDEN

Under 730 ILCS 5/5-6-4(c), the State of Illinois bears the absolute burden of proving a willful failure to report. The evidentiary record demonstrates that since February 19, 2026, the Lake County Probation Department executed a complete abandonment of its supervisory mandate.

Specifically, Lake County agents:

- Actively concealed the identity of the supervising officer during the initial and only telephonic contact, refusing to provide name, badge number, or supervisory authority upon direct request;
- Generated zero phone calls, emails, text messages, or electronic communications of any kind to Petitioner's active, unchanged, and documented contact vectors during the formalized March 10, 2026 Constructive Compliance Window (12:00 PM to 4:00 PM CST), despite Petitioner's written instruction that the administrative burden rested with the Probation Department to select a reporting time;
- Conducted zero field contacts, zero home visits, and zero in-person verification attempts between February 19, 2026, and the filing of the May 14, 2026 Petition for Revocation — a 60-day period of absolute administrative silence preceding the filing of an instrument seeking incarceration;
- Intentionally bypassed standard administrative protocols requiring documented attempts at field contact or home visitation prior to the filing of a revocation instrument, as evidenced by the complete absence of any such documentation in the Petition's factual averments.

This total, sustained radio silence confirms that Lake County agents intentionally severed communication to engineer a structural default. **A defendant cannot willfully fail to report to a faceless enforcement apparatus that actively refuses to initiate contact.** This supervisory abandonment strips the May 14, 2026 Petition of its Presumption of Regularity. *United States v. Chemical Foundation, Inc.*, 272 U.S. 1, 14-15 (1926).

Certification:

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The State's conduct constitutes a textbook violation of the supervisory duty imposed by 730 ILCS 5/5-6-4(c). The statute does not merely require that a defendant fail to report; it requires that the State prove such failure was **willful**. Where the State's own agent actively conceals her identity on the first contact date, affirmatively downgrades the reporting directive from a command to a discretionary "appreciation," generates zero calls during a four-hour window expressly established for compliance, and then remains absolutely silent for 60 days before filing a revocation petition, the element of willfulness is not merely unproven — it is structurally impossible.

### **B. The Pretextual Paper Trail & Refusal of Digital Vectors**

The State cannot cure its supervisory abandonment by relying on generic, physical mail ultimatums demanding in-person reporting. The State possesses actual, written notice that physical transit was rendered structurally impossible due to documented vehicle sabotage (Predicate Act 6; Case No. [1:25-cv-15800](#), Dkt. 30, ¶ 87; Dkt. 43).

Despite possessing Petitioner's verified, continuously active telephone number and email address, Cook County and Lake County probation agents initiated zero telephonic contacts and sent zero digital notifications. Sending physical mail demanding an impossible physical act, while actively refusing to utilize functional, direct telephonic and digital communication vectors, constitutes the deliberate manufacturing of a pretextual paper trail. The burden of supervision rests with the State; the State cannot intentionally bypass available, functional communication channels and subsequently claim a "willful" failure to report.

## **IV. CONSEQUENCES OF FAILURE TO PRESERVE**

Failure to preserve any data point identified in the Preservation Matrix above will be documented as active spoliation of evidence and submitted in support of the following relief, which Petitioner will seek from the coordinate federal tribunals:

**Adverse Inference Instructions.** Under Fed. R. Civ. P. 37(e)(2), where electronically stored information that should have been preserved is lost because a party failed to take reasonable steps to preserve it, and the court finds that the party acted with the intent to deprive another party of the information's use, the court may presume that the lost information was unfavorable to the party that failed to preserve it. *Parker v. City of Chicago*, 2005 WL 1384056, at \*4-5 (N.D. Ill. May 20, 2005) (adverse inference instruction for spoliation of ESI).

**Certification:**

*This exhibit is a true and correct copy of the Notice of Mandatory Litigation Hold served by Plaintiff on May 22, 2026. Plaintiff certifies under penalty of perjury that this document has not been altered or modified.* Litigation Hold: Lake County Evidence Preservation  
**PROVES ACTUAL NOTICE.** This document establishes that all Defendants had actual written knowledge of the Napue violation, the identity concealment, and before they executed the warrant. This defeats any claim of qualified immunity or good-faith belief. Independently establishes the "knowledge" element of C

**Monetary Sanctions.** The cost of forensic examination, reconstruction, and motion practice necessitated by any spoliation will be sought as sanctions payable personally by the responsible custodians and their supervisors, pursuant to Fed. R. Civ. P. 37(e)(1) and the court's inherent authority. *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43-44 (1991).

**Supplemental Filing in Federal Criminal Investigation.** Evidence of deliberate spoliation will be submitted to the United States Attorney's Office for the Northern District of Illinois as supplemental evidence in connection with the pending investigation under 18 U.S.C. § 1512(b) (witness tampering) and 18 U.S.C. § 1519 (destruction of records in federal investigations).

This Notice is issued with the full understanding that the duty to preserve is self-executing. No court order is required to activate a litigation hold once litigation is reasonably anticipated. *Zubulake v. UBS Warburg LLC*, 229 F.R.D. 422, 432 (S.D.N.Y. 2004) (the duty to preserve attaches when a party reasonably anticipates litigation). Any argument that this Notice should have been formally served by the Court rather than by the pro se Petitioner is a concession of willful ignorance of established federal preservation law.

## **V. REQUIRED CERTIFICATION OF COMPLIANCE**

Each recipient of this Notice is directed to provide a written certification of compliance, under penalty of perjury, within **seven (7) calendar days** of service. The certification must:

- Identify by name and title the individual(s) responsible for implementing and supervising the litigation hold;
- Describe the specific steps taken to preserve each category of evidence identified in the Preservation Matrix;
- Confirm that routine document retention and destruction policies have been suspended as to all records within the scope of this Hold;
- Identify any records within the scope of this Hold that have been deleted, destroyed, altered, or otherwise made unavailable since February 19, 2026, and explain the circumstances of such loss;
- Identify any third-party vendors, contractors, or service providers (including Pitney Bowes, USPS, and any ESI hosting services) who may possess records within the scope of this Hold.

Certifications should be directed to Petitioner via the contact information provided below. Petitioner reserves the right to seek judicial enforcement of this Hold and any associated discovery obligations.

Certification:

*This exhibit is a true and correct copy of the Notice of Mandatory Litigation Hold served by Plaintiff on May 22, 2026. Plaintiff certifies under penalty of perjury that this notice has not been altered or modified. Litigation Hold: Lake County Evidence Preservation PROVES ACTUAL NOTICE. This document establishes that all Defendants had actual written knowledge of the Napue violation, the identity concealment, and before they executed the warrant. This defeats any claim of qualified immunity or good-faith belief. Independently establishes the "knowledge" element of C*

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2 Respectfully submitted,

3 /s/ Ehab Allababidi

4 **EHAB ALLABABIDI, Pro Se**

5 Plaintiff / Petitioner

6 8516 W. Winona St., Chicago, IL 60656

(773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)

Dated: May 22, 2026

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Certification:

This exhibit is a true and correct copy of the Notice of Mandatory Litigation Hold served by Plaintiff on May 22, 2026. Plaintiff certifies under penalty of perjury that this document has not been altered or modified. Litigation Hold: Lake County Evidence Preservation PROVES ACTUAL NOTICE. This document establishes that all Defendants had actual written knowledge of the Napue violation, the identity concealment, and before they executed the warrant. This defeats any claim of qualified immunity or good-faith belief. Independently establishes the "knowledge" element of C

**CERTIFICATE OF SERVICE**

I, EHAB ALLABABIDI, certify under penalty of perjury that on the date set forth above, I caused the foregoing NOTICE OF MANDATORY LITIGATION HOLD AND DEMAND FOR PRESERVATION OF EVIDENCE to be served on the following recipients:

Lake County State’s Attorney’s Office  
18 N. County St., Waukegan, IL 60085  
**Email:** [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov)

ASA Nicholas Shepherd  
Lake County State’s Attorney’s Office  
18 N. County St., Waukegan, IL 60085  
**Email:** [nshepherd@lakecountyil.gov](mailto:nshepherd@lakecountyil.gov)

Director Matthew T. Junkin  
Lake County Adult Probation Department  
18 N. County St., Waukegan, IL 60085  
**Email:** [mjunkin@lakecountyil.gov](mailto:mjunkin@lakecountyil.gov)

Officer Destiny Lee  
Cook County Adult Probation Department  
**Email:** [destiny.lee@cookcountyil.gov](mailto:destiny.lee@cookcountyil.gov)

Lake County State’s Attorney’s Office (General Fallback)  
**Email:** [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov)

Lake County Circuit Clerk (General Fallback)  
**Email:** [courts@lakecountyil.gov](mailto:courts@lakecountyil.gov)

Lake County Circuit Clerk  
18 N. County St., Waukegan, IL 60085  
**Email:** [CircuitClerk@lakecountyil.gov](mailto:CircuitClerk@lakecountyil.gov)

Executed under Fed. R. Civ. P. 5(b)(2)(E).

/s/ Ehab Allababidi

EHAB ALLABABIDI, *Pro Se*

Plaintiff / Petitioner

Dated: May 22, 2026

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_  
LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants

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## EXHIBIT 9

### Notice of Special Appearance and Fraud on the Court — May 28, 2026, Filed Before the Warrant Issued

May 28, 2026

*Filed by Ehab Allababidi, Pro Se Defendant, in Lake County Case No. 23 CF 1146*

**EVIDENTIARY PURPOSE:**

This exhibit is the formal Notice of Special Appearance and Fraud on the Court filed by Plaintiff in Lake County Case No. 23 CF 1146 on May 28, 2026, before the 9:00 AM warrant hearing. The Notice declares to the state court that the Petition for Revocation contains a documented Napue perjury violation, presents the exculpatory Adison Weeks email (Exhibit 1), and formally notifies the court that the proceeding is fraudulent. The Notice also informs the court of the pending federal injunctive proceedings and that issuing a warrant would constitute participation in a federal witness tampering conspiracy.

**RELEVANT LEGAL AUTHORITY:**

This Notice is a verified court filing in the underlying state proceeding, self-authenticating under Fed. R. Evid. 902(1). This Court may take judicial notice of this public record under Fed. R. Evid. 201(b)(2). Incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c). The Notice is admissible as evidence of Plaintiff's opposition to the warrant and the state court's knowledge of the fraud.

**APPLICATION TO CASE FACTS:**

This exhibit proves: (1) Plaintiff formally notified the state court of the Napue perjury before the warrant issued; (2) the state court was specifically warned that issuing the warrant would constitute participation in federal witness tampering; (3) Defendant Shepherd and Defendant Cervantes were served with this Notice; (4) the state court proceeded to issue the warrant despite this notice; and (5) the Defendants cannot claim they acted without knowledge of the constitutional violation.

**PROBATIVE CONCLUSION:**

The Notice of Special Appearance and Fraud on the Court conclusively proves that the state court and Defendants had actual, written notice of the Napue violation before the warrant issued. The state court's decision to proceed and issue the warrant despite this notice independently establishes the bad-faith exception to Younger abstention and corroborates the conspiracy alleged in Count V.

**KEY EVIDENCE INDICATORS:**

**Filed: May 28, 2026 (before 9:00 AM) | Court: Lake County Circuit Court, Case 23 CF 1146 | Recipients: Judge Stride, ASA Shepherd, Director Junkin, Officer Lee | Key content: Napue perjury identified, exculpatory evidence attached, federal proceedings notified, witness tampering warning | Warrant issued despite notice**

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*This exhibit is a true and correct copy of the Notice of Special Appearance and Fraud on the Court filed by Plaintiff on May 28, 2026. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*PROVES STATE COURT WAS WARNED. Filed at 8:00 AM on May 28, before the 9:00 AM warrant hearing. The Notice explicitly identified the Napue violation and warned that issuing a warrant would make the court a participant in federal witness tampering. The warrant issued anyway. This independently corroborates the "bad faith" element of Count I and the conspiracy element of Count V.*

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

<p><b>PEOPLE OF THE STATE OF ILLINOIS,</b> <i>Plaintiff,</i></p> <p style="text-align: center;">v.</p> <p><b>EHAB ALLABABIDI,</b> <i>Defendant, Pro Se.</i></p>	<p>Case No.: <b>23 CF 1146</b></p> <p>Judge: <i>Hon. Christopher Stride</i> Courtroom: <i>T-611</i></p> <p><b>CRIMINAL DIVISION</b> <i>Probation Revocation Proceeding</i></p>
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**NOTICE OF SPECIAL APPEARANCE AND  
FRAUD ON THE COURT**

*Defendant, Pro Se, Appears Specially to Challenge This Court’s  
Jurisdiction Based on Documented Prosecutorial Perjury,  
Forensic Spoliation of Notice, and Pending Federal Injunctive Proceedings*

**DATE:** May 28, 2026

**TO:** The Honorable Christopher Stride  
Circuit Court Judge, Courtroom T-611  
19th Judicial Circuit, Lake County, Illinois  
18 N. County St., Waukegan, IL 60085

**Via:** Circuit Clerk / Courts Administration Routing

**RE:** Emergency Special Appearance and Formal Notice of Fraud on the Court  
Regarding the May 28, 2026, 9:00 AM Arraignment  
in Case No. 23 CF 1146

**I. PRELIMINARY STATEMENT AND NATURE OF THIS FILING**

Defendant Ehab Allababidi, appearing *pro se* and specially in the above-captioned matter, files this formal **Notice of Special Appearance and Fraud on the Court** pursuant to Illinois Supreme Court Rule 101(d), 735 ILCS 5/2-301, and the inherent power of this Court to protect itself from fraudulent proceedings. This filing constitutes a formal, verified pleading intended to place the Court on actual record notice of the following irreducible facts:

This Notice is not an email. It is a formal, verified court filing submitted under penalty of perjury, served upon the Clerk of the Circuit Court, ASA Nicholas Shepherd, and the Presiding Judge of Courtroom T-611. It establishes the evidentiary record precluding any claim that Defendant’s objections were not properly filed.

Defendant appears specially solely for the purpose of challenging this Court’s jurisdiction over the May 28, 2026 arraignment proceeding. This special appearance does not waive any jurisdictional, procedural, or constitutional defenses, including but not limited to objections to personal jurisdiction, subject matter jurisdiction, the sufficiency of process, and the existence of pending coordinate federal

**Certification:**

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proceedings that divest this state tribunal of jurisdiction to proceed with a retaliatory custodial incarceration.

The grounds for this special appearance and the accompanying notice of fraud upon the Court are as follows:

## **II. DOCUMENTED NAPUE PERJURY — THE FABRICATED AMPHETAMINE ALLEGATION**

The Petition for Revocation of Probation submitted by Assistant State’s Attorney Nicholas Shepherd contains objective, verified prosecutorial perjury. The State is requesting a bench warrant based on a fabricated allegation of an “**illegal amphetamine substance**” for a November 10, 2025 drug test.

Attached hereto and incorporated by reference is the written, documentary proof from Cook County Adult Probation Officer Adison Weeks, dated December 8 and December 10, 2025, officially adjudicating this test as compliant and verifying it as a lawfully prescribed Adderall prescription. On December 8, 2025, Officer Weeks confirmed in writing that Defendant’s “drug test results were all negative.” On December 10, 2025, Officer Weeks confirmed: “the dip stick might have resulted in a false positive — it is all negative in my eyes because I know you are still taking the Adderall.”

ASA Shepherd’s suppression of this exculpatory evidence and subsequent presentation of false material facts to this Court constitutes a textbook violation of *Napue v. Illinois*, 360 U.S. 264, 269 (1959), and operates as a fraud upon this tribunal. Under the doctrine of *falsus in uno, falsus in omnibus*, the verified perjury in the Petition instantly delegitimizes the entirety of the charging instrument. Because the Petition is infected by a documented *Napue* violation, the State has forfeited the Presumption of Regularity. *United States v. Chemical Foundation, Inc.*, 272 U.S. 1, 14-15 (1926).

Furthermore, the November 10, 2025 drug test was administered under the jurisdiction of Cook County Adult Probation. Cook County officially adjudicated that test, verified the lawful prescription, and closed the compliance inquiry on December 10, 2025. The State’s attempt to re-litigate a test result that a coordinate agency of the State of Illinois already resolved in Defendant’s favor is barred by the doctrine of collateral estoppel. *Ashe v. Swenson*, 397 U.S. 436, 443 (1970).

## **III. FORMAL NOTICE OF PENDING FEDERAL JURISDICTIONAL PROCEEDINGS**

This Court is formally notified of the following jurisdictional conflicts that preclude the May 28, 2026 arraignment:

**Certification:**

*This exhibit is a true and correct copy of the Notice of Special Appearance and Fraud on the Court filed by Plaintiff on May 28, 2026. Plaintiff certifies under penalty of perjury that this exhibit has not been altered or modified. PROVES STATE COURT WAS WARNED. Filed at 8:00 AM on May 28, before the 9:00 AM warrant hearing. The Notice explicitly identified the Napue violation that would make the court a participant in federal witness tampering. The warrant issued anyway. This independently corroborates the “bad faith” element of Co*

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**A.Federal Appellate Invocation.** Emergency Rule 8 Injunction and Mandamus proceedings have been initiated in the United States Court of Appeals for the Seventh Circuit to stay this exact 9:00 AM proceeding due to its retaliatory sequencing eight days prior to a federal habeas deadline. (N.D. Ill. Case No. [1:26-cv-01077](#))

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**B.Federal District Court Confirmation.** On May 27, 2026, the Courtroom Deputy for the Honorable John Robert Blakey formally confirmed on the federal record that an Article III order regarding this exact arraignment is currently being drafted. This Court is on actual notice that a coordinate Article III tribunal is actively exercising its jurisdiction to issue an injunction concerning the very proceeding scheduled for 9:00 AM today.

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**C.Civil RICO Evidence Spoliation.** The execution of a custodial warrant today operates as an overt act of witness tampering under 18 U.S.C. § 1512(b), designed to permanently sever Defendant’s access to the digital infrastructure utilized in active Civil RICO litigation (N.D. Ill. Case No. [1:25-cv-15800](#)). Formal Litigation Holds and ESI Quarantines have been served on the State.

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**IV. THE FORENSIC SPOILIATION OF NOTICE — THE MEMORIAL DAY TRAP**

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The State’s bad faith is mathematically proven by its deliberate, forensic spoliation of Defendant’s response time, utilizing transit delays to execute a “Holiday Compression Trap.”

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The Petition for Revocation and Notice of Arraignment were drafted, signed, and notarized on Thursday, May 14, 2026. However, the physical envelope containing the summons demonstrates active temporal sabotage: the State’s internal Pitney Bowes postage meter (ZIP 60085) did not stamp the envelope until Friday, May 15, 2026. The State subsequently withheld the envelope such that it did not enter the USPS Carol Stream processing facility until Monday, May 18, 2026, at 4:00 PM.

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In a 14-day procedural window between the filing (May 14) and the threatened incarceration (May 28), the State intentionally consumed exactly 50% of the timeline in transit. Furthermore, because Monday, May 25, 2026, is Memorial Day (a federal and state holiday), the 7-day transit delay successfully compressed Defendant’s operational window to seek federal injunctive relief to exactly **three business days** (May 22, May 26, May 27). This is not administrative inefficiency; it is a mathematically engineered timeline designed to guarantee a jurisdictional default before the June 5 federal deadline.

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**V. RELIEF DEMANDED**

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WHEREFORE, Defendant respectfully demands:

Certification:

*This exhibit is a true and correct copy of the Notice of Special Appearance and Fraud on the Court filed by Plaintiff on May 28, 2026. Plaintiff certifies under penalty of perjury that this exhibit has not been altered or modified. PROVES STATE COURT WAS WARNED. Filed at 8:00 AM on May 28, before the 9:00 AM warrant hearing. The Notice explicitly identified the Napue violation that would make the court a participant in federal witness tampering. The warrant issued anyway. This independently corroborates the “bad faith” element of Co*

(1) An immediate stay of the 9:00 AM arraignment scheduled before this Court on May 28, 2026, pending resolution of the coordinate federal injunctive proceedings in the United States District Court for the Northern District of Illinois (Case No. 1:26-cv-01077) and the Seventh Circuit Court of Appeals;

(2) The striking of the fraudulent Petition for Revocation of Probation filed by ASA Nicholas Shepherd on May 14, 2026, as it is infected by a documented *Napue* perjury violation and operates as a fraud upon this tribunal;

(3) The immediate preservation of all state routing metadata, including Pitney Bowes digital meter batch logs, internal mailroom chain-of-custody ledgers, and any supervisory authorization records governing the hold-and-release protocol for the May 14–18, 2026, mail processing window;

(4) A finding that this Court lacks jurisdiction to proceed with the May 28, 2026 arraignment because: (a) the charging instrument is void as a product of documented fraud upon the court; (b) a coordinate Article III tribunal is actively drafting an injunction concerning this exact proceeding; and (c) the proceeding constitutes an overt act of witness tampering under 18 U.S.C. § 1512(b);

(5) If this Court issues a bench warrant at 9:00 AM based on a prosecuting instrument infected by a documented *Napue* perjury violation, while a coordinate Article III tribunal is actively drafting an injunction, this Court transitions from a neutral arbiter to an active participant in a federal witness tampering conspiracy, and Defendant reserves all rights to seek immediate mandamus relief and to file a verified complaint with the Illinois Judicial Inquiry Board; and

(6) Such other and further relief as the interests of justice require.

### **VERIFICATION UNDER PENALTY OF PERJURY**

I, EHAB ALLABABIDI (DOB: September 24, 1996), declare under penalty of perjury under the laws of the State of Illinois and the United States of America pursuant to 735 ILCS 5/1-109 and 28 U.S.C. § 1746 that the following facts are true and correct based on my personal knowledge:

1. I am the Defendant in the above-captioned matter, *People of the State of Illinois v. Ehab Allababidi*, Case No. 23 CF 1146, pending before the Honorable Christopher Stride in Courtroom T-611 of the 19th Judicial Circuit, Lake County, Illinois.

**Certification:**

*This exhibit is a true and correct copy of the Notice of Special Appearance and Fraud on the Court filed by Plaintiff on May 28, 2026. Plaintiff certifies under penalty of perjury that this exhibit has not been altered or modified. I, Ehab Allababidi, PROVES STATE COURT WAS WARNED. Filed at 8:00 AM on May 28, before the 9:00 AM warrant hearing. The Notice explicitly identified the Napue violation and that I would make the court a participant in federal witness tampering. The warrant issued anyway. This independently corroborates the "bad faith" element of Co*

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2. I appear specially in this matter solely for the purpose of challenging this Court’s jurisdiction. This special appearance does not waive any jurisdictional, procedural, or constitutional defense.

3. On or about May 21, 2026, I received a copy of the Petition for Revocation of Probation filed by ASA Nicholas Shepherd on May 14, 2026. The Petition alleges, inter alia, that I tested “positive for Amphetamine (illegal substance)” on or about November 10, 2025. This allegation is false.

4. On December 8, 2025, Cook County Adult Probation Officer Adison Weeks confirmed in writing that my drug test results were “all negative.” On December 10, 2025, Officer Weeks confirmed that any positive result was attributable to a lawfully prescribed Adderall prescription and stated: “it is all negative in my eyes because I know you are still taking the Adderall.” A true and correct copy of this written confirmation is in my possession and has been filed in the coordinate federal proceedings.

5. On May 27, 2026, I was informed by the Courtroom Deputy for the Honorable John Robert Blakey in the United States District Court for the Northern District of Illinois, Eastern Division, that an Article III order regarding this exact May 28, 2026 arraignment is currently being drafted. Emergency Rule 8 Injunction and Mandamus proceedings have been initiated in the Seventh Circuit Court of Appeals.

6. The signature block of ASA Nicholas Shepherd on the May 14, 2026 Petition for Revocation contains no phone number, no email address, and no office extension, in violation of Illinois Supreme Court Rule 131(b).

7. The envelope containing the summons bears a Pitney Bowes postage meter stamp dated May 15, 2026, one day after the notarization date of May 14, 2026, and did not enter USPS processing until May 18, 2026. This deliberate delay compressed my 14-day procedural window to three business days over the Memorial Day holiday.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 28, 2026 in Chicago, Illinois.

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, *Pro Se* Defendant  
8516 W. Winona St., Chicago, IL 60656  
(773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)  
Dated: May 28, 2026

Certification:

*This exhibit is a true and correct copy of the Notice of Special Appearance and Fraud on the Court filed by Plaintiff on May 28, 2026. Plaintiff certifies under penalty of perjury that this exhibit has not been modified or modified of Special Appearance and Fraud on the Court PROVES STATE COURT WAS WARNED. Filed at 8:00 AM on May 28, before the 9:00 AM warrant hearing. The Notice explicitly identified the Napue violation that would make the court a participant in federal witness tampering. The warrant issued anyway. This independently corroborates the “bad faith” element of Co*

**CERTIFICATE OF SERVICE**

I, EHAB ALLABABIDI, certify under penalty of perjury that on the 28th day of May, 2026, I caused the foregoing NOTICE OF SPECIAL APPEARANCE AND FRAUD ON THE COURT to be served via electronic mail (email) upon the following recipients at the email addresses indicated below. Electronic service is effective under Illinois Supreme Court Rule 11(b)(6) and Fed. R. Civ. P. 5(b)(2)(E). No physical or mailed service was made.

**TO:** Circuit Clerk Administration  
**Email:** [CircuitClerk@lakecountyil.gov](mailto:CircuitClerk@lakecountyil.gov)

**TO:** General Courts Routing  
**Email:** [courts@lakecountyil.gov](mailto:courts@lakecountyil.gov)

**TO:** Lake County State’s Attorney’s Office  
**Email:** [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov)

**TO:** ASA Nicholas Shepherd  
Lake County State’s Attorney’s Office  
**Email:** [nshepherd@lakecountyil.gov](mailto:nshepherd@lakecountyil.gov)

**CC:** Matthew T. Junkin, Director  
Lake County Adult Probation Department  
**Email:** [mjunkin@lakecountyil.gov](mailto:mjunkin@lakecountyil.gov)

**CC:** Officer Destiny Lee  
Cook County Adult Probation Department  
**Email:** [destiny.lee@cookcountyil.gov](mailto:destiny.lee@cookcountyil.gov)

**CC:** United States Department of Justice  
Public Integrity Section  
**Email:** [pin@usdoj.gov](mailto:pin@usdoj.gov)

This Notice is served via electronic mail because the Lake County Circuit Clerk does not maintain an electronic filing portal accessible to pro se litigants in criminal cases, and because the urgency of the proceeding demands immediate delivery. Electronic service is proper under Ill. Sup. Ct. R. 11(b)(6) where personal service is impractical due to the exigent circumstances. A copy of this filing is also being transmitted to the N.D. Illinois CM/ECF system in Case No. 1:26-cv-01077 as a supplemental exhibit in the pending federal habeas corpus proceeding.

/s/ Ehab Allababidi

\_\_\_\_\_  
EHAB ALLABABIDI, *Pro Se*

Defendant

Dated: May 28, 2026

Certification:

*This exhibit is a true and correct copy of the Notice of Special Appearance and Fraud on the Court filed by Plaintiff on May 28, 2026. Plaintiff certifies under penalty of perjury that this exhibit has not been modified or modified of Special Appearance and Fraud on the Court PROVES STATE COURT WAS WARNED. Filed at 8:00 AM on May 28, before the 9:00 AM warrant hearing. The Notice explicitly identified the Napue violation that would make the court a participant in federal witness tampering. The warrant issued anyway. This independently corroborates the "bad faith" element of Co*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Allababidi v. Shepherd, et al. | Case No. 1:26-cv-0\_\_\_\_  
LAKE COUNTY, ILLINOIS; COOK COUNTY, ILLINOIS; Municipal Defendants

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## EXHIBIT 10

### 7:00 AM Email — Emergency Special Appearance & Notice of Fraud on the Court — Served Before the 9:00 AM Warrant Hearing

May 28, 2026 at 7:00 AM

From: Ehab Allababidi (defcon5ready@gmail.com) to Circuit Clerk, Lake County State's Attorney, ASA Shepherd, with CC to Officer Lee, Director Junkin, and DOJ Public Integrity Section

#### EVIDENTIARY PURPOSE:

This exhibit is the Gmail record of Plaintiff's email sent at 7:00 AM on May 28, 2026 — two hours before the 9:00 AM warrant hearing — serving the Emergency Special Appearance and formal Notice of Fraud on the Court on the Lake County Circuit Clerk, ASA Nicholas Shepherd, the Lake County State's Attorney's Office, and the DOJ Public Integrity Section. The email explicitly: (1) identifies the Napue perjury in the Petition for Revocation; (2) attaches the exculpatory Adison Weeks email as proof; (3) notifies the court of the pending federal injunctive proceedings; (4) warns that issuing a warrant constitutes participation in a federal witness tampering conspiracy under 18 U.S.C. § 1512(b); and (5) attaches the Litigation Hold and other exhibits. The email attachments include the Notice of Special Appearance, Dkt. 16, and both Litigation Holds.

#### RELEVANT LEGAL AUTHORITY:

Electronic records are self-authenticating under Fed. R. Evid. 902(13) and 902(14). The email is authenticated by Plaintiff's declaration under 28 U.S.C. § 1746. Service to official government email addresses (CircuitClerk@lakecountyil.gov, statesattorney@lakecountyil.gov) constitutes actual notice as a matter of law. The email was sent two hours before the warrant hearing, proving Defendants had actual, written notice of the fraud before the warrant issued. Incorporated into the Complaint by reference under Fed. R. Civ. P. 10(c).

#### APPLICATION TO CASE FACTS:

This exhibit proves: (1) at 7:00 AM on May 28, 2026, Plaintiff served the Napue evidence and fraud notice on the state court, prosecutor, and probation directors; (2) ASA Shepherd received the exculpatory evidence at his official email before the 9:00 AM hearing; (3) the state court had actual, written notice of the fraud before issuing the warrant; (4) Defendants proceeded with the warrant execution despite this notice; and (5) the DOJ Public Integrity Section was copied, establishing a federal criminal nexus. The email attachments prove the complete evidentiary record was in Defendants' hands before the constitutional deprivation occurred.

#### PROBATIVE CONCLUSION:

This email conclusively proves that every Defendant had actual, written notice of the Napue perjury, the pending federal proceedings, and the witness tampering warning — two full hours before they executed the warrant. No Defendant can claim ignorance, good faith, or lack of notice. This independently establishes the knowledge element of Count I, the malice element of Count III, the supervisory notice element of Count IV, and the conspiratorial agreement element of Count V.

#### KEY EVIDENCE INDICATORS:

**Sent: May 28, 2026 at 7:00 AM | Sender: defcon5ready@gmail.com | Recipients: CircuitClerk@lakecountyil.gov, statesattorney@lakecountyil.gov, nshepherd@lakecountyil.gov | CC: destiny.lee@cookcountyil.gov, mjunkin@lakecountyil.gov, pin@usdoj.gov | Subject: EMERGENCY SPECIAL APPEARANCE (COURTROOM T-611): Notice of Fraud on the Court | Attachments: Notice of Special Appearance (5 pages), Dkt. 16, Emergency Mandamus, AG Litigation Hold, Lake County Litigation Hold | 2 hours before warrant hearing**

*This exhibit is a true and correct copy of the Gmail record exported from Plaintiff's email account (defcon5ready@gmail.com). Plaintiff is the sender and account holder. Plaintiff certifies under penalty of perjury that this record has not been altered or modified.*

*TWO HOURS BEFORE THE WARRANT. This email proves that at 7:00 AM on May 28 — two full hours before the 9:00 AM warrant hearing — every Defendant had the exculpatory evidence, the fraud notice, and the witness tampering warning in their inbox. They read it, they knew it was perjured, and they executed the warrant anyway. This single document defeats every immunity defense and establishes every element of knowledge and malice.*



Ehab Hilfiger <defcon5ready@gmail.com>

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## EMERGENCY SPECIAL APPEARANCE (COURTROOM T-611): Notice of Fraud on the Court, Napue Perjury, and Pending Seventh Circuit Injunction (Case 23 CF 1146)

1 message

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Ehab Hilfiger <defcon5ready@gmail.com>

Thu, May 28, 2026 at 7:00 AM

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

Cc: "Destiny Lee (Adult Probation)" <destiny.lee@cookcountyil.gov>, "Matthew T. Junkin" <mjunkin@lakecountyil.gov>, pin@usdoj.gov

### URGENT: MANDATORY ROUTING TO THE HONORABLE CHRISTOPHER STRIDE (COURTROOM T-611)

To the Clerk of the Circuit Court, ASA Nicholas Shepherd, and the Presiding Judge:

This communication constitutes an Emergency Special Appearance and formal Notice of Fraud on the Court regarding the 9:00 AM Arraignment scheduled today, May 28, 2026, in Case No. 23 CF 1146. The Petition for Revocation of Probation submitted by Assistant State's Attorney Nicholas Shepherd contains objective, verified prosecutorial perjury. The State is requesting a bench warrant based on a fabricated allegation of an "illegal amphetamine substance" for a November 10, 2025 test. Attached hereto is the written, documentary proof from Cook County Adult Probation Officer Adison Weeks, dated December 8 and 10, 2025, officially adjudicating this test as compliant and verifying it as a lawful Adderall prescription.

ASA Shepherd's suppression of this exculpatory evidence and subsequent presentation of false material facts to this Court constitutes a textbook violation of *Napue v. Illinois*, 360 U.S. 264 (1959), and operates as a fraud upon this tribunal.

Furthermore, this Court is formally notified of the following jurisdictional conflicts:

- Federal Appellate Invocation:** Emergency Rule 8 Injunction and Mandamus proceedings have been initiated in the Seventh Circuit Court of Appeals to stay this exact 9:00 AM proceeding due to its retaliatory sequencing eight days prior to a federal habeas deadline (N.D. Ill. Case No. 1:26-cv-01077).
- Federal District Court Confirmation:** On May 27, 2026, the Courtroom Deputy for the Honorable John Robert Blakey formally confirmed on the federal record that an Article III order regarding this exact arraignment is currently being drafted.
- Civil RICO Evidence Spoliation:** The execution of a custodial warrant today operates as an overt act of witness tampering (18 U.S.C. § 1512(b)) designed to permanently sever Petitioner's access to the digital infrastructure utilized in active Civil RICO litigation (N.D. Ill. Case No. 1:25-cv-15800). Formal Litigation Holds and ESI Quarantines have been served on the State.

**RELIEF DEMANDED:** If this Court issues a bench warrant at 9:00 AM based on a prosecuting instrument infected by a documented *Napue* perjury violation, while a coordinate Article III tribunal is actively drafting an injunction, this Court transitions from a neutral arbiter to an active participant in a federal witness tampering conspiracy.

Petitioner demands an immediate stay of the 9:00 AM arraignment, the striking of the fraudulent Petition for Revocation, and the immediate preservation of all state routing metadata. The formal Notice of Special Appearance and the verified federal evidentiary exhibits are attached.

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

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Certification:

This exhibit is a true and correct copy of the Gmail record exported from Plaintiff's email account (defcon5ready@gmail.com). Plaintiff is the sender and certifies under penalty of perjury that this record has not been altered or modified.  
TWO HOURS BEFORE THE WARRANT. This email proves that at 7:00 AM on May 28 — two full hours before the 9:00 AM warrant hearing — every Defendu aud notice, and the witness tampering warning in their inbox. They read it, they knew it was perjured, and they executed the warrant anyway. This single docu

Page 204 of 538



**Ehab Allababidi**

Personal Signature

**Phone:** 773-920-0030 (CAGE 16QC7)

**Email:** [defcon5ready@gmail.com](mailto: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.

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**5 attachments**

-  **NOTICE\_OF\_SPECIAL\_APPEARANCE\_AND\_FRAUD\_ON\_THE\_COURT.pdf**  
44K
-  **DKT16.pdf**  
20139K
-  **EMERGENCY\_PETITION\_WRIT\_MANDAMUS\_05272026.pdf**  
55K
-  **AG\_LITIGATION\_HOLD\_DOERSCH\_05232026.pdf**  
76K
-  **LITIGATION\_HOLD\_LAKE\_COUNTY\_05222026.pdf**  
58K

Certification:

*This exhibit is a true and correct copy of the Gmail record exported from Plaintiff's email account (defcon5ready@gmail.com). Plaintiff is the sender and certifies under penalty of perjury that this record has not been altered or modified.*

*TWO HOURS BEFORE THE WARRANT. This email proves that at 7:00 AM on May 28 — two full hours before the 9:00 AM warrant hearing — every Defense attorney and notice, and the witness tampering warning in their inbox. They read it, they knew it was perjured, and they executed the warrant anyway. This single document*

# EXHIBIT P

## FEDERAL DECLARATION OF EHAB ALLABABIDI (CM/ECF DOC. 8)

Sworn declaration filed in No. 1:26-cv-06738 — bears the official CM/ECF filing stamp

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Sworn declaration under 28 U.S.C. § 1746 — U.S. District Court, N.D. Ill.	<b>Filed/Dated:</b>	Filed June 10, 2026 (CM/ECF stamp: Case 1:26-cv-06738, Document #: 8)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	All Grounds — sworn federal declaration of the same operative facts

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This sworn declaration, filed in the federal action and bearing the U.S. District Court CM/ECF stamp (“Document #: 8 Filed: 06/10/26”), sets out the same operative facts under penalty of perjury before a federal court. It corroborates, in an authenticated federal filing, the timeline, the Weeks adjudication, the anonymity period, and the retaliatory sequence relied upon in this Petition. It demonstrates that Petitioner has sworn to these facts in two coordinate tribunals.*

### KEY CONTENTS:

- CM/ECF-stamped sworn declaration (Case 1:26-cv-06738, Doc. 8, filed 06/10/26)
- Same operative facts sworn under 28 U.S.C. § 1746 in federal court
- Corroborates the Weeks adjudication, anonymity period, and retaliation timeline
- Authenticated concurrent federal record

**BC**

**FILED**  
 6/10/2026  
 THOMAS G. BRUTON  
 CLERK, U.S. DISTRICT COURT  
 VW

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

**EHAB ALLABABIDI,**  
*Plaintiff, Pro Se,*

Case No.: **1:26-cv-06738**

v.

**NICHOLAS SHEPHERD,** Assistant State’s  
 Attorney, Lake County;  
**MARISA CERVANTES,** Adult Probation  
 Officer, Lake County;  
**DESTINY LEE,** Adult Probation Officer,  
 Cook County;  
**MARGARET K. FONTANA,** Director,  
 Division of Adult Probation Services,  
 19th Judicial Circuit (Lake County);  
**LAKE COUNTY, ILLINOIS;**  
**COOK COUNTY, ILLINOIS,**  
*Defendants.*

Judge: *Hon. Matthew F. Kennelly*  
 Magistrate: *Hon. Karyn L. Bass Ehler*

**DECLARATION OF  
 EHAB ALLABABIDI**

**DECLARATION OF EHAB ALLABABIDI IN SUPPORT OF MOTION FOR  
 ATTORNEY REPRESENTATION  
 (28 U.S.C. § 1746)**

I, EHAB ALLABABIDI, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct and based on my personal knowledge:

1. I am the Plaintiff in this action, am over the age of eighteen, and am competent to make this Declaration.
2. I am indigent and cannot afford to pay an attorney’s hourly fees or a retainer. On April 22, 2026, this District found in my coordinate civil action, *Allababidi v. Tencent Cloud LLC*, No. 1:26-cv-03204 (Dkt. 9), that I lack the financial resources to pay the fees and costs of litigation. A true and correct copy of that order is attached as Exhibit A. My financial circumstances have not improved since that Order, and I stand ready to submit a financial affidavit in this case if the Court requires one.
3. A Petition for Revocation was sworn against me in *People v. Allababidi*, No. 23 CF 1146 (19th Judicial Circuit, Lake County, Illinois), in mid-May 2026, alleging that I tested positive for an illegal substance; a no-bond arrest warrant issued on that petition and remains outstanding as of the date of this Declaration. The substance of those allegations, and the prescription evidence contradicting them, are set out in my Complaint [Doc. 1] and verified evidentiary manifest in this case.
4. My appointed counsel in No. 23 CF 1146 has not substantively communicated with me since on or about May 29, 2026, despite the active warrant. I documented that silence, and my resulting omnibus

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2 filing in the state proceeding (including a notice of constructive abandonment and a motion to quash the  
3 warrant), in the document attached as Exhibit B.

4 **5.** I have been unable to obtain counsel in any of my pending federal civil matters. In April through  
5 June 2026, I contacted numerous law firms practicing in federal court — no fewer than five or six —  
6 seeking representation in my federal matters; every firm declined, no firm was willing to proceed on a  
7 contingency-fee basis, and I made these calls as an unrepresented layperson without keeping a  
8 contemporaneous log of each firm’s name.

9 **6.** I have also previously sought assistance through this District’s William J. Hibbler Memorial Pro Se  
10 Assistance Program; the Program has never located or placed an attorney for me in any of my matters.

11 **7.** Because the facts of this civil action overlap the pending revocation proceeding, I am afraid that  
12 anything I write or say in discovery in this case may be used against me in the criminal matter, and I do  
13 not know how to assert or preserve my Fifth Amendment rights question-by-question without  
14 jeopardizing either this case or my liberty.

15 **8.** Because the no-bond warrant remains outstanding, I cannot safely attend in-person proceedings,  
16 depositions, document inspections, or meetings with prospective counsel without risking custodial  
17 arrest; in the state proceeding I have been forced to demand remote adjudication for that reason.

18 **9.** Over the past six months, I have studied the Federal Rules of Civil Procedure extensively and have  
19 gained practical experience in federal motion practice by representing myself in other pending federal  
20 civil matters, including a RICO action naming approximately seventy-eight (78) defendants. Those  
21 matters also place substantial, continuing demands on my time.

22 **10.** Notwithstanding that experience, I have never tried a case to verdict or appeared before a jury;  
23 never taken or defended a deposition; never retained, prepared, or examined an expert witness; never  
24 briefed or argued a Daubert challenge or an immunity motion of the kind this case will involve; and I  
25 have no formal legal education or training.

26 **11.** I understand that proving my claims will require testimony from an independent toxicology or  
27 pharmacology expert regarding the laboratory result and my lawful prescription, and that, as the  
28 plaintiff, my own statements cannot take the place of such independent expert testimony. I cannot  
afford to retain such an expert.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 10, 2026, at  
Chicago, Illinois.

/s/ Ehab Allababidi

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EHAB ALLABABIDI, *Pro Se* Plaintiff  
Dated: June 10, 2026

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2 **CERTIFICATE OF SERVICE**

3 I, EHAB ALLABABIDI, hereby certify that on June 10, 2026, I caused the foregoing PLAINTIFF'S  
4 MOTION FOR ATTORNEY REPRESENTATION AND REQUEST FOR EXPEDITED  
5 CONSIDERATION, together with the supporting Declaration and Exhibits A and B, to be filed with  
6 the Clerk of the Court using the CM/ECF system. Because no Defendant has yet appeared through  
7 counsel of record and service of process remains in progress, this filing will be served upon each  
8 Defendant together with, or by the same means as, the Summons and Complaint, and upon counsel of  
9 record promptly upon any appearance. This Certificate of Service is executed in compliance with Fed.  
10 R. Civ. P. 5 and N.D. Ill. Local Rule 5.9.

11 /s/ Ehab Allababidi

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13 EHAB ALLABABIDI, *Pro Se*

14 Dated: June 10, 2026  
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# EXHIBIT A

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## **Indigency Finding of April 22, 2026**

Minute Order of the Honorable Sunil R. Harjani in Allababidi v. Tencent Cloud LLC, No. 1:26-cv-03204 (N.D. Ill.) (Dkt. 9), finding that Plaintiff “lacks the financial resources to pay the fees and costs associated with this action” and granting leave to proceed in forma pauperis.

Offered to corroborate Plaintiff’s sworn statement of continuing indigency. (Declaration ¶ 2.)

Filed in Support of Plaintiff’s Motion for Attorney Representation

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | Northern District of Illinois, Eastern Division

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.5)  
Eastern Division**

Ehab Allababidi

Plaintiff,

v.

Case No.: 1:26–cv–03204

Honorable Sunil R. Harjani

Tencent Cloud LLC, et al.

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Wednesday, April 22, 2026:

MINUTE entry before the Honorable Sunil R. Harjani: The Court has reviewed Plaintiff's application to proceed in forma pauperis [5] and concludes that he lacks the financial resources to pay the fees and costs associated with this action. Motion for leave to proceed in forma pauperis [5] is granted. The Court has reviewed Plaintiff's Complaint [1] pursuant to 28 U.S.C. 1915(e)(2)(B). Upon review, Plaintiff has alleged that the defendants carried out a cyberattack against his computer systems that damaged his computers and obtained proprietary code that is subject to trade secret protection. At the screening phase, and without prejudice to any future motion brought by any defendant, he has sufficiently alleged claims under the the Computer Fraud and Abuse Act, Defend Trade Secrets Act, and Illinois Computer Tampering Act when liberally construing his Complaint and in light of his pro se status. **The Clerk is directed to file Plaintiff's complaint and issue summons for service of the complaint on the defendants.** The United States Marshals Service is appointed to serve the defendants. The Court advises Plaintiff that a completed USM–285 (Marshals service) form is required for service on the defendants. **The Clerk is directed to provide a USM–285 form to Plaintiff along with a copy of this order.** The Marshal will not attempt service on the defendants unless and until the required form is received. Therefore, the plaintiff must complete a service form for each defendant and return the form to the Clerk of Court. Plaintiff is encouraged review the Court's website for resources on proceeding pro se and to contact the Hibbler pro se help desk for assistance. The help desk can be reached at 773–769–1411 or [hibbler@uplcchicago.org](mailto:hibbler@uplcchicago.org). An initial status hearing is set for June 30, 2026, at 9:15 a.m. by telephone. By June 23, 2026, the parties shall confer and file a joint initial status report. A template for the Joint Initial Status Report can be found on the Court's web page. If the defendants have not been served by the initial status date, plaintiff is to contact the Courtroom Deputy to reschedule the status hearing and the date for filing an initial status report. In some cases, the scheduled initial status hearing may take place before a defendant has responded to the plaintiff's complaint. The Court expects all defendants who have been served with process to participate in the scheduling conference even if they have not yet responded to the complaint. The call–in number is (855) 2448681 and the access code is 172 628 1276###. **Attorneys of record may not use speakerphones during the status hearing.** Members of the public and media will be able to call in to listen to this hearing but will be placed on mute. Persons granted remote access to

proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Mailed notice(lxs, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at [www.ilnd.uscourts.gov](http://www.ilnd.uscourts.gov).

## EXHIBIT B

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### **Omnibus Filing in People v. Allababidi, No. 23 CF 1146**

Plaintiff's omnibus filing in the parallel state revocation proceeding (19th Judicial Circuit, Lake County), comprising an Emergency Notice of Motion, Special Appearance and Demand for Remote Adjudication, Notice of Constructive Abandonment by Appointed Counsel, and Motion to Quash Warrant and Dismiss Revocation.

Offered to document the active no-bond warrant, the silence of appointed criminal counsel since on or about May 29, 2026, and the remote-adjudication demands described in the Motion and Declaration.

Filed in Support of Plaintiff's Motion for Attorney Representation

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | Northern District of Illinois, Eastern Division

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

THE PEOPLE OF THE STATE OF ILLINOIS,  
*Plaintiff-Respondent,*

v.

EHAB ALLABABIDI,  
*Defendant-Petitioner, Pro Se.*

General No.: **23 CF 1146**

Judge: *Hon. Christopher Stride, Courtroom  
T-611*

**OMNIBUS FILING**

**OMNIBUS FILING**

*EMERGENCY NOTICE OF MOTION*

*SPECIAL APPEARANCE AND DEMAND FOR REMOTE ADJUDICATION*

*NOTICE OF CONSTRUCTIVE ABANDONMENT BY APPOINTED COUNSEL*

*INVOCATION OF FARETTA RIGHT TO SELF-REPRESENTATION*

*WITH STANDBY COUNSEL UNDER MCKASKLE V. WIGGINS*

*MOTION TO QUASH WARRANT AND DISMISS REVOCATION*

**INDEX OF OMNIBUS COMPONENTS AND AUTHENTICATED EXHIBITS**

**I. Jurisdictional & Scheduling Demands**

**Comp. 1:** Emergency Notice of Motion

**Comp. 2:** Special Appearance & Demand for Remote Hearing (Capture Bypass)

**II. Substantive Constitutional Objections**

**Comp. 3:** Notice of Per Se Sixth Amendment Deprivation (*Cronic*)

**Comp. 4:** *Faretta* Invocation (Conditional on Liberty) & *McKaskle* Standby Counsel

**Comp. 5:** Motion to Quash Warrant (*Napue/Franks*) & Paralyzed Enforcement (*Malley*)

**III. Evidentiary Dossier & Federal Directives**

**Exhibit A:** Dkt. 25 — U.S. District Ct. Exhaustion Mandate (1:26-cv-01077, Blakey)

**Exhibit B:** 42 U.S.C. § 1983 Federal Civil Rights Complaint (N.D. Ill. Intake Submitted June 6, 2026; Case Number Pending Assignment) — Submitted concurrently to establish active federal preemption (65 pp.)

**Certification:** Verification (735 ILCS 5/1-109) & Certificate of Service

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

**THE PEOPLE OF THE STATE OF ILLINOIS,**  
*Plaintiff-Respondent,*

v.

**EHAB ALLABABIDI,**  
*Defendant-Petitioner, Pro Se.*

General No.: **23 CF 1146**

Judge: *Hon. Christopher Stride, Courtroom  
T-611*

**EMERGENCY NOTICE OF MOTION**

**EMERGENCY NOTICE OF MOTION**

**Calendar Demand — Ex Parte Emergency Call  
Courtroom T-611 before Hon. Christopher Stride**

**TO THE CLERK OF THE CIRCUIT COURT OF LAKE COUNTY AND THE LAKE  
COUNTY STATE’S ATTORNEY’S OFFICE:**

PLEASE TAKE NOTICE that on **June 9, 2026 at 9:00 AM**, or as soon thereafter as Defendant may be heard, Defendant EHAB ALLABABIDI will bring the attached OMNIBUS FILING — comprising an Emergency Notice of Motion, Special Appearance, Notice of Constructive Abandonment by Appointed Counsel, and Motion to Quash Warrant — before the Honorable Christopher Stride in Courtroom T-611 of the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, for an immediate ex parte emergency hearing.

**THE CLERK IS HEREBY DIRECTED** to immediately place this matter on the physical calendar for Courtroom T-611’s emergency call on the earliest available date. This filing is an omnibus submission containing the following integrated components, which the Clerk shall docket simultaneously as a single filing:

**Component 1:** Emergency Notice of Motion (this page) — calendar forcing function demanding immediate placement on the ex parte emergency call docket.

**Component 2:** Special Appearance and Demand for Remote Adjudication — invoking this Court’s jurisdiction solely to challenge the validity of the warrant, and demanding a remote hearing to prevent custodial extraction during these proceedings.

**Component 3:** Notice of Constructive Abandonment by Appointed Counsel, Invocation of Faretta Right to Self-Representation, and Demand for Appointment of Standby Counsel — establishing that appointed counsel’s ten (10) day silence since the May 29, 2026 Bailey Russell email during

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2 an active custodial extraction constitutes per se constructive abandonment, triggering per se  
3 Sixth Amendment deprivation under *Cronic*.

4 **Component 4:** Motion to Quash Warrant and Dismiss Petition for Revocation with Prejudice —  
5 demonstrating that the warrant is void ab initio as the product of sworn fabrication  
6 (Napue/Franks) and a retaliatory extraction mechanism designed to moot pending federal habeas  
7 jurisdiction.

8 Defendant respectfully notifies the Court that the attached Omnibus Filing is being served  
9 simultaneously upon ASA Nicholas Shepherd, the Lake County State’s Attorney’s Office, and the  
10 appointed Public Defender via electronic mail and facsimile transmission. Defendant requests that this  
11 matter be placed on the record as an emergency filing requiring judicial action within 24 hours.

12 This Emergency Notice of Motion is not severable from the attached components. The Clerk is  
13 directed to docket all pages as a single, continuous Omnibus Filing.

14 Respectfully submitted,

15 /s/ Ehab Allababidi

16 **EHAB ALLABABIDI**, *Pro Se* Defendant  
17 8516 W. Winona St., Chicago, IL 60656  
18 (773) 920-0030 | defcon5ready@gmail.com  
19 Dated: June 8, 2026  
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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-Respondent,*

v.

**EHAB ALLABABIDI,**

*Defendant-Petitioner, Pro Se.*

General No.: **23 CF 1146**

Judge: *Hon. Christopher Stride, Courtroom  
T-611*

**SPECIAL APPEARANCE AND  
DEMAND FOR REMOTE  
ADJUDICATION**

**SPECIAL APPEARANCE AND DEMAND  
FOR REMOTE ADJUDICATION**

*Invoking This Court’s Jurisdiction Solely to Challenge the Validity of the Warrant  
Demand for Remote Hearing Under Court’s Video-Conferencing Infrastructure*

Defendant EHAB ALLABABIDI makes a Special Appearance before this Court, appearing specially and solely for the purpose of challenging the validity of the May 28, 2026 no-bond bench warrant and the underlying Petition for Revocation. Defendant does not waive, and expressly preserves, all objections to the jurisdiction of this Court over his person, including but not limited to objections based on insufficient service, lack of notice, and the void ab initio nature of the warrant.

Defendant is not a fugitive. He has never evaded lawful process. Defendant is a federal civil rights litigant who has mathematically proven — through the State’s own written records — that the warrant commanding his arrest was procured through *Napue* perjury and retaliatory fabrication. The State cannot weaponize a constitutionally void warrant to compel Defendant’s physical surrender as a prerequisite to hearing this motion. To require Defendant to walk into Courtroom T-611 is to require him to walk into the custodial extraction that this filing demonstrates is unconstitutional. Compelling physical appearance would consummate the very constitutional deprivation this motion seeks to prevent, and would moot the pending federal injunctive relief before the Article III tribunal can act.

Accordingly, Defendant demands that the hearing on this Omnibus Filing, including the *Faretta* colloquy, the *Franks* hearing, and all other proceedings, be conducted remotely via the Court’s approved telephonic or video-conference infrastructure (Zoom/WebEx or equivalent). Defendant stands ready to appear remotely at the Court’s immediate convenience, but demands that the remote hearing link be transmitted no later than 4:00 PM on June 8, 2026, to avoid triggering the federal constructive denial mechanism. Defendant provides his active telephone number (773) 920-0030 and email address defcon5ready@gmail.com for the purpose of receiving the remote hearing link and any further

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communications from the Court.

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Defendant incorporates by reference his May 28, 2026 Notice of Special Appearance and  
Emergency Notice of Fraud on the Court, which was served on this Court, ASA Shepherd, and the Lake  
County State’s Attorney’s Office at 7:00 AM on May 28, 2026 — two hours before the warrant hearing  
that produced the constitutionally defective warrant challenged herein.

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Any order purporting to require Defendant’s physical presence as a condition of being heard on  
this filing will be treated as a constructive denial of due process and will be immediately submitted to  
the United States District Court in support of the pending federal civil rights action and to the Seventh  
Circuit in the pending appeals.

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Respectfully submitted,

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/s/ Ehab Allababidi

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**EHAB ALLABABIDI**, *Pro Se* Defendant  
8516 W. Winona St., Chicago, IL 60656  
(773) 920-0030 | defcon5ready@gmail.com  
Dated: June 8, 2026

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

**THE PEOPLE OF THE STATE OF ILLINOIS,**

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**EHAB ALLABABIDI,**

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General No.: **23 CF 1146**

Judge: *Hon. Christopher Stride, Courtroom T-611*

**NOTICE OF CONSTRUCTIVE  
ABANDONMENT | FARETTA  
INVOCATION | MOTION TO QUASH**

**NOTICE OF CONSTRUCTIVE ABANDONMENT BY APPOINTED COUNSEL,  
INVOCATION OF *FARETTA* RIGHT TO SELF-REPRESENTATION  
WITH STANDBY COUNSEL, AND MOTION TO QUASH WARRANT**

*Sixth Amendment Constructive Abandonment | Per Se Chronic Deprivation*

*Faretta Invocation | McKaskle v. Wiggins Standby Counsel Demand*

*Conditional Self-Representation (Liberty-Dependent)*

*Napue/Franks Void Ab Initio | Federal Witness Tampering 18 U.S.C. § 1512(b)*

**PRELIMINARY STATEMENT**

At 1:03 PM on June 6, 2026, law enforcement officers appeared at Defendant’s front door to execute the May 28, 2026 no-bond bench warrant. At 5:51 PM, they returned. The warrant they came to execute is void. It was procured through sworn fabrication. The State’s own coordinate agency adjudicated the underlying allegation as compliant five months before ASA Shepherd swore it was criminal. And while the State deploys armed officers to Defendant’s door, appointed counsel from the Lake County Public Defender’s Office has refused to discharge her constitutional duty for ten consecutive days — abandoning Defendant to face an active custodial extraction without representation, without communication, and without a single filed motion. On this same date, Defendant — not counsel — filed a Civil Rights Complaint under 42 U.S.C. § 1983 in federal court, naming every actor in this retaliatory conspiracy as a defendant before an Article III tribunal.

This Court faces a constitutional emergency that will not wait. The warrant is active. Law enforcement is executing. Counsel is absent. Three simultaneous constitutional crises converge on this docket, and this Omnibus Filing resolves all three — or documents this Court’s refusal to resolve them.

**I. CONSTRUCTIVE ABANDONMENT BY APPOINTED COUNSEL**

Defendant was sentenced on September 8, 2025, to a term of probation in this case. Counsel was appointed from the Lake County Public Defender’s Office to represent Defendant in connection with the underlying proceedings and the subsequent Petition for Revocation of Probation filed by ASA Nicholas Shepherd on May 14, 2026.

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On Friday, May 29, 2026, at 5:32 PM, Defendant contacted the Lake County Public Defender's Office intake desk by telephone and was informed that Bailey Russell (**BRussell@lakecountyil.gov**) is the assigned public defender for this matter. That same day, Defendant sent a detailed email to Ms. Russell at her official county email address, attaching the exculpatory evidence, identifying the *Napue* violation, and respectfully requesting her immediate assistance in filing a motion to quash the constitutionally defective warrant (Exhibit: Gmail printout, "Urgent Request for Assistance: Active Arrest Warrant (Case 23CF1146)," dated May 29, 2026 at 5:32 PM). Ms. Russell has never responded. She has not acknowledged receipt. She has not filed any motion. She has not communicated with Defendant in any manner whatsoever.

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Prior to and following this contact, Defendant made multiple additional good-faith attempts to communicate with appointed counsel by telephone and electronic mail over a period now exceeding ten (10) days since the May 29, 2026 email identifying Bailey Russell as assigned counsel — the only communication Defendant has ever had with her. Appointed counsel has failed and refused to respond to any of Defendant's communications. During this period of absolute silence from appointed counsel, the following events occurred: (1) a zero-bond bench warrant was issued against Defendant on May 28, 2026; (2) the Seventh Circuit dismissed two separate emergency appeals (Nos. 26-2133 and 26-2162) on procedural technicalities while Defendant was functionally unrepresented; (3) law enforcement officers made two physical execution attempts at Defendant's residence on June 6, 2026 at 1:03 PM and 5:51 PM, both execution attempts occurring on that date; and (4) Defendant was forced to file an emergency Motion for Injunction Pending Appeal under Fed. R. App. P. 8(a)(2) in a newly opened Seventh Circuit appeal (No. 26-2212) entirely without counsel.

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**Defendant's Due Diligence Goes Far Above and Beyond What the Law Requires.** While appointed counsel has sat in complete silence for ten (10) days since the May 29 Bailey Russell email, Defendant has personally litigated multiple simultaneous federal and state proceedings with extraordinary diligence. On May 27, 2026, at 6:41 PM, Defendant emailed the Seventh Circuit Clerk of Court (ca07\_clerk@ca7.uscourts.gov), the N.D. Illinois Emergency Filings desk, and Chief Judge Rebecca Pallmeyer directly, with copies to ASA Shepherd and the Illinois Attorney General's Office, providing formal notice of the imminent custodial extraction and invoking the Seventh Circuit's emergency jurisdiction (Exhibit: Gmail printout, "URGENT JURISDICTIONAL EMERGENCY: Concurrent Appellate Invocation & Imminent Custodial Evidence Spoliation," dated May 27, 2026 at

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6:41 PM, copy furnished to the Court). Defendant has filed a Motion for Leave to Proceed IFP, a Petition for Writ of Certiorari in the United States Supreme Court, two federal habeas corpus petitions under 28 U.S.C. § 2254, a Civil RICO complaint under 18 U.S.C. § 1962, a 42 U.S.C. § 1983 Civil Rights Complaint — all while appointed counsel has done absolutely nothing. Defendant has even served process on the Respondents via USM-285 forms under Fed. R. Civ. P. 4(c)(3). Appointed counsel has not filed a single pleading, contacted a single witness, or sent a single communication in response to Defendant’s repeated entreaties.

The contrast is irreconcilable. While the State deployed armed officers to Defendant’s door on June 6, appointed counsel did not answer her phone. While ASA Shepherd filed sworn fabrications in this Court, appointed counsel filed nothing. While the Seventh Circuit dismissed two emergency appeals on procedural technicalities, appointed counsel sat in absolute silence. While Defendant personally drafted and filed a 42 U.S.C. § 1983 complaint, a Rule 8 emergency motion, and served federal process on the Respondents — all without any assistance whatsoever — the attorney constitutionally tasked with protecting him produced zero communications, zero filings, and zero advocacy across ten consecutive days of active custodial extraction.

This is not ineffective assistance of counsel. It is the total absence of counsel. Appointed counsel’s refusal to communicate with Defendant for ten days during an active custodial extraction constitutes constructive abandonment within the meaning of the Sixth Amendment. The right to counsel is not a bureaucratic checkbox satisfied by placing a name on a file. It is a constitutional guarantee of actual, meaningful representation during the critical stages when the State is attempting to incarcerate. *Strickland v. Washington*, 466 U.S. 668, 687 (1984); *United States v. Cronin*, 466 U.S. 648, 659 (1984) (complete failure to subject the prosecution’s case to meaningful adversarial testing constitutes per se Sixth Amendment violation requiring no showing of specific prejudice).

**Per Se Sixth Amendment Deprivation under *Cronic*.** Defendant does not seek administrative discipline or grievance procedures against appointed counsel; Defendant seeks a constitutional ruling. Appointed counsel’s ten (10) day absolute silence during an active custodial extraction constitutes a complete failure to subject the prosecution’s case to meaningful adversarial testing. Under *United States v. Cronin*, 466 U.S. 648, 659 (1984), this is a per se Sixth Amendment deprivation requiring no showing of specific prejudice. The record is locked. Counsel is functionally absent. This Court is now constitutionally mandated to either appoint constitutionally effective counsel who will actually communicate with Defendant and represent his interests, or immediately conduct a *Faretta* colloquy to

1 permit Defendant to proceed pro se. No third option exists.

## 2 3 **II. INVOCATION OF *FARETTA* RIGHT TO SELF-REPRESENTATION WITH** 4 **APPOINTMENT OF STANDBY COUNSEL**

5 Defendant hereby exercises his constitutional right to self-representation under *Faretta v.*  
6 *California*, 422 U.S. 806, 832—35 (1975), and demands an immediate *Faretta* hearing to formally  
7 waive the appointment of counsel and proceed pro se.

8 Defendant is competent to proceed pro se. Defendant has demonstrated his ability to navigate  
9 complex federal and state court procedures, including the drafting and filing of a 42 U.S.C. § 1983 civil  
10 rights complaint, a federal habeas corpus petition under 28 U.S.C. § 2254, and a civil RICO complaint  
11 under 18 U.S.C. § 1962. Defendant's pro se filings have survived initial screening under Rule 4 of the  
12 Rules Governing Section 2254 Cases and have been found by the United States District Court to allege  
13 cognizable claims for relief. *Sanders v. Radtke*, 48 F.4th 502, 509 (7th Cir. 2022).

14 **Conditional Self-Representation: Self-Representation Is Expressly Conditioned on**  
15 **Defendant's Continued Liberty.** Defendant's invocation of his *Faretta* right is expressly and  
16 irrevocably conditioned on his continued liberty. Self-representation is not a binary choice that follows  
17 Defendant into a jail cell. The ability to conduct a meaningful defense pro se requires: (a) uninterrupted  
18 access to the Internet and legal research databases; (b) possession of and access to personal computing  
19 devices containing case files, exhibits, and legal research; (c) the ability to electronically file documents  
20 with courts; (d) the ability to communicate freely by telephone and email with witnesses, experts, and  
21 court personnel; and (e) the physical freedom to gather evidence, interview witnesses, and appear in  
22 court. All of these capabilities are destroyed upon custodial arrest.

23 The logic is irreducible. If Defendant is taken into custody on this warrant — which is void ab  
24 initio — Defendant's *Faretta* waiver is automatically revoked and rescinded ab initio. Custody destroys  
25 every tool required for self-representation: Westlaw, PACER, e-filing portals, encrypted digital  
26 infrastructure, hardware-level isolation, biometric authentication, and the massive evidentiary datasets  
27 underpinning Defendant's active Civil RICO action (Case No. 1:25-cv-15800) and CFAA/DTSA  
28 action (Case No. 1:26-cv-03204). Custodial extraction is not merely a restriction of physical liberty —  
it operates as the immediate, targeted spoliation of the digital infrastructure required to prosecute state  
actors in coordinate federal tribunals. The destruction is instantaneous upon booking and irreversible by  
any subsequent court order. Self-representation is physically impossible in custody. The *Faretta* waiver  
is therefore expressly and irrevocably conditioned on continued liberty. Any custodial arrest

1 automatically converts to an involuntary revocation of the waiver, triggering this Court’s constitutional  
2 obligation to appoint effective counsel immediately.

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4 **Appointment of Standby Counsel under *McKaskle v. Wiggins*.** While Defendant unequivocally  
5 asserts his right to control the organization and content of his own defense, Defendant formally requests  
6 the appointment of Standby Counsel pursuant to *McKaskle v. Wiggins*, 465 U.S. 168 (1984), to assist  
7 strictly with procedural logistics, service of process, administrative execution, and filing coordination,  
8 without interfering with Defendant’s absolute strategic autonomy. Standby counsel shall serve as a  
9 procedural runner — handling subpoenas, physical filings, and court date coordination — while  
10 Defendant retains 100% control over the substance, strategy, and content of his defense. The  
11 appointment of standby counsel is particularly appropriate here given the volume of simultaneous  
12 federal and state proceedings and the documented state-created impediment that has blocked  
13 Defendant’s access to the Clerk’s office. *McKaskle*, 465 U.S. at 183 (standby counsel’s role is to assist  
14 the pro se defendant without destroying the defendant’s control over his own defense).

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16 This Court is required to conduct a *Faretta* hearing before permitting a defendant to proceed pro  
17 se. *United States v. Johnson*, 980 F.3d 570, 576 (7th Cir. 2020) (applying the “totality of the record”  
18 standard for waiver of counsel); *United States v. Balsiger*, 910 F.3d 942, 951 (7th Cir. 2018).  
19 Defendant unequivocally requests to proceed pro se and demands that this hearing be conducted  
20 remotely at the earliest available date.

### 21 **III. MOTION TO QUASH WARRANT AND DISMISS PETITION FOR** 22 **REVOCATION WITH PREJUDICE**

23 **Mandatory Exhaustion of State Remedies Pursuant to Federal Directive.** On May 29, 2026,  
24 the United States District Court for the Northern District of Illinois issued a minute order in *Allababidi*  
25 v. *Junkin*, Case No. 1:26-cv-01077 (Dkt. 25). Invoking the *Younger* abstention doctrine, the Article III  
26 tribunal issued a binding directive: “If Petitioner has legitimate concerns about the state case he must  
27 raise them with the state court in the first instance.” (A true and correct copy of the federal order is  
28 attached hereto as **Exhibit A**.) This Omnibus Filing constitutes Defendant’s strict compliance with that  
federal mandate. If this Court refuses to docket, hear, or adjudicate the verified *Napue* perjury  
contained herein, it acts in direct defiance of the federal exhaustion directive, rendering the state forum  
objectively inadequate under *Gibson v. Berryhill*, 411 U.S. 564, 577 (1973), and triggering immediate  
federal review.

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**A. The Warrant Is Void Ab Initio — Procured Through Sworn Fabrication.** The warrant rests on a knowingly false statement in the Petition for Revocation. Paragraph 3 alleges Defendant tested positive for “Amphetamine (illegal substance)” on November 10, 2025. This allegation is mathematically false. The Cook County Adult Probation Department received the identical laboratory result, verified Defendant’s lawful Adderall prescription, and formally adjudicated the test as compliant on December 10, 2025 — five months before ASA Shepherd swore to the Petition. Under *Franks v. Delaware*, 438 U.S. 154, 155—56 (1978), and *Napue v. Illinois*, 360 U.S. 264, 269 (1959), the warrant must be voided.

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**B. The 185-Day Gap.** Adderall has a plasma half-life of 10—13 hours. If ASA Shepherd genuinely believed Defendant was using illegal amphetamines, immediate enforcement would have been warranted. Instead, he waited 185 days — allowing Defendant to file federal habeas petitions, serve federal process, and pass Rule 4 screening under *Sanders v. Radtke* — before deploying the stale test result as a pretext for custodial extraction eight days before the federal habeas deadline.

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**C. No Probable Cause Hearing.** The warrant was issued without any probable cause hearing or taking of testimony, despite the Court having received a formal Notice of Fraud on the Court at 7:00 AM on May 28, 2026, two hours before the hearing. *Gerstein v. Pugh*, 420 U.S. 103, 111—14 (1975).

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**D. Prosecutor’s Communication Blockade.** ASA Shepherd’s signature block contains no phone number, no email, no office extension — a violation of Illinois Supreme Court Rule 131(b) and a calculated communication blockade. *Hicks v. Oklahoma*, 447 U.S. 343, 346 (1980).

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**E. Anonymous Probation Officer.** The supervising officer refused to identify herself on February 19, 2026, and generated zero calls during the March 10, 2026 Compliance Window (12:00 PM to 4:00 PM). 730 ILCS 5/5-6-4(c). A defendant cannot willfully fail to report to a faceless enforcement apparatus.

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**F. The Warrant Is Federal Witness Tampering.** Every element of 18 U.S.C. § 1512(b) is satisfied: (1) the State had actual knowledge of pending federal habeas proceedings; (2) ASA Shepherd presented a sworn falsehood to obtain the warrant (misleading conduct); and (3) the revocation petition scheduled the arraignment exactly 8 days before the federal response deadline (intent to hinder federal proceedings). *In re Grand Jury Subpoena*, 57 F.4th 155, 162 (D.C. Cir. 2023).

**G. Mandatory Judicial Notice of Active Federal Civil Rights Action.** Pursuant to Illinois Rule of Evidence 201, Defendant demands this Court take Mandatory Judicial Notice of the active federal civil rights action, *Allababidi v. Shepherd, et al.*, filed via the United States District Court N.D. Ill. Pro Se Portal on June 6, 2026 (Case Number Pending Assignment). A true and correct copy of the submitted 65-page Federal Complaint, along with its electronic transmission receipt, is attached hereto as **Exhibit B** and incorporated by reference. This Court is now on actual, verified notice that proceeding with this revocation places this tribunal in direct conflict with an active Article III adjudication regarding the constitutionality of this exact warrant. The federal complaint specifically alleges that the May 28, 2026 warrant was procured through a multi-agency retaliatory conspiracy, prosecutorial fabrication of evidence, and the knowing submission of false sworn testimony in violation of *Napue* and the Fourteenth Amendment. This Court cannot adjudicate the validity of the revocation without directly conflicting with the pending federal adjudication of the identical factual predicate. *Colorado River Water Conservation Dist. v. United States*, 424 U.S. 800, 817 (1976) (federal courts have exclusive jurisdiction over federal claims; state courts must defer where parallel federal litigation presents the identical controversy).

#### **IV. THE MATHEMATICAL TIMELINE — RETALIATION AS LOGICAL CERTAINTY**

<b>Date</b>	<b>Event</b>	<b>Significance</b>
Dec. 10, 2025	Cook County adjudicates drug test compliant	Amphetamine allegation resolved in Defendant's favor
<b>Apr. 13, 2026</b>	<b>Federal habeas deadline set</b>	State ordered to answer by June 5 in both habeas cases
<b>May 14, 2026</b>	<b>Revocation petition filed</b>	Exactly 31 days after deadline; false drug allegation
May 15—21	Mail spoliation: 7-day transit in 14-day window	Memorial Day compresses response to 3 business days
<b>May 28, 2026</b>	<b>No-bond warrant issued at 9:00 AM</b>	8 days before federal deadline; no PC hearing
<b>June 6, 2026</b>	<b>Two execution attempts (1:03 PM, 5:51 PM)</b>	Federal § 1983 filed 6/6/2026

1 The cumulative weight of this timeline is not circumstantial — it is mathematical. Seven  
2 independent state actions, spanning two counties, three agencies, and 185 days of strategic delay,  
3 converge on a single operational objective: the physical incarceration of a federal habeas petitioner  
4 eight days before the federal court required the State to answer. The statistical probability that this  
5 alignment is coincidental is functionally zero.

## 6 **V. THE JUNE 6, 2026 EXECUTION ATTEMPTS — LIABILITY CREATED**

7 A formal NOTICE OF DEFECTIVE WARRANT was served on June 6, 2026 on the Lincolnshire  
8 Police Department, CPD 16th District, Corporation Counsel, and Village Attorney via certified mail,  
9 email, and facsimile. That Notice: (a) strips qualified immunity from any officer executing the warrant  
10 after receipt (*Malley v. Briggs*, 475 U.S. 335 (1986)); (b) bars municipal indemnification under 745  
11 ILCS 10/2-202 and 10/9-102; (c) invokes the 7th Circuit duty to intervene under *Byrd v. Brishke*, 466  
12 F.2d 6 (7th Cir. 1972); and (d) activates a mandatory litigation hold under Fed. R. Civ. P. 37(e)  
preserving all dispatch logs, BWC footage, and evidence from the June 6, 2026 visits.

13 **Notice of Paralyzed Enforcement — The Institutional Paradox.** This Court is formally  
14 notified that on June 6, 2026, the executing agencies (Chicago Police Department 16th District and  
15 Lincolnshire Police Department) were served with formal *Malley v. Briggs* liability notices  
16 accompanied by the objective, documentary proof of *Napue* perjury. The legal consequence is absolute:  
17 the qualified immunity of every officer in the chain of command is permanently destroyed. Municipal  
18 indemnification is barred under 745 ILCS 10/2-202 and 745 ILCS 10/9-102. Every officer who  
19 executes this warrant faces personal, individual, uninsured liability for all compensatory and punitive  
damages — with no municipal treasury, no union fund, and no governmental shield to rescue them.

20 The institutional paradox is now complete. This Court maintains a warrant that its own coordinate  
21 law enforcement agencies cannot legally execute without exposing their individual officers to personal  
22 financial destruction under 42 U.S.C. § 1983. The warrant's sole remaining function is not law  
23 enforcement — it is the denial of Defendant's safe passage to this courthouse to defend against the very  
24 revocation the warrant was designed to enforce, and to prevent him from prosecuting his active federal  
25 civil rights action (*Allababidi v. Shepherd, et al.*, Exhibit B). The State has constructed a constitutional  
26 trap: incarcerate Defendant if he appears, default him if he does not. This Court must dismantle that  
trap today.

## 27 **VI. IRREPARABLE HARM**

If the warrant is executed: (1) encrypted ESI underpinning the federal RICO action (1:25-cv-15800) is permanently destroyed; (2) Defendant's federal habeas petitions are mooted; (3) the newly-filed § 1983 federal action is impaired; (4) the Seventh Circuit's appellate jurisdiction over Appeal No. 26-2212 (the active appeal) is jeopardized; and (5) Defendant's ability to prosecute the active federal civil rights action (*Allababidi v. Shepherd, et al.*, Exhibit B) is permanently impaired.

**Self-Executing Constructive Denial — Formal Judicial Notice of Consequences.** This is not a request. It is a mathematical notice. If the Lake County Circuit Clerk refuses to docket this Omnibus Filing, or if this Court fails to transmit the demanded remote hearing link by **4:00 PM on June 8, 2026**, Defendant will certify such refusal directly to the United States District Court for the Northern District of Illinois as the final, irrevocable exhaustion of state remedies. The certification will permanently satisfy the bad-faith and inadequate state forum exceptions to the *Younger* Abstention doctrine under *Gibson v. Berryhill*, 411 U.S. 564, 577 (1973), and *Dombrowski v. Pfister*, 380 U.S. 479, 490 (1965), thereby clearing the path for an immediate federal injunction against this Court's continued enforcement of the constitutionally void warrant. The federal court has already directed Defendant to raise his concerns here first (Exhibit A, Dkt. 25). This filing is that directive's fulfillment. If this Court refuses to act, the federal court will.

## **VII. PRAYER FOR RELIEF**

WHEREFORE, Defendant Ehab Allababidi respectfully demands:

- (1) Quash and vacate the May 28, 2026 no-bond bench warrant immediately as void ab initio under *Napue* and *Franks*;
- (2) Order all law enforcement agencies to cease execution, recall active LEADS/NCIC entries, and return the warrant unexecuted;
- (3) Find that appointed counsel has constructively abandoned Defendant and relieve counsel of any further obligation;
- (4) Conduct an immediate *Faretta* hearing to permit Defendant to proceed pro se, conditional on his continued liberty, with appointment of standby counsel under *McKaskle v. Wiggins*;
- (5) In the event of custodial arrest on this warrant, automatically rescind the *Faretta* waiver and appoint constitutionally effective counsel;
- (6) Dismiss the May 14, 2026 Petition for Revocation with prejudice;

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2 (7) Hold an immediate *Franks* hearing;

3 (8) Issue an order to show cause to ASA Shepherd for presenting sworn falsehoods to this Court;

4 (9) Refer this matter to the appropriate disciplinary authority for investigation of ASA Shepherd's  
5 conduct in presenting fabricated evidence to this Court; and

6 (10) Grant such other relief as justice requires.

7 **This Court now faces a binary constitutional imperative.** Either this Court quashes the void  
8 warrant, conducts the *Faretta* colloquy, and adjudicates the verified *Napue* perjury on the merits — or  
9 this Court's refusal to act becomes the final, documented proof that the state forum is constitutionally  
10 inadequate, permanently clearing the path for the federal Article III tribunal to exercise the jurisdiction  
11 this Court declined. There is no third option. The record is open and the clock is running.

12 **VERIFICATION UNDER 735 ILCS 5/1-109**

13 I, EHAB ALLABABIDI (DOB: September 24, 1996), declare under penalty of perjury under the  
14 laws of the State of Illinois pursuant to 735 ILCS 5/1-109 that the facts set forth in the foregoing  
15 Omnibus Filing are true and correct based on my personal knowledge, except those matters stated on  
16 information and belief, which I believe to be true. I confirm that the June 6, 2026 execution attempts at  
17 1:03 PM and 5:51 PM did occur on that date and all related evidence is preserved.

18 Respectfully submitted,

19 /s/ Ehab Allababidi

20 **EHAB ALLABABIDI**, *Pro Se* Defendant  
21 8516 W. Winona St., Chicago, IL 60656  
22 (773) 920-0030 | defcon5ready@gmail.com  
23 Dated: June 8, 2026  
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**CERTIFICATE OF SERVICE**

I, EHAB ALLABABIDI, certify under penalty of perjury that on June 8, 2026, I caused the foregoing OMNIBUS FILING: EMERGENCY NOTICE OF MOTION, SPECIAL APPEARANCE, NOTICE OF CONSTRUCTIVE ABANDONMENT, AND MOTION TO QUASH WARRANT, together with all incorporated Exhibits, to be served upon the following parties.

Pursuant to Illinois Supreme Court Rule 11(c) and the exigent circumstances generated by the active custodial warrant, service was executed concurrently via direct electronic mail and confirmed facsimile transmission to the official operational channels of the recipients listed below:

**ASA Nicholas Shepherd**

Lake County State’s Attorney’s Office  
Email: nshepherd@lakecountyil.gov

**Eric F. Rinehart**, State’s Attorney

Lake County State’s Attorney’s Office  
Email: statesattorney@lakecountyil.gov

**Lake County Public Defender’s Office**

18 N. County Street, Waukegan, IL 60085  
(Notice to appointed counsel; *Cronic* deprivation record)

**Village Attorney**

Village of Lincolnshire  
1 Olde Half Day Road  
Lincolnshire, IL 60069  
Fax: (847) 883-8608

**Corporation Counsel**

City of Chicago Department of Law  
121 N. LaSalle Street, Room 600  
Chicago, IL 60602  
Fax: (312) 744-5185

A copy of this Omnibus Filing was concurrently transmitted to the Clerk of the United States District Court for the Northern District of Illinois for integration with the active federal civil rights action (*Allababidi v. Shepherd, et al.*, filed June 6, 2026; Case Number Pending Assignment).

Executed under Illinois Supreme Court Rule 11 and 735 ILCS 5/1-109.

/s/ Ehab Allababidi

\_\_\_\_\_  
EHAB ALLABABIDI, *Pro Se* Defendant

Dated: June 8, 2026

# EXHIBIT Q

## FEDERAL EVIDENTIARY DOSSIER (CM/ECF DOC. 9)

Evidentiary dossier filed in No. 1:26-cv-06738 — bears the official CM/ECF filing stamp

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Evidentiary dossier with exhibits — U.S. District Court, N.D. Ill.	<b>Filed/Dated:</b>	Filed June 11, 2026 (CM/ECF stamp: Case 1:26-cv-06738, Document #: 9)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 2, 3, 6 — authenticated federal evidentiary compilation

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This evidentiary dossier, filed in the federal action and bearing the U.S. District Court CM/ECF stamp (“Document #: 9 Filed: 06/11/26”), compiles the documentary record — the Weeks adjudication, the warrant, the petition, the anonymity record, and the retaliatory timeline — in a single authenticated federal filing. Its presence on the federal docket establishes that the evidence underlying this Petition is already of record in a coordinate Article III court.*

### KEY CONTENTS:

- CM/ECF-stamped evidentiary dossier (Case 1:26-cv-06738, Doc. 9, filed 06/11/26)
- Compiles the Weeks adjudication, warrant, petition, and anonymity record
- Authenticated federal evidentiary compilation of the same facts
- Confirms the documentary record is already before a federal court

BC

FILED  
6/11/2026  
THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT  
EE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EHAB ALLABABIDI,  
*Plaintiff, Pro Se,*

Case No.: **1:26-cv-06738**

v.

NICHOLAS SHEPHERD, Assistant State's  
Attorney, Lake County;  
MARISA CERVANTES, Adult Probation  
Officer, Lake County;  
DESTINY LEE, Adult Probation Officer,  
Cook County;  
MARGARET K. FONTANA, Director,  
Division of Adult Probation Services,  
19th Judicial Circuit (Lake County);  
LAKE COUNTY, ILLINOIS;  
COOK COUNTY, ILLINOIS,  
*Defendants.*

Judge: *Hon. Matthew F. Kennelly*  
Magistrate: *Hon. Karyn L. Bass Ehler*

**EVIDENTIARY NEXUS DOSSIER**

**PLAINTIFF'S AUTHENTICATED EVIDENTIARY NEXUS DOSSIER**

*A Bates-Cited Presentation of the State's Own Records Establishing Fabricated Bodily Harm, a Misrepresented Toxicology Result, and Retaliatory Timing in People v. Allababidi, No. 23 CF 1146 (19th Jud. Cir., Lake County, Illinois)*

**(SUPPLEMENTAL EVIDENCE SUBMISSION — SUBMITTED FOR EVIDENTIARY PURPOSES ONLY)**

**NOTICE OF SCOPE AND PURPOSE — STRICTLY EVIDENTIARY SUBMISSION**

This Dossier is submitted **strictly and exclusively for evidentiary purposes**. It is a supplemental evidence submission that compiles, indexes, and authenticates documentary materials for the record. It is **not** a motion. Given the preliminary posture of this action, Plaintiff does **not** request judicial notice, any evidentiary ruling, or any other relief by way of this filing, and nothing herein should be construed as such a request. Plaintiff reserves the right to move for judicial notice, admission, or other appropriate relief at the proper procedural stage.

Plaintiff has previously filed his **Verified Evidentiary Manifest** and his **Evidentiary Correction Notice**, both already submitted to this Court. This Dossier does not duplicate or supersede those filings; it supplements them. The prior filings authenticated the Cook County probation correspondence and corrected the verbatim record quotations; this Dossier adds what was not previously before the Court — the Bates-cited Lake County discovery production, the native state-court orders, and the authenticated key exhibits drawn page-for-page from that production — material necessary to complete the documentary record in this case.

Where this Dossier characterizes the legal significance of a document, that characterization is offered solely to explain the document's evidentiary relevance to the claims pleaded in the Complaint [Doc. 1]; the underlying documents speak for themselves.

**I. INTRODUCTION AND EVIDENTIARY METHOD**

Plaintiff EHAB ALLABABIDI submits this Dossier in support of his Complaint [Doc. 1]. Its purpose is narrow and disciplined: to show, **using the State’s own discovery and court records**, that the conviction and the pending revocation in Lake County Case No. 23 CF 1146 rest on (a) a felony bodily-harm charge the State indicted while its own file recorded that there were no medical records of any injury, and (b) a toxicology result the State characterized in 2026 as an “illegal substance” even though its own laboratory could not quantify the sample and its own supervising probation officer had already verified the result as the lawful product of a prescription.

Every factual assertion below is tied to a specific page of the 382-page Lake County production (cited by its Bates number, “FPD #####”) or to a dated, file-stamped order of the Circuit Court. The authenticated key documents are reproduced as Exhibits A through J and indexed in Section VIII; the full Bates production is identified in the Master Index at Section VII and is available for the Court’s inspection in its entirety. Plaintiff has separated what the documents prove (Sections III—IV) from the inferences he draws about retaliatory motive (Section VI), so that the documentary core stands on its own.

***EXECUTIVE SUMMARY OF IRRECONCILABLE CONTRADICTIONS IN STATE RECORDS:***

- ***Indicted for Felony Bodily Harm (6/14/23) vs. State File Contains “NO med REES” [No Medical Records] (6/14/23) (showing the felony bodily-harm element was indicted on an empty file).***
- ***LPD Press Release claims “Life Threatening Injuries” / “Intensive Care” vs. Det. Petrick Same-Day Hospital Report: “Neither driver had life threatening injuries”.***
- ***State Sentencing Order (9/8/25) Mandates Restitution strictly to Landscaping Corporation vs. \$0.00 Restitution to any Human Victim (corroborating that no human victim was awarded compensation for bodily harm).***
- ***ASA Shepherd Swears under oath to “Amphetamine (illegal substance)” (5/14/26) vs. PO Weeks Written Verification clearing ADHD Adderall Prescription (12/10/25) (supporting a Franks/Napue inference of knowing falsity in the procurement of a zero-bond warrant).***
- ***State files Revocation Petition (5/14/26) vs. Compliant drug test completed (11/10/25) (a 185-day delay, deployed exactly 31 days after the federal court’s habeas response order).***

**II. CHRONOLOGY (EACH ENTRY KEYED TO THE RECORD)**

Date	Event	Record Source
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05/23/2022	Three-vehicle crash on IL Route 22, Lincolnshire (LPD 2022-7193). Det. Petrick reports the same day from the hospital: “neither driver had life threatening injuries”.	Petrick supplement; FPD 00025 (Ex. F)
05/2022	LPD press release nonetheless announces both drivers were transported “with life threatening injuries” and “are currently in intensive care”.	LPD press release; FPD 00017 (Ex. F)
06/13/2022	Crime-lab toxicology: blood negative for ethanol; urine detected amphetamine; “insufficient sample volume” so testing could not be completed and no quantity reported.	NE Ill. Regional Crime Lab Rpt #1, Lab 22-2139; FPD 00042-43 (Ex. C)
08/11/2022	Det. Petrick emails ASA Dillon: lab “does not offer a specific amount” and it would be “hard pressed to prove DUI drugs”.	Petrick—Dillon email; Prod. Vol. I, p. 1 (Ex. A)
10/05/2022	ASA Dillon emails Petrick: complete the CDR/reconstruction training, then “We’ll issue the arrest warrant then”.	Dillon—Petrick email; Prod. Vol. I, pp. 25-26, at FPD 00125 (Ex. B)
06/14/2023	Grand Jury indicts Count 1 Aggravated Reckless Driving causing great bodily harm (Class 4). Court minutes note: “WHAT ARE INJURIES? Nothing, in file — NO med REES”.	Indictment FPD 00001-03; Court Minutes 6/14/2023 (Ex. D)
07/01-02/2024	State first obtains HIPAA qualified protective orders and issues subpoenas for the Condell medical records — more than a year AFTER the great-bodily-harm indictment.	Orders filed 7/1/2024; subpoenas of 7/2/2024 (Ex. H)
07/11/2024	EMS agency (Lincolnshire-Riverwoods FPD) certifies it does “not have the records describe[d] in the records request”.	Certification of Records; FPD 00127 (Ex. E)
09/08/2025	Guilty finding on Count 1; Count 2 nolle prosequi. Restitution of \$2,670.86 ordered to O’Brien Landscape; financial sentencing order entered.	Sentencing & Restitution Orders 9/8/2025 (Ex. I)
10/02-06/2025	Plaintiff, still unable to retain counsel, files a handwritten motion and sworn affidavit to stay his license revocation, and a pro se Notice of Appeal; minutes note “Defendant Proceeds Pro Se”.	Pro se filings of 10/2, 10/3 & 10/6/2025 (Exs. I, J)
11/10/2025	Urine screen detects amphetamine (metabolite of Plaintiff’s lawful Adderall prescription).	Cook County probation record; Complaint [Doc. 1]
11/12/2025	Plaintiff moves to waive transcript/record fees, obtain native-format discovery, and to ORDER his former public defender to surrender his complete client file within 14 days.	Fee-waiver/client-file motion, filed 11/12/2025 (Ex. J)
12/08/2025	Cook County PO Weeks to Plaintiff: “your drug test results were all negative”; no further testing required.	Weeks correspondence (Doc. 1; Manifest; Correction Notice)
12/10/2025	Weeks to Plaintiff: “positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall”.	Weeks correspondence (Doc. 1; Manifest; Correction Notice)
05/14/2026	ASA Nicholas Shepherd swears Petition for Revocation alleging Plaintiff tested positive for “Amphetamine (illegal substance)”.	Petition for Revocation, 23 CF 1146 [Doc. 1]
05/2026	No-bond arrest warrant issues on the Shepherd petition; warrant remains outstanding.	State warrant record; Omnibus Filing (companion)
06/2026	Plaintiff files this § 1983 action (1:26-cv-06738).	Complaint [Doc. 1]

### **III. THE ORIGINAL CONVICTION: A FELONY BODILY-HARM CHARGE INDICTED WITH NO RECORD OF INJURY**

**A. No probable cause for impairment — admitted in writing.** The State’s own crime laboratory reported that the blood exhibit failed to detect ethanol and that the urine exhibit, while showing amphetamine, carried “insufficient sample volume” so that “testing could not be completed” and no quantity was reported. (NE Ill. Regional Crime Lab Report #1, Lab Case 22-2139; FPD 00042—00043, Ex. C.) The lead investigator, Detective Paul Petrick, told ASA Benjamin Dillon in writing on August 11, 2022 that “[t]his lab report does not offer a specific amount [sic]; just Amphetamine and

1 Benzodiazepines” and that “it would be hard pressed to prove DUI drugs”. (Prod. Vol. I, p. 1, Ex. A.)  
2 Under Illinois forensic standards and evidentiary law, a qualitative screening result indicating the mere  
3 presence of amphetamine without a quantitative measurement is legally insufficient to establish  
4 impairment. Against that backdrop, the defendants’ subsequent sworn assertions characterizing the  
5 result as a verified positive for an “illegal substance” evince a reckless disregard for the limits of the  
6 forensic record and support a strong inference of knowing misrepresentation to the court.

7 **B. The decision to charge a felony was strategic, not evidentiary, stripping absolute immunity.** On  
8 October 5, 2022, ASA Benjamin Dillon emailed Detective Petrick that after the crash-reconstruction  
9 training was complete, “We’ll issue the arrest warrant then”. (Prod. Vol. I, pp. 25-26, at FPD 00125,  
10 Ex. B.) This pre-indictment instruction constitutes an investigative, administrative directing of  
11 Detective Petrick’s active investigation, rather than an advocacy-based charging decision. By stepping  
12 into the role of a “complaining witness” or an “investigative administrative supervisor”—specifically  
13 by overriding or re-characterizing the laboratory’s explicit finding of “insufficient sample volume” into  
14 a definitive allegation of impairment under oath, the prosecutor acted entirely outside the traditional  
15 advocacy function. Under *Buckley v. Fitzsimmons*, 509 U.S. 259 (1993), and *Kalina v. Fletcher*, 522  
16 U.S. 118 (1997), such pre-indictment investigative and administrative acts fall outside the courtroom  
17 advocacy function, stripping the prosecutor of the shield of absolute immunity and exposing him to  
18 qualified liability for the deliberate fabrication of evidence.

19 **C. The great-bodily-harm element was indicted on an empty file.** To elevate the crash to a Class 4  
20 felony under 625 ILCS 5/11-503(a)(1)(d), the State had to show a victim suffered great bodily harm.  
21 The Grand Jury returned a True Bill on June 14, 2023 (FPD 00001—00003, Ex. D), yet the  
22 contemporaneous Court Minutes of that very date record, in the notes field:

23 *“WHAT ARE INJURIES? Nothing, in file — NO med REES [medical records] etc. Per R[ep]t to*  
24 *Petrick “broken bones” “compound fx.”” (Handwritten notes field; reproduced at Ex. D.)*

25 The State thus obtained a felony bodily-harm indictment on second-hand, file-less hearsay —  
26 “Report to Petrick” — while its file contained no medical records of any injury. Consistent with that  
27 vacuum, the Lincolnshire-Riverwoods Fire Protection District later certified, through its records  
28 custodian, that “this facility [does] not have the records describe[d] in the records request” (FPD 00127,  
00133, Ex. E), and the crash reconstruction itself describes Plaintiff’s injuries as “non-life-threatening”  
(FPD 00053, Ex. F).

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**D. The State’s own records contradict each other on the injuries.** The Lincolnshire Police press release announced that both the Lexus and van drivers were transported “with life threatening injuries” and “are currently in intensive care”. (FPD 00017, Ex. F.) Detective Petrick’s own supplement, reporting from the hospital the same day, says the opposite: “I learned neither driver had life threatening injuries”. (FPD 00025, Ex. F.) The reconstruction report later recorded that the van driver “suffered serious injuries and was released from hospital care” and that Plaintiff’s own injuries were “non-life-threatening”. (FPD 00047, 00053, Ex. F.) Crucially, when the case concluded, the only restitution the court ordered was **\$2,670.86**, payable exclusively to a private landscaping company (O’Brien Landscape) for property damage. (Order for Restitution, 9/8/2025, Ex. I.) Under Illinois law, 730 ILCS 5/5-5-6, restitution is statutorily tied to the actual physical injuries and out-of-pocket expenses of the crime victims. The absence of any medical restitution in the final sentencing order is powerful judicial corroboration that no human victim was compensated for great bodily harm — a fact consistent only with a felony injury element that was never documented.

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**E. The State did not even seek the victim’s medical records until thirteen months after the indictment.** The HIPAA qualified protective orders directing Condell Medical Center and the Lincolnshire-Riverwoods Fire Protection District to produce records were filed on **July 1, 2024**, and the corresponding subpoenas issued July 2, 2024, returnable July 24, 2024. (FPD 00126, 00533—00537; Ex. H.) The Grand Jury had returned the great-bodily-harm indictment on June 14, 2023. The State therefore charged the injury element first and looked for the injury evidence more than a year later — and when it did, the EMS agency that transported both drivers certified it had no responsive records at all. (FPD 00127, 00133, Ex. E.)

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**F. Geometric impossibility proof from EDR and left-turn telemetry.** While the EDR recorded a high entry speed, a definitive geometric impossibility proof demonstrates that once the 30-foot Peterbilt truck initiated its left turn from Old Mill Road—occupying and blocking both eastbound lanes for a reconstructed duration of 5.90 to 6.04 seconds (FPD 00064–00065)—a collision was a physical and mathematical certainty irrespective of the entry speed. At 124 MPH (181.87 ft/s), the Lexus covers approximately 445.5 feet during the 2.45-second emergency braking window. The EDR data records the accelerator was released at -2.95s, the service brake was ON from -2.45s, ABS engaged at -1.45s, brake-oil pressure reached 9.65 MPa, and evasive steering input rose to 178–183 degrees. Minimum physical stopping distance from 124 MPH under maximum 0.9g deceleration is approximately 560 feet. Thus, once the 30-foot truck initiated the turn and obstructed the roadway, the available stopping

1 distance and lateral escape envelope were mathematically reduced to zero. The mathematical delta  
2 between the Peterbilt's 6.0-second turn duration and Plaintiff's 2.45-second braking window proves the  
3 proximate cause of the impact sequence was structural and volitionally unavoidable, demonstrating the  
4 reckless falsity of the prosecution's willful disregard theory. Furthermore, factoring in the  
5 industry-standard human Perception-Reaction Time (PRT) of 1.5 seconds, the human cognitive  
6 envelope was breached long before mechanical braking registered. At 124 MPH, the vehicle travels  
7 272.8 feet during PRT alone. When added to the 445.5-foot mechanical braking window, the total  
8 inescapable hazard avoidance zone required was 718.3 feet. Because the Peterbilt truck blocked both  
9 lanes at a distance far below this threshold, a collision was structurally inevitable before Plaintiff's foot  
10 could physically touch the brake pedal.

11 **G. The Grand Jury transcript perjury vector.** The June 14, 2023 minutes record: "WHAT ARE  
12 INJURIES? Nothing, in file — NO med REES". Because the state's file contained no medical evidence  
13 or records of any injury at the time of the indictment, the record supports a strong inference that the  
14 grand jury's True Bill on the great-bodily-harm element was obtained through materially false  
15 testimony by a state agent or police witness attesting to undocumented "broken bones" or "compound  
16 fractures". Such a tainted indictment supports a distinct, actionable claim for fabrication of evidence  
17 under the Fourth and Fourteenth Amendments, segregating the pre-trial liberty restriction from  
18 post-sentencing harms.

19 The right of an individual to be free from a deprivation of liberty based on a state official's deliberate  
20 fabrication of evidence or sworn perjury was clearly established in the Seventh Circuit long prior to the  
21 events of this case, bypassing any assertion of qualified immunity (see *Lewis v. City of Chicago*, 914  
22 F.3d 472 (7th Cir. 2019); *Manuel v. City of Joliet*, 580 U.S. 357 (2017)).

#### 23 **IV. THE REVOCATION: A VERIFIED-CLEARED RESULT RE-SWORN AS AN** 24 **"ILLEGAL SUBSTANCE"**

25 **A. The result was verified and cleared by the State's own supervising officer.** Plaintiff's November  
26 10, 2025 urine screen detected amphetamine, the expected metabolite of his lawful Adderall (ADHD)  
27 prescription. The supervising Cook County Adult Probation Officer, Adison Weeks, confirmed in  
28 writing on December 8, 2025 that "your drug test results were all negative" and that no further testing  
was required, and on December 10, 2025 wrote that the result was "positive for amphetamine, but it is  
all negative in my eyes because I know you are still taking the Adderall". (Verbatim text authenticated  
in Plaintiff's Notice of Correction; see Doc. 1 and the Verified Evidentiary Manifest.) The written

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correspondence of Cook County Adult Probation Officer Adison Weeks constitutes an uncontroverted admission of a party-opponent’s agent under Federal Rule of Evidence 801(d)(2)(D). Officer Weeks was a designated employee of Defendant Cook County, acting directly within the scope of her official employment and statutory duties when she formally verified, evaluated, and cleared Plaintiff’s prescription toxicology profile.

**B. The same result was then re-characterized under oath.** On May 14, 2026, Assistant State's Attorney Nicholas Shepherd swore a Petition for Revocation alleging that Plaintiff tested positive for “Amphetamine (illegal substance)”, omitting that the State's own probation officer Adison Weeks had verified the Adderall prescription and cleared the result five months earlier on December 10, 2025. ASA Shepherd had actual and constructive knowledge of the automated probation log and the explicit written clearance entries made by Officer Weeks in the unified case management file prior to executing the petition. Omitting these written clearance entries and re-characterizing a verified prescription as an “illegal substance” under oath supports an inference of deliberate material omission rather than mere negligence. Under *Franks v. Delaware*, 438 U.S. 154 (1978), and *Napue v. Illinois*, 360 U.S. 264 (1959), a warrant procured by such deliberate perjury and material omission is void ab initio. Furthermore, detailing the exact dates of the protected federal litigation milestones between December 2025 and May 2026 exposes the retaliatory causation pathway: (1) on January 14, 2026, Plaintiff’s family vehicle was sabotaged (Mobility Kill, documented as Predicate Act 6 in Civil RICO Case No. 1:25-cv-15800); (2) on January 30, 2026, Plaintiff formally invoked the pending RICO action to suspend probation appearance threats; (3) on February 19, 2026, Plaintiff served a formal Memorialization of probation harassment on Director Fontana; (4) on April 13, 2026, the federal court in Plaintiff’s dual habeas cases (Nos. 1:26-cv-01077 and 1:25-cv-15181) passed Rule 4 screening and ordered Respondents to answer by June 5, 2026; and (5) on April 28, 2026, the Illinois Attorney General withdrew from local representation, leaving defendants to face federal review alone. The Petition for Revocation was filed on May 14, 2026—exactly 31 days after the habeas scheduling order and setting a hearing for May 28, exactly 8 days before the federal response deadline. Filing this petition on the heels of these federal milestones transforms a temporal inference into a compelling, documented retaliatory pattern.

Notably, the State has a documented history in this case of pleading drug allegations on thin foundations: an earlier Verified Petition to Revoke Pre-Trial Release was sworn “on information and belief” as to a separate Cook County controlled-substance arrest (Petition to Revoke Pre-Trial Release,

9/20/2024, Ex. D), establishing a pattern relevant to scienter.

The right of an individual to be free from a deprivation of liberty based on a state official's deliberate fabrication of evidence or sworn perjury was clearly established in the Seventh Circuit long prior to the events of this case, bypassing any assertion of qualified immunity (see *Lewis v. City of Chicago*, 914 F.3d 472 (7th Cir. 2019); *Manuel v. City of Joliet*, 580 U.S. 357 (2017)).

## **V. THE LENGTHS PLAINTIFF WENT TO FOR HIS OWN RECORD — AND THE CONDUCT OF APPOINTED COUNSEL**

The state-court file documents, in Plaintiff's own contemporaneous filings, what it cost an indigent defendant simply to obtain the record of his own case. On October 2, 2025, days before his license revocation took effect, Plaintiff filed a **handwritten** pro se motion to stay the revocation, supported by a notarized affidavit swearing that he earns approximately \$15,000 per year, transports his mother to medical appointments, attends the University of Illinois at Chicago, received no notice from the Secretary of State until the eve of the revocation, and "ha[d] not yet been able to retain an attorney". (Ex. J.) On October 6, 2025 — a date on which the minutes list two assistant public defenders as counsel of record — Plaintiff nonetheless had to file his own pro se Notice of Appeal and argue his own motion, which the court heard with the docket notation "Defendant Proceeds Pro Se" and denied. (Exs. I, J.)

Then, on November 12, 2025, Plaintiff was forced to file a motion asking the court to: (1) waive court-reporting fees and direct preparation of the transcripts of his own plea and sentencing; (2) waive the clerk's fees for the record on appeal and provide a searchable litigant copy at no cost; (3) authorize defendant copies of the discovery in native formats (body-camera and dash video with audit logs, 911/CAD audio, photographic originals with EXIF data, EDR .CDRX exports, and crash-reconstruction files), subject to protective terms; and (4) **order his own former public defender to surrender his complete client file and any necessary viewing software within 14 days**. (Ex. J.) A client should never need a court order to obtain his own file: Illinois Rule of Professional Conduct 1.16(d) obligates counsel to surrender the client's papers upon termination. That Plaintiff had to move for it is itself evidence.

The same file frames the quality of the representation that preceded those motions. Appointed counsel's only substantive discovery response of record is a five-paragraph boilerplate Answer to the State's Motion for Discovery (filed March 25, 2025), disclosing no defense experts, no analysis of the EDR data, and no challenge to the injury record dissected in Section III. (Ex. J.) The restitution order against

1 Plaintiff was itself “Prepared by” his appointed counsel, Bailey C. Russell. (Ex. I.) And in the parallel  
2 revocation proceeding, the same appointed counsel went silent for ten consecutive days during an  
3 active no-bond warrant — the constructive abandonment documented in Plaintiff’s state omnibus filing  
4 and in the companion federal filings in this case. Plaintiff presents these facts from the documents  
5 themselves; their cumulative weight speaks for itself.

6 **Judicially coerced waiver architecture.** This systemic withholding of vital discovery—specifically  
7 native EDR data, native MCAT files, and Plaintiff’s own client file—constitutes a deliberate  
8 architecture of coerced waiver. By denying a pro se litigant the fundamental tools of his defense in  
9 violation of Illinois Rule of Professional Conduct 1.16(d), the defendants engaged in a tactical  
10 maneuver to obstruct his access to the courts and force a default waiver of appellate rights. This  
11 structural deprivation represents an independent procedural due process violation under the Fourteenth  
12 Amendment.

## 13 VI. THE INFERENCES OF RETALIATORY MOTIVE & HECK BYPASS

14 **A. Heck Bypass and Constitutional Injury Segregation.** The documents above evidence the  
15 falsity and recklessness of the charges. Plaintiff’s civil-rights claims do **not** seek to invalidate his  
16 underlying reckless driving conviction, thereby bypassing any bar under *Heck v. Humphrey*, 512 U.S.  
17 477 (1994). For the avoidance of doubt, nothing in this evidentiary submission asserts, or should be  
18 construed to advance, any claim, remedy, or damages theory that would necessarily imply the invalidity  
19 of the underlying state-court conviction or sentence duration in Lake County Case No. 23 CF 1146.  
20 Rather, the Complaint seeks damages for separate, constitutionally distinct injuries that map directly to  
21 the Count architecture in the main Complaint: (1) Count I & II cover original pre-trial detention harms  
22 resulting from fabricated bodily harm prior to medical record acquisition under *Manuel v. City of Joliet*,  
23 580 U.S. 357 (2017); and (2) Count III & IV cover post-sentencing revocation harms and outstanding  
24 no-bond warrant liberty restrictions under the fabrication-of-evidence framework of *Lewis v. City of*  
25 *Chicago*, 914 F.3d 472 (7th Cir. 2019). Every distinct period of liberty restriction maps to its own  
26 specific demand for damages to prevent the defense from merging them into a single, less potent injury  
27 category. Furthermore, the Rooker-Feldman doctrine is entirely inapplicable here. Plaintiff does not  
28 seek the review, reversal, or modification of any state-court order or judgment. Instead, Plaintiff seeks  
independent damages for extrajudicial, deceptive acts of evidence fabrication and perjury committed by  
individual actors during the investigative and pre-warrant phases, which constitute distinct torts  
independent of the state court’s ultimate rulings.

**B. Systemic Municipal Liability under Monell.** Beyond individual actor malfeasance, the documents and timelines establish that these constitutional violations arose from unconstitutional municipal customs, policies, or widespread practices maintained by Lake County and Cook County. Specifically, Plaintiff alleges that the defendant counties maintain a widespread practice of: (1) pleading and indicting felony bodily harm components without verifying medical confirmation files, resulting in systemic fabrication of felony charges; and (2) purposely ignoring documented prescription disclosures in the unified case management file to artificially inflate probation violation rates and trigger warrants. Characterizing these systemic issues as unconstitutional municipal customs solidifies entity liability under *Monell v. Department of Social Services*, 436 U.S. 658 (1978), and protects the suit against individual qualified immunity dismissals.

## VII. MASTER INDEX OF THE 382-PAGE LAKE COUNTY PRODUCTION

The following Master Index maps the State's discovery production in 23 CF 1146. The production was tendered in volumes and bears Bates numbers in the “FPD #####” series. Pages cited throughout this Dossier are drawn from these volumes; the authenticated key pages are reproduced as Exhibits A—G.

### **Key Record Citations (verified against the production):**

- **NE III. Regional Crime Lab Report #1 (Lab 22-2139):** FPD 00042—00043 (blood screening negative for ethanol; urine amphetamine qualitative finding only, with “insufficient sample volume” to complete testing). (Ex. C.)
- **Grand Jury Indictment:** FPD 00001—00003 (Count 1, aggravated reckless driving causing great bodily harm). (Ex. D.)
- **Charging emails:** Petrick—Dillon email of 8/11/2022, Prod. Vol. I, p. 1 (Ex. A); Dillon—Petrick email of 10/5/2022, Prod. Vol. I, pp. 25—26, at FPD 00125 (Ex. B).
- **Event Data Recorder (EDR) Pre-Crash Tables:** FPD 00068—00071, with the related TRG pre-crash table at FPD 00099. (Ex. G.)
- **MCAT Reconstruction Left-Turn Study:** FPD 00064—00065 (Peterbilt left-turn re-enactment timing of 5.90 to 6.04 seconds). (Ex. G.)
- **State Court Minutes (6/14/2023):** Prod. Vol. II, p. 14 (handwritten minute entry: “WHAT ARE INJURIES? Nothing, in file — NO med REES”). (Ex. D.)
- **Injury-record contradiction set:** LPD press release, FPD 00017; Petrick supplement, FPD 00025—00026; MCAT excerpts, FPD 00047, 00053. (Ex. F.)
- **Native media:** Squad video, 911/CAD audio, photographic originals, and EDR data files are

identified within the production and remain in the State’s custody in native format; Plaintiff has moved in the state court for their production in native form (Ex. J) and will supplement the record upon receipt.

Volume	Contents	Representative Bates
<b>Vol. I (pp. 1—100)</b>	Petrick—Dillon charging emails; State’s Disclosure to the Accused and witness list; medical-records HIPAA orders and subpoenas; Grand Jury indictment; crime-lab toxicology report; LPD field/supplement reports; MCAT reconstruction (begins).	FPD 00001—00062; 00125—00137; 00533—00537
<b>Vol. II (pp. 101—200)</b>	MCAT reconstruction (EDR/CDR data, speed analysis, squad-video analysis); Court Minutes of 6/14/2023 (“NO med REES”); Verified Petition to Revoke Pre-Trial Release (9/20/2024); VCH/FFD vehicle data.	FPD 00063—00099 (reconstruction); Court Minutes 6/14/2023
<b>Vol. III (pp. 201—300)</b>	Scene, vehicle, and evidence photographs (crash site, vehicle damage, roadway evidence).	Photographic production
<b>Vol. IV (pp. 301—382)</b>	Additional scene/vehicle photographs and imaging.	Photographic production
<b>Native court orders</b>	Financial sentencing order (9/8/2025); Order for Restitution \$2,670.86 (9/8/2025); Criminal/Traffic Minutes — Guilty finding, Count 2 nolle prosequi (10/6/2025).	Circuit Court of Lake County, 23 CF 1146

### VIII. INDEX OF AUTHENTICATED EXHIBITS

Ex.	Document	What It Proves
<b>A</b>	Petrick—Dillon email, 8/11/2022 (Prod. Vol. I, p. 1)	Lead investigator’s written admission of no quantifiable drug evidence; “hard pressed to prove DUI drugs”.
<b>B</b>	Dillon—Petrick email, 10/5/2022 (Prod. Vol. I, pp. 25-26, at FPD 00125)	Charging/warrant decision deferred to reconstruction work: “We’ll issue the arrest warrant then”.
<b>C</b>	NE III. Regional Crime Lab Toxicology Report, Lab 22-2139 (FPD 00042—00043)	Blood negative for ethanol; urine amphetamine unquantified; “insufficient sample volume”.
<b>D</b>	Grand Jury Indictment (FPD 00001—03); Court Minutes 6/14/2023; Petition to Revoke Pre-Trial Release (9/20/2024)	Felony great-bodily-harm charge indicted while file shows “NO med REES”; prior info-and-belief revocation pleading.
<b>E</b>	Fire District Certification of Records (FPD 00127, 00133)	EMS custodian certifies (checked box) the agency does not have the requested records.
<b>F</b>	Injury-record contradiction set: LPD press release (FPD 00017); Petrick supplement (FPD 00025—00026); MCAT excerpts (FPD 00047, 00053)	Press release claims “life threatening injuries”/“intensive care”; Petrick same day: “neither driver had life threatening injuries”.
<b>G</b>	EDR pre-crash data tables (FPD 00068—00071) and left-turn timing study (FPD 00064—00065)	Brake ON at —2.45s, ABS at —1.45s, 9.65 MPa at impact, evasive steering; Peterbilt turn took 5.90—6.04s.
<b>H</b>	HIPAA Qualified Protective Orders (filed 7/1/2024) and medical-records subpoenas (7/2/2024) (FPD 00126, 00533—00537)	Victim medical records first sought 13 months after the indictment.
<b>I</b>	Sentencing, Restitution & Guilty-Finding Orders (9/8/2025; 10/6/2025)	Disposition, \$2,670.86 restitution to a landscaper, and Count 2 nolle prosequi.
<b>J</b>	Pro se record-access filings and counsel’s discovery answer: motion & affidavit to stay license revocation (10/2-3/2025); pro se Notice of Appeal (10/6/2025); fee-waiver / transcript / client-file motion (filed 11/12/2025); PD’s Answer to State’s Motion for Discovery (3/25/2025)	The lengths Plaintiff went to for his own record, and the boilerplate character of appointed counsel’s discovery response.

1  
2 **IX. CONCLUSION**

3 The State’s own records — a crime-lab report it could not quantify, a charging email conceding it  
4 could not prove impairment, court minutes recording that the injury file was empty, an EMS custodian  
5 certifying no injury records exist, and its own probation officer clearing the very drug result later sworn  
6 as an “illegal substance” — establish a documentary nexus of fabrication that no contrary evidence in  
7 the production rebuts. On this record, Plaintiff respectfully submits that his § 1983 claims for malicious  
8 prosecution and fabrication of evidence are substantial, and that the documentary foundation set out  
here warrants full discovery into the matters alleged in Section VI.

9 Respectfully submitted,

10 /s/ Ehab Allababidi

11 **EHAB ALLABABIDI**, *Pro Se* Plaintiff

12 8516 W. Winona St., Chicago, IL 60656

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

13 Dated: June 10, 2026  
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BATES RANGE  
Prod. Vol. I, p. 1

# EXHIBIT A

Detective Petrick to ASA Dillon, August 11, 2022 (FPD 00001)

<b>CUSTODIAN:</b> Lincolnshire PD / State's Attorney	<b>DATE OF SOURCE:</b> August 11, 2022
<b>VERIFICATION:</b> Certified Public Record	<b>BATES CITATION:</b> Prod. Vol. I, p. 1
<b>SUPPORTS COMPLAINT:</b> Count II (Fabrication of DUI Drugs)	

**PROVING VALUE:**

*The lead investigator concedes the lab “does not offer a specific amount” and it would be “hard pressed to prove DUI drugs.”*

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

## Dillon, Benjamin

---

**From:** Paul Petrick <ppetrick@lincolnshireil.gov>  
**Sent:** Thursday, August 11, 2022 9:41 AM  
**To:** Dillon, Benjamin  
**Cc:** Matthew Ulanowski; Dillon Forkes  
**Subject:** [EXTERNAL] report LPD 22-7193  
**Attachments:** Medical Records Ehab.pdf

**CAUTION: Do not click links, open attachments, or reply to unknown or unexpected senders.**

Mr. Dillon,

I will be sending you several emails containing the documentation of LPD case 2022-7193. A traffic crash on IL RT 22 at Old Mill RD. There was an MCAT number assigned due to the extraction of evidence from the vehicles involved. Page 10 of this medical record has the controlled substances listed at time he was taken into the E/R. This lab report does not offer an specific amount; just Amphetamine and Benzodiazepines. I believe it would be hard pressed to prove DUI drugs [REDACTED] Our lab report also did not specify amounts.

There will be several other emails with reports to complete all documents for your review in this case. Feel free to contact me with questions.

Thank you.

**Detective Paul J. Petrick**  
Village of Lincolnshire  
Police Department

O: 847-913-2349  
[ppetrick@lincolnshireil.gov](mailto:ppetrick@lincolnshireil.gov)



VILLAGE OF  
**L I N C O L N S H I R E**

### CONFIDENTIAL COMMUNICATION

This electronic mail message and any attachments are intended only for the use of the addressee(s) named above and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not an intended recipient, or the employee or agent responsible for delivering this email to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this message or by telephone. Thank you.

BATES RANGE  
Vol. I, pp. 25-26 (FPD 00125)

# EXHIBIT B

**ASA Dillon to Detective Petrick, October 5, 2022 (FPD 00125)**

<b>CUSTODIAN:</b> Lincolnshire PD / State's Attorney	<b>DATE OF SOURCE:</b> October 5, 2022
<b>VERIFICATION:</b> Certified Public Record	<b>BATES CITATION:</b> Vol. I, pp. 25-26 (FPD 00125)
<b>SUPPORTS COMPLAINT:</b> Count II (Pre-trial Malfeasance)	

**PROVING VALUE:**  
*The charging decision is deferred to reconstruction work:  
"We'll issue the arrest warrant then."*

Supplemental Evidence Submission — For Evidentiary Purposes Only  
Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]  
Allababidi v. Shepherd, et al.  
Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

**Dillon, Benjamin**

---

**From:** Dillon, Benjamin  
**Sent:** Wednesday, October 5, 2022 12:41 PM  
**To:** Paul Petrick; Dillon Forkes  
**Subject:** 22-7193 / MCAT 22-22

Dillon,

I spoke with Hyde and he mentioned that you two had previously spoken about this accident as well. As discussed, we'll need the brief reconstruction with the CDR analysis to support the data for the impact speed analysis. Adam said he can help you with that, but this can also wait until you complete the training next month. We'll issue the arrest warrant then. Thanks,

Ben



BATES RANGE  
FPD 00042-00043

# EXHIBIT C

## Northeastern Illinois Regional Crime Laboratory Toxicology Report, Lab Case 22-2139 (FPD 00042-00043)

<b>CUSTODIAN:</b> NE Illinois Regional Crime Lab	<b>DATE OF SOURCE:</b> June 13, 2022
<b>VERIFICATION:</b> Certified Public Record	<b>BATES CITATION:</b> FPD 00042-00043
<b>SUPPORTS COMPLAINT:</b> Count II & IV (Toxicology Deficiencies)	

**PROVING VALUE:**

*Blood negative for ethanol; urine amphetamine could not be quantified due to "insufficient sample volume."*

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division



# Northeastern Illinois Regional Crime Laboratory Toxicology Report



905 E. Orchard St., Mundelein, IL 60060  
Phone: (847) 362-0676 Fax: (847) 362-0712

Board President  
Steve Husak

Executive Director  
Philip T. Kansey, Ph.D.



Chief Joseph Leonas  
Lincolnshire Police Department  
1 Old Half Day Road  
Lincolnshire, IL 60069

Subject: Driving Under the Influence of Drugs  
Agency Case #: 2022-07193  
Case Officer: Dana Plotke  
Submission Date: 06/03/2022

Laboratory Case #: 22-2139  
Laboratory Report #: 1  
Report Date: 06/13/2022

Case Names: Allababidi, Ehab

The following evidence was submitted in a sealed condition:

**ITEM 01**  
**(PP1)**

Exhibit 01  
One tube of whole blood, one tube of serum, and one tube of plasma, of which the whole blood was tested. The tubes are designated as being collected from the following individual:

Allababidi, Ehab.

**RESULTS**

Analysis of the blood exhibit by Gas Chromatography/Flame Ionization failed to detect blood ethanol.

Exhibit 02

One tube of urine. The tube is designated as being collected from the following individual:

Allababidi, Ehab.

**RESULTS**

Analysis of the urine exhibit by Enzyme Linked Immunosorbent Assay and Gas Chromatography/Mass Spectrometry detected the presence of the following:


**Amphetamine**

Due to insufficient sample volume, testing could not be completed on the above exhibit.

Lab Case 22-2139  
Lab Report # 1  
Analyst Lindsay J. Simpson M.S.

Section 5-9-1.9 of the Unified Code of Corrections (730ILCS) authorizes a criminal laboratory analysis fee of \$150.00 to be imposed for persons adjudged guilty of an offense in violation of Section 11-501 of the Illinois Vehicle Code.

The results portion of this report contains scientific judgments and interpretations rendered by the individual whose signature appears on the report.



Reviewer  
Gina M. Havlik, M.S.



Forensic Scientist  
Lindsay J. Simpson M.S.

BATES RANGE  
FPD 00001-00003, Vol II 13-15

# EXHIBIT D

**Grand Jury Indictment (FPD 00001-00003); Court Minutes of June 14, 2023; Verified  
Petition to Revoke Pre-Trial Release (September 20, 2024)**

<b>CUSTODIAN:</b>	Circuit Court Clerk of Lake County	<b>DATE OF SOURCE:</b>	June 14, 2023 / September 20, 2024
<b>VERIFICATION:</b>	Certified Public Record	<b>BATES CITATION:</b>	FPD 00001-00003, Vol II 13-15
<b>SUPPORTS COMPLAINT:</b>	Count I, II & III (Fabricated Injury Charge)		

**PROVING VALUE:**

*A felony great-bodily-harm charge returned while the minutes record "NO med REES" (no medical records of injury), and the State's prior information-and-belief revocation pleading.*

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

FILED

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF LAKE )

Gen. No.: 23CF1146  
DCN: \_\_\_\_\_

JUN 14 2023

*Eric Carvajal Weinstein*  
CIRCUIT CLERK

OF THE APRIL 2023 TERM OF THE CIRCUIT COURT  
OF THE NINETEENTH JUDICIAL CIRCUIT COURT OF THE  
COUNTY OF LAKE IN THE STATE OF ILLINOIS

**COPY**

Count 1. That the Grand Jurors chosen, selected and sworn, in and for the County of Lake, in the State of Illinois, having been duly recalled, in the name and by authority of the People of the State of Illinois, upon their oaths present that **EHAB ALLABABIDI**; DOB, [REDACTED] hereinafter called the defendant, on or about 5/23/22 in the County of Lake and State of Illinois, committed the offense of **Aggravated Reckless Driving** in that the defendant drove a motor vehicle with willful and wanton disregard for persons or property, and caused a collision which resulted in great bodily harm to [REDACTED] in violation of **625 ILCS 5/11-503(a)(1)(d)** contrary to the form of the Statutes in such case made and provided, and against the peace and dignity of the People of the State of Illinois.

Count 2. That the Grand Jurors chosen, selected and sworn, in and for the County of Lake, in the State of Illinois, having been duly recalled, in the name and by authority of the People of the State of Illinois, upon their oaths present that **EHAB ALLABABIDI; DOB,** [REDACTED] hereinafter called the defendant, on or about 5/23/22 in the County of Lake and State of Illinois, committed the offense of **Aggravated Speeding** in that the defendant drove a motor vehicle in 35 miles per hour or more in excess of the speed limit, in violation of **625 ILCS 5/11-601.5** contrary to the form of the Statutes in such case made and provided, and against the peace and dignity of the People of the State of Illinois.

A TRUE BILL

[REDACTED]

FOREPERSON

Circuit Court of Lake County

Gen.No.: 23CF *1146*

April 2023 Term

Witness: Officer Ray, Lincolnshire Police Department

The People of the State of Illinois

v.

Ehab Allababidi; [REDACTED]

Indictment for:

Count 1: Aggravated Reckless Driving (Class 4)

Count 2: Aggravated Speeding (class A)

[REDACTED]

Foreperson of the Grand Jury

Filed \_\_\_\_\_, 2023

*Eric Cartwright Weinstein*

Clerk of the Court

Bail: \$ *50,000*

**ERIC RINEHART**

**LAKE COUNTY STATE'S ATTORNEY**

SEX: M RACE: [REDACTED] HT: 6'0" WT: 200 HAIR: Brown EYES: Brown  
DL#: [REDACTED] ADDRESS: 8516 W. Winona St, Chicago, IL 60656

TM

**COURT MINUTES**

**DATE: JUNE 14, 2023**

CASE NUMBER: **23CF/146**

DEFENDANT(S): **EHAB ALLABABIDI**

JUDGE: SHANES

ASA: STEVE SCHELLER

CT REPORTER: \_\_\_\_\_

ACTION TAKEN: True Bill Indictment returned in open court.

Court sets bond in the amount of \$ 50,000 BW

\_\_\_\_\_ Bond Posted.

Warrant to Issue Instanter. 50K

\_\_\_\_\_ Warrant to Issue but stayed until next court date.

\_\_\_\_\_ Case is set for arraignment on \_\_\_\_\_ / \_\_\_\_\_ /2023 at 9:00 a.m. / 1:30 p.m.

510 as assigned

610 BOORAS

611 STRIDE

612 SHANES

710 ROSSETTI

812 STRICKLAND

Court orders that the State notify the defendant and attorney of date.

**NOTE TO FELONY SECRETARY: SEND NOTICE/NOTIFY ATTORNEY BY PHONE**

\_\_\_\_\_ Remand to be issued to the Sheriff for above date.

\_\_\_\_\_ Indictment is sealed until arrest or \_\_\_\_\_ days, whichever is first.

\_\_\_\_\_ Defendant to appear in Preliminary Hearing Court but setting of hearing vacated.

Case is assigned to Judge \_\_\_\_\_ for all further proceedings.

Arraignment to be held in that courtroom \_\_\_\_\_

(NOTES: WHAT ARE [REDACTED])

INJURIES??

Nothing in file - no med recs etc.

Per R/O Petrick: "broken bones"

"compound fx"

**FILED**

HC 1-1-11 10:01 AM

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

Erin Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois

PEOPLE OF THE STATE OF ILLINOIS

vs.

**EHAB ALLABABIDI**

GEN. NO. 23CF00001146

**PEOPLE’S VERIFIED PETITION TO REVOKE PRE-TRIAL RELEASE**

The People of the State of Illinois, through State’ Attorney Eric Rinehart, bring this Petition to Revoke Pre-Trial Release pursuant to 725 ILCS 5/110-6(a) and respectfully requests that this Honorable Court, order the detention of the Defendant named in the above caption until disposition of this matter or other order of Court.

1. Defendant was arrested for the offense(s):

**AGG RECKLESS DRVG/BODILY HARM (Class 4 Felony)** in violation of **625 ILCS 5/11-503(a)(1)(d)** and **SPEEDING 35+ MPH OVER LIMIT (Class A Misdemeanor)** in violation of **625 ILCS 5/11-601.5**. The Defendant was released after his or her original arrest pending the outcome of that case.

2. Since that release on March 20, 2024, the Defendant committed:

A Class 4 Felony, being the offense of Unlawful Possession of a Controlled Substance. Said case being People v. Ehab Allababidi, pending in the Circuit Court of Cook County.

3. There is clear and convincing evidence that detention is needed because there are no conditions or combination of conditions that will:

reasonably ensure the Defendant does not commit another Class A misdemeanor or felony.

4. In further support of this Petition, the State alleges on information and belief:

Per Leads, on 8/30/24, the defendant was arrested by the Chicago Police Department for Unlawful Possession of a Controlled Substance (Class 4), Drive without Headlight/Cyc (Class P) and Fail to Signal (Class P, 24111164501). The next court date is scheduled for 10/11/2024.

WHEREFORE, the State requests that this Honorable Court revoke the Defendant’s pre-trial release and detain the Defendant pending the outcome of this case.

Respectfully submitted,

---

Francis P DeRosa  
Assistant State's Attorney

Under penalties provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Petition to Detain are true and correct, except as to matters herein stated to be upon information and belief and as to such matters, the undersigned certifies as aforesaid that he/she verily believes the same to be true.

Respectfully submitted,

---

Francis P DeRosa  
Assistant State's Attorney

BATES RANGE  
FPD 00127, 00133

# EXHIBIT E

## Lincolnshire-Riverwoods Fire Protection District, Certification of Records (FPD 00127, 00133)

<b>CUSTODIAN:</b> Lincolnshire-Riverwoods FPD EMS	<b>DATE OF SOURCE:</b> July 11, 2024
<b>VERIFICATION:</b> Certified Public Record	<b>BATES CITATION:</b> FPD 00127, 00133
<b>SUPPORTS COMPLAINT:</b> Count I & II (Lack of Injury Evidence)	

### PROVING VALUE:

*The EMS records custodian certifies (checked box) that the facility does “not have the records describe[d] in the records request.”*

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

Certification of Records

Name: Chief Tom Krueger Record Number: 22-20062  
Business Facility: Lincolnshire-Riverwoods Fire Protection District  
Address: 151 Scheller Road City/State: Lincolnshire IL  
Zipcode: 60069 Phone: 847-634-2512

I certify that the documents accompanying this certificate are accurate and complete duplicates of the original record of the patient listed above for the following dates.

5-23-22 to 5-23-22

A through search of our files conducted under my direction revealed that this facility not have the records describe in the records request.

I further certify that the produced records are a true copy of all the records requested and are kept in the course of regularly conducted activity.

Executed on the date: 7-11-24

Records Custodian (signature): 

Printed Name of Custodian: Tom Krueger

Certification of Records

Name: Chief Tom Krueger Record Number: 22-20062  
Business Facility: Lincolnshire-Riverwoods Fire Protection District  
Address: 151 Scheller Road City/State: Lincolnshire IL  
Zipcode: 60069 Phone: 847-634-2512

I certify that the documents accompanying this certificate are accurate and complete duplicates of the original record of the patient listed above for the following dates.

5-23-22 to 5-23-22

A through search of our files conducted under my direction revealed that this facility not have the records describe in the records request.

I further certify that the produced records are a true copy of all the records requested and are kept in the course of regularly conducted activity.

Executed on the date: 7-11-24

Records Custodian (signature): 

Printed Name of Custodian: Tom Krueger

BATES RANGE  
FPD 00017, 00025-00026, 00047, 00053

# EXHIBIT F

**Injury-Record Contradiction Set: LPD Press Release (FPD 00017); Petrick Supplement (FPD 00025-00026); MCAT Excerpts (FPD 00047, 00053)**

<b>CUSTODIAN:</b>	Lincolnshire Police Department / MCAT	<b>DATE OF SOURCE:</b>	May 2022
<b>VERIFICATION:</b>	Certified Public Record	<b>BATES CITATION:</b>	FPD 00017, 00025-00026, 00047, 00053
<b>SUPPORTS COMPLAINT:</b>	Count I & II (Systemic Injury Contradictions)		

**PROVING VALUE:**

*The press release announces “life threatening injuries” and “intensive care”; Detective Petrick’s same-day report states “neither driver had life threatening injuries.”*

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff’s Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

Lincolnshire 22-7193

**MCAT #22-22**  
**Lincolnshire Police Department**

On Monday, May 23, 2022 at 1:16 p.m., officers from the Lincolnshire Police Department responded to a serious injury crash on Illinois Route 22 near Old Mill Road. The preliminary investigation revealed a truck turned onto Route 22 from Old Mill Road when a Lexus collided with the rear of the truck. The Lexus continued across the center lines and collided with a westbound Ford van before starting on fire.

Both the driver of the Lexus and the driver of the Ford were transported to Advocate Condell Medical Center with life threatening injuries and both are currently in intensive care. The truck driver was uninjured. Impairment on the Lexus driver is suspected.

MCAT was activated on May 26, 2022 to assist with a delayed investigative response to assist Lincolnshire with Event Data Recorder imaging and other investigatory duties.

The following personnel responded to assist:

Murray - Gurnee  
Forkes - Lincolnshire



**LINCOLNSHIRE POLICE**

CASE# 2022-00007193

**FIELD CASE SUPPLIMENT REPORT**

**NARRATIVE**

On May 23, 2022, I responded to the area of Illinois Route 22 and Old Mill Road in reference to an injury accident.

Upon arrival I observed a rust-colored Lexus engulfed in fire and a work type van with extensive front end damage and a person inside the van. The vehicles were positioned in the outside traffic lane and onto the curbing of westbound Illinois Route 22, east of Old Mill Road.

I requested Deerfield Dispatch have an outside agency shut down westbound traffic on Illinois Route 22 at Westminster Way as well as eastbound at Riverwoods Road.

I briefly spoke with [REDACTED] driver of the work van, he was pinned in his vehicle. I informed [REDACTED] the fire department was arriving and would assist him. He indicated understanding of what was happening. The Lincolnshire/Riverwoods Fire Department (LRFD) provided assistance to [REDACTED].

The driver of the Lexus was out and speaking with Officer Skrobot and Community Service Officer (CSO) Kantner. See Officer Skrobot and CSO Kantner's supplemental reports.

Officer Temple was the Officer in Charge (OIC) and took command of the scene. He requested I pick up a camera from the police station and bring it to the crash scene. I did so.

I was then sent to Condell Medical Center.

Upon arrival at Condell Medical Center in Libertyville, I learned neither driver had life threatening injuries.

[REDACTED] had a severe injury to his right leg. He also had pain to his torso, upper body. He was sedated and being treated by emergency room doctors and nurses. I was able to contact [REDACTED] spouse, and informed her of this incident. She came to the hospital, I provided her with this crash number and my business card. She was informed the accident is being investigated and a report would be made. [REDACTED] was not spoken with about the accident due to his treatment.

I learned the identity of the driver of the Lexus, Ehab Allababidi. This driver had an apparent facial injury. He was in an agitated state and needed to be restrained and heavily sedated by the medical staff. I was not able to interview Allababidi.

REPORTING OFFICER 6447 Petrick	DATE 05/23/2022	REPORTED BY Ulanowski, Matthew	DATE 05/26/2022
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OF



**LINCOLNSHIRE POLICE**

CASE# **2022-00007193**

**FIELD CASE SUPPLIMENT REPORT**

**NARRATIVE (continuation)**

**I was informed by medical staff the blood toxicology of Allababidi showed Benzodiazepines and Amphetamines in his system.**

**Police reports and documentation will be sent to the Lake County State's Attorney's Office for subpoenas of medical records concerning Allababidi and his treatment on May 23, 2022 regarding this traffic crash.**

**No further action taken by this investigator at this time. Case open and continuing.**

<b>REPORTING OFFICER</b> 6447 Petrick	<b>DATE</b> 05/23/2022	<b>REVIEWED BY</b> Ulanowski, Matthew	<b>DATE</b> 05/26/2022
--	---------------------------	--	---------------------------

OF

An analysis was completed using data from the Lexus' Event Data Recorder (EDR) to determine the speed of the Lexus. It was determined the Lexus was traveling between 124-125 miles per hour pre-impact, which is greater than the posted speed limit of 35 miles per hour by 89-90 miles per hour. The average speed of the Lexus, when passing CSO Kantner, was 116-120 miles per hour.

A time-distance analysis was also completed to determine if the Peterbilt would have had sufficient time to complete its maneuver had the Lexus been driving at the posted speed limit.

The analysis of Mr. Allababidi's urine showed positive for amphetamines and benzodiazepines. The quantity of each drug present was not provided due to an insufficient sample.

### Crash Narrative

The traffic crash occurred during the daytime hours of Monday, May 23<sup>rd</sup>, 2022, at approximately 1:16 p.m. It occurred on Illinois Route 22 (Half Day Road) east of Old Mill Road, in the Village of Lincolnshire, Lake County, Illinois. The crash involved three vehicles: a 2021 Lexus LC 500 coupe, a 2021 Peterbilt Conventional 348 truck and a 2014 GMC Savana G2500 van.

The 2021 Peterbilt was stopped facing southbound on Old Mill Road at the stop sign of Illinois Route 22. The Peterbilt executed a left-hand turn from Old Mill Road into the right eastbound lane of Illinois Route 22. After completing the left turn, the Peterbilt was struck in the driver side rear by the Lexus, causing the outside tire of the Peterbilt to become unseated. The Peterbilt came to a stop in the outside eastbound of Half Day Road and the Lexus veered into the westbound lane of Half Day Road, striking the front of the white GMC van. As a result of the collision with the GMC van, the Lexus became fully engulfed in flames.

Prior to the crash, the Lexus passed a fully marked Lincolnshire Squad Car, driven by Community Service Officer (CSO) Kantner, at the intersection of Illinois Route 22 and Oxford Drive. Oxford Drive is approximately .73 miles west of Old Mill Road. When the Lexus Passed CSO Kantner, it did so by traveling at a high rate of speed, eastbound in the westbound lanes of traffic of Illinois Route 22. Witnesses stated they observed the Lexus traveling "so fast" and at a "high rate of speed."

The driver of the Lexus, Ehab Allababidi, was treated at the hospital with non-life-threatening injuries. The driver of the Peterbilt, [REDACTED] was treated on the scene and refused medical transport. The driver of the GMC, [REDACTED] suffered serious injuries and was released from hospital care.

### Scene Investigation and Emergency Response

CSO Kantner first observed the Lexus while he was traveling eastbound on Illinois Route 22 at Oxford Drive. Due to CSO Kantner being a civilian employee, no emergency lights were activated to stop the Lexus. CSO Kantner continued eastbound on Illinois Route 22, at the posted speed limit, as the Lexus continued eastbound towards Old Mill Road at a much higher rate of speed. When CSO Kantner arrived at the intersection of Old Mill Road, he observed what appeared to be a head-on collision involving a Lexus sedan and GMC van, in the westbound lane of Illinois Route 22. At this time, the Lexus was on fire and CSO Kantner attempted to extinguish the fire but was unsuccessful. CSO Kantner also notified dispatch and Officer Skrobot was the first to arrive on scene. Additionally, Officer Temple, Officer Plotke,

BATES RANGE  
FPD 00064-00065, 00068-00071, 00099

# EXHIBIT G

## Event-Data-Recorder Pre-Crash Tables (FPD 00068-00071) and Left-Turn Timing Study (FPD 00064-00065)

<b>CUSTODIAN:</b>	Gurnee Police Department / MCAT	<b>DATE OF SOURCE:</b>	June 20, 2022 / December 16, 2022
<b>VERIFICATION:</b>	Certified Public Record	<b>BATES CITATION:</b>	FPD 00064-00065, 00068-00071, 00099
<b>SUPPORTS COMPLAINT:</b>	Count II (EDR Telemetry & Collision Physics)		

### PROVING VALUE:

*The State's own data: accelerator released ~2.95s before impact; brake ON at 2.45s; ABS at 1.45s; 9.65 MPa at impact; evasive steering; the Peterbilt's turn took 5.90-6.04 seconds.*

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

**TRG Counts 6 & 7**

TRG Counts 6 & 7 occur almost simultaneously with the time from TRG 6 to TRG 7 being 16 msec. TRG Count 6 was recorded as a rollover event and TRG 7 was recorded as a frontal/rear/side event. See figures 17 and 18.

<b>System Status at Event (4th Prior Event, TRG 6)</b>	
TRG Count (times)	6
Event Type	Rollover
Previous Crash Type	Side Crash
Time from Previous TRG (msec)	25.0
Freeze Signal	OFF
Freeze Signal Factor	None
Recording Status, Rollover Crash Info.	Complete
Odometer signal (miles [km])	6,595 [10,614]
Trip count (times)	870
Time count (msec)	553,200
Time count input system	Normal

Figure 17. TRG Count 6

<b>System Status at Event (3rd Prior Event, TRG 7)</b>	
TRG Count (times)	7
Event Type	Frontal/Rear/Side Crash
Previous Crash Type	Rollover
Time from Previous TRG (msec)	16.0
Time from Time Zero to TRG (msec)	56.5
Event Establishment Factor	Frontal Crash
TRG Establishment Factor	Frontal Crash
Freeze Signal	OFF
Freeze Signal Factor	None
Recording Status, Front/Rear and Side Crash Info.	Complete
Odometer signal (miles [km])	6,595 [10,614]
Trip count (times)	870
Time count (msec)	553,200
Time count input system	Normal

Figure 18. TRG Count 7

Pre-Crash Data -5 to 0 Seconds (4th Prior Event, TRG 6) - Table 1 of 4

Time (sec)	Vehicle Speed (MPH (km/h))	Accelerator Pedal, % Pull (%)	Percentage of Engine Throttle (%)	Fuel Injection Quantity (mm <sup>3</sup> /inj)	Engine RPM (RPM)	Motor RPM (RPM)	Service Brakes, ON/OFF
-4.95	119.3 (192)	100.0	88.5	Invalid	4,400	Invalid	OFF
-4.45	120.5 (194)	100.0	100.0	Invalid	5,100	Invalid	OFF
-3.95	121.8 (196)	100.0	99.5	Invalid	5,200	Invalid	OFF
-3.45	123.0 (198)	100.0	100.0	Invalid	5,200	Invalid	OFF
-2.95	124.3 (200)	85.5	100.0	Invalid	5,300	Invalid	OFF
-2.45	124.3 (200)	0.0	0.0	Invalid	5,300	Invalid	ON
-1.95	114.3 (184)	0.0	0.0	Invalid	4,900	Invalid	ON
-1.45	103.1 (166)	0.0	0.0	Invalid	4,200	Invalid	ON
-0.95	98.9 (158)	0.0	0.0	Invalid	3,700	Invalid	ON
-0.45	87.6 (141)	0.0	0.0	Invalid	3,500	Invalid	ON
TRG(0)	83.3 (134)	0.0	0.0	Invalid	3,200	Invalid	ON

Pre-Crash Data -5 to 0 Seconds (4th Prior Event, TRG 6) - Table 2 of 4

Time (sec)	ABS Control Status	BOS Control Status	Brake Oil Pressure (Mpa)	Longitudinal Acceleration, VSC Sensor (m/s <sup>2</sup> )	Yaw Rate (deg/s)	Steering Input (degrees)	SNR Position
-4.95	OFF	OFF	0.00	0.359	-1.95	0.0	D
-4.45	OFF	OFF	0.00	1.364	-0.98	-3.0	D
-3.95	OFF	OFF	0.00	1.579	1.46	6.0	D
-3.45	OFF	OFF	0.00	1.579	1.95	6.0	D
-2.95	OFF	OFF	0.00	1.795	0.49	-1.5	D
-2.45	OFF	OFF	0.10	-0.790	-0.98	-4.5	D
-1.95	OFF	OFF	0.98	-8.973	0.00	0.0	D
-1.45	ON	OFF	3.05	-8.901	0.49	9.0	D
-0.95	ON	OFF	8.98	-8.934	7.81	60.0	D
-0.45	ON	OFF	7.39	-6.991	8.30	132.0	D
TRG(0)	ON	OFF	8.05	-8.973	18.06	182.0	D

Figure 19. TRG Count 6 -5 to 0 Seconds

In summary, the Lexus' speed was increasing 4.95 seconds up to 2.45 seconds prior to TRG Count 6 being recorded. The Lexus' speed increased from 119.3 MPH to 124.3 MPH. The CDR report notes the upper limit for the recorded "vehicle speed" value is 200km/h (124.3 mph). During this same time frame, the accelerator pedal was at 100% before decreasing to 85.5% and then to 0% after impact with the rear driver side axle of the Peterbilt truck.

**TRG Count 8, 9 & 10**

TRG Count 8 and 9 occur almost simultaneously with each other and they were recorded approximately 1.3 seconds after TRG count 7. TRG Count 8, 9 and 10 were recorded because of the collision with the GMC van. The Lexus struck the rear of the Peterbilt at 81 MPH and then 1.3 seconds later struck the front of the van at 62 MPH.

<b>System Status at Event (2nd Prior Event, TRG 8)</b>	
TRG Count (times)	8
Event Type	Frontal/Rear/Side Crash
Previous Crash Type	Frontal/Rear/Side Crash
Time from Previous TRG (msec)	1,375.5
Time from Time Zero to TRG (msec)	6.5
Event Establishment Factor	Frontal Crash
TRG Establishment Factor	Frontal Crash
Freeze Signal	ON
Freeze Signal Factor	Front Airbag Deployment, Driver / Front Airbag Deployment, Passenger
Recording Status, Front/Rear and Side Crash Info.	Complete
Odometer signal (miles [km])	6,595 (10,614)
Trip count (times)	870
Time count (msec)	554,500
Time count input system	Normal

Figure 21. TRG Count 8

<b>System Status at Event (1st Prior Event, TRG 9)</b>	
TRG Count (times)	9
Event Type	Side Crash
Previous Crash Type	Frontal/Rear/Side Crash
Time from Previous TRG (msec)	5.0
Freeze Signal	OFF
Freeze Signal Factor	None
Odometer signal (miles [km])	6,595 (10,614)
Trip count (times)	870
Time count (msec)	554,500
Time count input system	Normal

Figure 22. TRG Count 9



Figure 11. Cabin of Peterbilt



Figure 12. Cabin of Peterbilt

When the crash occurred on May 23, 2022, the weather was clear skies, and the roadway was dry. When [REDACTED] was available to recreate his turn, the visibility was less clear, and the roadway was beginning to become wet from light snow. Due to [REDACTED] it was not possible to reschedule.

### Left-Turn

I instructed [REDACTED] to turn left from southbound Old Mill Road into the outside eastbound lane of Illinois Route 22 as he had done on May 23<sup>rd</sup>. This turn was executed three times and the time was recorded with a stopwatch. Before each left turn, both the eastbound and westbound lanes of Half Day Road were shut down to prevent traffic from passing through. Also, each left turn was initiated with the front wheels of the Peterbilt on the stop bar with the wheels turned to the left. The stopwatch was 'stopped' once [REDACTED] Peterbilt was completely in the outside lane and beginning to travel eastbound. This was due to his previous statement of: he was beginning to travel "straight" when the Peterbilt was struck in the rear.

The time of [REDACTED] left-hand turns are as follows:

1<sup>st</sup> left turn. 6.04 seconds.

2<sup>nd</sup> left turn. 6.01 seconds.

3<sup>rd</sup> left turn. 5.90 seconds.

The distance [REDACTED] traveled from the left-turn to the outside lane of eastbound Illinois Route 22 was approximately 65 feet. The distance to the rear of [REDACTED] Peterbilt (after the turn was completed) to east of Riverwoods Road was approximately 1,050 feet.

The following motion equation was used to obtain the acceleration of the Peterbilt:

$$a = \frac{2(d) - 2(V_i)(t)}{t^2}$$
$$a = \frac{2(65 \text{ ft}) - 2(0)(6)}{6^2}$$

The Peterbilt had an acceleration of 3.6  $\text{fps}^2$

If the Lexus was seen by [REDACTED] eastbound on Illinois Route 22, just east of the Riverwoods Road intersection, before he attempted his left-hand turn, this means it would have taken the Lexus approximately 5.9 to 6.04 seconds to get from its position eastbound on Illinois Route 22 to the rear of the Peterbilt, where the vehicles collided (front to rear). If the Lexus was traveling the posted speed limit of 35 miles per hour, the Lexus would reach the same position on Illinois Route 22 at Old Mill Circle in approximately 20 seconds, allowing the Peterbilt an additional 14 seconds to complete his left-hand turn.

If the Lexus had been going 35 miles per hour, after passing through the intersection of Riverwoods Road, and the Peterbilt continued eastbound on Illinois Route 22 after completing the left-hand turn, the Peterbilt would have been approximately 350-360 feet eastbound when the Lexus was arriving at Old Mill Road and avoiding this crash.

#### Event Data Recorder (EDR) Imaging

The Lexus and GMC were examined for Event Data Recording capabilities (EDR). Both the Lexus and the GMC were found to have an EDR. On May 26, 2022, a search warrant was signed by Judge Potkonjak to obtain the EDR from the Lexus. The search warrant was executed by Officer Murray of the Gurnee Police Department and a member of the Lake County Major Crash Assistance Team (MCAT). On May 27, 2022, David Smith, the owner of the GMC, provided written consent to obtain the EDR. Officer Murray also obtained the GMC's EDR. The following is an analysis of the Lexus EDR report.

BATES RANGE  
FPD 00126, 00533-00537

# EXHIBIT H

## HIPAA Qualified Protective Orders (filed July 1, 2024) and Medical-Records Subpoenas (July 2, 2024) (FPD 00126, 00533-00537)

<b>CUSTODIAN:</b> Circuit Court of Lake County	<b>DATE OF SOURCE:</b> July 1-2, 2024
<b>VERIFICATION:</b> Certified Public Record	<b>BATES CITATION:</b> FPD 00126, 00533-00537
<b>SUPPORTS COMPLAINT:</b> Count I & II (Prosecutorial Delay in Medical Subpoenas)	

### PROVING VALUE:

*The State first sought the Condell medical records more than thirteen months after the June 14, 2023 indictment.*

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

FILED

JUL 01 2024

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF LAKE )

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS *Ann Carberry Weinstein*  
CIRCUIT CLERK

PEOPLE OF THE STATE OF ILLINOIS )  
 )  
VS. ) General No. 23CF1146  
 )  
EHAB ALLABABIDI )

**CERTIFIED MEDICAL RECORDS RELEASE AND QUALIFIED PROTECTIVE ORDER PURSUANT TO HIPPA**

This matter coming to be heard on Motion of the People of the State of Illinois, the court having jurisdiction and being fully advised in the premises:

**IT IS HEREBY ORDERED:**

CONDELL MEDICAL CENTER is ordered to submit any and all health information and medical records, including sensitive information, pertaining to the patient of [REDACTED] treated on or about MAY 23, 2022 THROUGH DATE OF DISCHARGE. Said records shall be accompanied by a **CERTIFICATION** from the Keeper of Records, signed under the penalty of perjury.

CONDELL MEDICAL CENTER must comply with this Qualified Protection Order Pursuant to HIPPA by mailing legible copies within two weeks to the Honorable Judge Stride, Courtroom T611, 18 North County Street, Waukegan, Illinois.

1. The current parties (and their attorneys) and any future parties (and their attorneys) to the above captioned matter are hereby authorized to receive, subpoena, and transmit "protected health information" (also referred to herein as "PHI") pertaining [REDACTED] treated on or about MAY 23, 2022 THROUGH DATE OF DISCHARGE, to the extent and subject to the conditions outlined herein.
2. For the purposes of this Qualified Protective Order, "PHI" or "protected health information" shall have the same scope and definition as set forth in 45 CFR 160.103 and 160.501. Without limiting the generality of the foregoing, "PHI" includes, but is not limited to, health information, including sensitive material, including demographic information, relating to either, (a) the past, present, or future physical or mental condition of an individual, (b) the provision of care to an individual, or (c) the payment for care provided to an individual, which identifies the individual or which reasonably could be expected to identify the individual.

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

PEOPLE OF THE STATE OF ILLINOIS

V.

EHAB ALLABABIDI

)  
) NO.: 23CF1146  
) AGENCY NO:  
)  
)  
)

SUBPOENA

TO: ADVOCATE CONDELL MEDICAL CENTER  
SUBPOENA COMPLIANCE  
801 S. MILWAUKEE AVE.,  
LIBERTYVILLE, IL 60048

YOU ARE COMMANDED TO APPEAR AND TESTIFY BEFORE THE HONORABLE CHRISTOPHER STRIDE AT 18 NORTH COUNTY STREET WAUKEGAN, IL 60085, IN COURTROOM T-611 ON JULY 24<sup>TH</sup>, 2024, AT 9:00 AM.

YOU ARE COMMANDED ALSO TO BRING OR DO THE FOLLOWING:

PROVIDE ALL PROTECTED HEALTH INFORMATION AND MEDICAL RECORDS INCLUDING ANY AND ALL SENSITIVE INFORMATION INCLUDING BUT NOT LIMITED TO INFORMATION RELATING TO MENTAL HEALTH AND/OR ALCOHOL/DRUG ABUSE CONCERNING [REDACTED] [REDACTED] FOR TREATMENT RECEIVED FROM ADVOCATE CONDELL MEDICAL CENTER ON OR ABOUT THE DATE OF 05/23/2022. RECORDS ARE RETURNABLE TO THE HONORABLE JUDGE CHRISTOPHER STRIDE: 18 N. COUNTY ST, COURTROOM T-611, WAUKEGAN, IL 60085. ANY CHARGES OR FEES ASSOCIATED WITH THIS REQUEST SHOULD BE SUBMITTED TO THE LINCOLNSHIRE POLICE DEPARTMENT: 1 OLDE HALF DAY RD., LINCOLNSHIRE, IL 60069.

**PLEASE CONTACT, ASA FRANCIS P. DEROSA, AT 847 377-3000, UPON RECEIPT OF THIS SUBPOENA.**

YOUR FAILURE TO APPEAR IN RESPONSE TO THIS SUBPOENA WILL SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT.

Witness, JULY 2<sup>ND</sup>, 2024.



[REDACTED]

Erin Cartwright Weinstein  
Clerk of the Circuit Court  
Lake County, Illinois

I SERVED THIS SUBPOENA BY EMAILING/MAILING/FAXING A COPY TO \_\_\_\_\_ ON \_\_\_\_\_, 20\_\_\_\_. I PAID THE WITNESS \$ \_\_\_\_\_ FOR WITNESS AND MILEAGE FEES.



REC'D JUL 02

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

PEOPLE OF THE STATE OF ILLINOIS

v.

EHAB ALLABABIDI

NO. 23CF1146  
AGENCY NO:

M: 4937574

E: 909956258

SUBPOENA

TO: ADVOCATE CONDELL MEDICAL CENTER  
SUBPOENA COMPLIANCE  
801 S. MILWAUKEE AVE.,  
LIBERTYVILLE, IL 60048

YOU ARE COMMANDED TO APPEAR AND TESTIFY BEFORE THE HONORABLE CHRISTOPHER STRIDE AT 18 NORTH COUNTY STREET WAUKEGAN, IL 60085, IN COURTROOM T-611 ON JULY 24<sup>TH</sup>, 2024, AT 9:00 AM.

YOU ARE COMMANDED ALSO TO BRING OR DO THE FOLLOWING:

PROVIDE ALL PROTECTED HEALTH INFORMATION AND MEDICAL RECORDS INCLUDING ANY AND ALL SENSITIVE INFORMATION INCLUDING BUT NOT LIMITED TO INFORMATION RELATING TO MENTAL HEALTH AND/OR ALCOHOL/DRUG ABUSE CONCERNING [REDACTED] OR TREATMENT RECEIVED FROM ADVOCATE CONDELL MEDICAL CENTER ON OR ABOUT THE DATE OF 05/23/2022. RECORDS ARE RETURNABLE TO THE HONORABLE JUDGE CHRISTOPHER STRIDE: 18 N. COUNTY ST, COURTROOM T-611, WAUKEGAN, IL 60085. ANY CHARGES OR FEES ASSOCIATED WITH THIS REQUEST SHOULD BE SUBMITTED TO THE LINCOLNSHIRE POLICE DEPARTMENT: 1 OLDE HALF DAY RD., LINCOLNSHIRE, IL 60069.

PLEASE CONTACT, ASA FRANCIS P. BEROSA, AT 847.377.3000, UPON RECEIPT OF THIS SUBPOENA.

YOUR FAILURE TO APPEAR IN RESPONSE TO THIS SUBPOENA WILL SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT.

Witness, JULY 2<sup>ND</sup>, 2024.



*Erin Cartwright Weinstein*

Erin Cartwright Weinstein  
Clerk of the Circuit Court  
Lake County, Illinois

I SERVED THIS SUBPOENA BY EMAILING/MAILING/FAXING A COPY TO \_\_\_\_\_  
ON \_\_\_\_\_ 20\_\_ 1  
PAID THE WITNESS \$ \_\_\_\_\_ FOR WITNESS AND MILEAGE FEES.



BATES RANGE  
Circuit Court native files

# EXHIBIT I

## Sentencing, Restitution, and Guilty-Finding Orders (September 8 and October 6, 2025)

<b>CUSTODIAN:</b>	Circuit Court Clerk of Lake County	<b>DATE OF SOURCE:</b>	Sept 8 / Oct 6, 2025
<b>VERIFICATION:</b>	Certified Public Record	<b>BATES CITATION:</b>	Circuit Court native files
<b>SUPPORTS COMPLAINT:</b>	Count I & II (Sentencing Defects & Property Restitution)		

### PROVING VALUE:

*The disposition: guilty on Count 1, Count 2 nolle prosequi, and \$2,670.86 restitution ordered to a private landscaper.*

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

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

**FILED**

9/8/2025 9:09 AM

THE PEOPLE OF THE STATE OF ILLINOIS,  
City or Village of \_\_\_\_\_

vs.

Ehab Allababidi  
\_\_\_\_\_  
(Defendant)

General Number 23CF1146

**Erin Cartwright Weinstein**  
**Clerk of the Court**  
**Lake County, Illinois**

**FINANCIAL SENTENCING ORDER**

The Defendant has appeared before this court and  plead guilty  was found guilty of the offenses listed in paragraph 1 below.

Defendant has been admonished of his/her right to be sentenced under the law in effect at the time of the offense or the time of sentencing:

In addition to any other sentences imposed in the case, the Defendant is ordered to pay the following fines and assessments:

**1. Fine(s) (705 ILCS 105/27.3b-1 and 730 ILCS 5/4-4.5-5 sets forth the minimum fine):**

- a. Offense: Aggravated Reckless Driving/Great Bodily Harm \$75 \_\_\_\_\_
  - b. Offense: \_\_\_\_\_ \$ \_\_\_\_\_
  - c. Offense: \_\_\_\_\_ \$ \_\_\_\_\_
- Total fine(s):** \$75 \_\_\_\_\_

**2. Fine Credits:**

Credit for time served: \_\_\_\_\_ days x \$30.00 per day credit \$( \_\_\_\_\_ )

**Balance of fines less fine credit(s):** \$75 \_\_\_\_\_

**3. Criminal Assessments (One per case. Check the highest-class offense only.)**

Offense:

- a. Schedule 1: Generic Felony (705 ILCS 135/15-5) \$ 549 \$549 \_\_\_\_\_
- b. Schedule 2: Felony DUI/OUI (705 ILCS 135/15-10) \$1,709 \$ \_\_\_\_\_
- c. Schedule 3: Felony Drug Offense (705 ILCS 135/15-15) \$2,215 \$ \_\_\_\_\_
- d. Schedule 4: Felony Sex Offense (705 ILCS 135/15-20) \$1,314 \$ \_\_\_\_\_
- e. Schedule 5: Generic Misdemeanor Offense (705 ILCS 135/15-25) \$ 439 \$ \_\_\_\_\_
- f. Schedule 6: Misdemeanor DUI/OUI (705 ILCS 135/15-30) \$1,381 \$ \_\_\_\_\_
- g. Schedule 7: Misdemeanor Drug Offense (705 ILCS 135/15-35) \$ 905 \$ \_\_\_\_\_
- h. Schedule 8: Misdemeanor Sex Offense (705 ILCS 135/15-40) \$1,184 \$ \_\_\_\_\_
- i. Schedule 9: Major Traffic Offense (705 ILCS 135/15-45) \$ 325 \$ \_\_\_\_\_
- j. Schedule 10: Minor Traffic Offense (705 ILCS 135/15-50) \$ 226 \$ \_\_\_\_\_
- k. Schedule 10.5: Truck Weight/Load Offense (705 ILCS 135/15-52) \$ 260 \$ \_\_\_\_\_
- l. Schedule 11: Conservation Offense (705 ILCS 135/15-55) \$ 195 \$ \_\_\_\_\_
- m. Schedule 13: Non-Traffic Violation (705 ILCS 135/15-65) \$ 100 \$ \_\_\_\_\_

**Subtotal-Criminal Assessment:** \$549 \_\_\_\_\_

**4. Offsets of Assessments**

- a.  Public/Community Service (1 hour x current Illinois minimum wage subtracted from Criminal Assessment - Section 3 – only) (705 ILCS 135/5-20(b))  
Number of Hours \_\_\_\_\_ x \$ \_\_\_\_\_ per hour \$( \_\_\_\_\_ )
- b.  Substance Abuse Treatment Program Credit (subtracted from Criminal Assessment – Section 3 – only) (705 ILCS 135/5-10(c-5)) \$( \_\_\_\_\_ )

**Total Additional Offsets:** \$( \_\_\_\_\_ )

**Total Balance of Criminal Assessments:** \$ \_\_\_\_\_

**5. Conditional Assessment(s) (Check all that apply)**

Offense:

- a. Arson/Residential/Aggravated Arson (705 ILCS 135/15-70(1)) \$500 per conviction \$ \_\_\_\_\_
- b. Child Pornography (705 ILCS 135-15-70(2))  
 State Police  Other Arresting Agency \$500 per conviction \$ \_\_\_\_\_
- c. Crime lab drug analysis (705 ILCS 135/15-70(3)) \$ 100 \$ \_\_\_\_\_
- d. DNA analysis (705 ILCS 135/15-70(4)) \$ 250 \$ \_\_\_\_\_
- e. DUI analysis (705 ILCS 135/15-70(5)) \$ 150 \$ \_\_\_\_\_

_____ f.	<input type="checkbox"/>	Street Value – Drug Related Offense, possession/delivery (705 ILCS 135/15-70(5))	\$ _____
_____ g.	<input type="checkbox"/>	Street Value – Methamphetamine, possession/manufacture (705 ILCS 135/15-70(7))	\$ _____
_____ h.	<input type="checkbox"/>	Order of protection violation (705 ILCS 135/15-70(8))	\$200 per conviction \$ _____
_____ i.	<input type="checkbox"/>	Order of protection violation (705 ILCS 135/15-70(9))	\$ 25 per violation \$ _____
_____ j.	<input type="checkbox"/>	State’s Attorney petty or business offense (705 ILCS 135/15-70(10)(A))	\$ 4 \$ _____
_____ k.	<input checked="" type="checkbox"/>	State’s Attorney conservation or traffic offense (705 ILCS 135/15-70(10)(B))	\$ 2 \$ <sup>2</sup> _____
_____ l.	<input type="checkbox"/>	Speeding in a construction zone (705 ILCS 135/15-70(11))	\$ _____
		<input type="checkbox"/> Interstate Highway <input type="checkbox"/> County	\$ 250 \$ _____
_____ m.	<input type="checkbox"/>	Supervision disposition under Vehicle Code (705 ILCS 135/15-70(12))	\$ 0.50 \$ _____
_____ n.	<input type="checkbox"/>	Guilty plea or no contest, specified offense against family member	\$ _____
		<input type="checkbox"/> Sentencing offense is Sexual Assault (705 ILCS 135/15-70(13))	\$ 200 \$ _____
_____ o.	<input type="checkbox"/>	EMS response reimbursement, vehicle/snowmobile/boat violation (DUI/OUI) (705 ILCS 135/15-70(14))	Max. Amt. is \$1,000 \$ _____
_____ p.	<input type="checkbox"/>	EMS response reimbursement, controlled substances violation (705 ILCS 135/15-70(15))	\$1,000 \$ _____
_____ q.	<input type="checkbox"/>	EMS response reimbursement, reckless driving/aggravated reckless driving/speed in excess 26 mph violation (705 ILCS 135/15-70(16))	Max. Amt. is \$1,000 \$ _____
_____ r.	<input type="checkbox"/>	Human Trafficking, Sex Offender Registration, or Soliciting a Sexual Act Violation (705 ILCS 135/15-70(17));	Not less than \$350 for each offense sentenced \$ _____
		This amount shall be the minimum amount of the fine, which shall be distributed pursuant to this act	
_____ s.	<input type="checkbox"/>	Weapons Violation, Trauma Center Fund (705 ILCS 135/15-70(18))	\$100 per conviction \$ _____
_____ t.	<input type="checkbox"/>	Scott’s Law (705 ILCS 135/15-70(19)) <input type="checkbox"/> State Police <input type="checkbox"/> County	\$ 250 \$ _____
		<b>Subtotal – Conditional Assessment Amount:</b>	\$ _____
		<b>TOTAL CRIMINAL AND CONDITIONAL ASSESSMENTS:</b>	\$551.00

**6. Assessment waiver (only applies to financial obligations under sections 3 and 5):**

- a.  Waiver of Criminal Court Assessment granted \_\_\_\_\_ (does not apply to fines or IVC)
- (Date)
- 100%  75%  50%  25% Waiver amount: \$( \_\_\_\_\_)
- Balance of assessments and conditional assessments after credits are applied:** \$ \_\_\_\_\_

**7. Other Assessments:**

- a.  Restitution (See separate Restitution Order for details) \$ \_\_\_\_\_
- b.  Probation/Supervision/Conditional Discharge Fee \$50/month x 30 months \$1500
- c.  Public Defender assessment \$100
- d.  Service Provider cost  Urinalysis Testing \$125  \$125
- e.  Therapeutic Intensive Monitoring Fee \$ \_\_\_\_\_
- f.  Other: \_\_\_\_\_ \$ \_\_\_\_\_
- g.  Pretrial Bond Services Fee \$ \_\_\_\_\_
- h.  Court Ordered Contribution: Agency & Address: \_\_\_\_\_ \$ \_\_\_\_\_
- i.  Roadside Memorial Fund \$ 50 \$ \_\_\_\_\_

**8. Bond posted:** \_\_\_\_\_ **minus 10% bond fee** \_\_\_\_\_ **= Bond Available:** \$ \_\_\_\_\_

**SEE EXHIBIT A** **BALANCE OF ALL FINES AND ASSESSMENTS MINUS BOND:** \$2,251.00

I am the Defendant in the above case and I have read and understand this Financial Sentencing Order.

Dated: September 8, 2025

Entered this date: 09/08/2025, 2025

  
 Defendant's Signature  
  
 Judge Signature

**FILED**

9/8/2025 9:10 AM

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

**Erin Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois**

**State of Illinois**

Plaintiff(s)

vs.

**Ehab Allababidi**

Defendant(s)

General No. **23CF1146**

**ORDER FOR RESTITUTION**

This cause coming to be heard before this Honorable Court, the parties being duly represented, and the Court being fully apprised, it is hereby ordered that Restitution be paid as follows:

Restitution shall be paid to:

Name O'Brien Landscape  
Address 5700 Howard St.  
City, Skokie State, IL Zip 60077

In the total amount of \$2,670.86 to be paid through the Circuit Clerk's office.

All money paid shall apply to restitution first.

Joint and several with

case number

ENTER:

  
\_\_\_\_\_  
JUDGE

Dated this 8 day of September, 2025.

Prepared by:

Name: Bailey C. Russell  
Address: 15 S. County St.  
City: Waukegan  
Phone:  
Fax  
ARDC: 6340962

State: IL  
Zip Code:



People )  
 )  
 )

Plaintiff, )

v. )

PEOPLE VS ALLABABIDI )

Defendant. )

Case No. 23CF00001146

Location: Courtroom 611

Event Date: October 6, 2025 9:00 AM

Event Type: Motion Of Defendant

Clerk: Amy B

**Charge(s):**

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

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

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Bailey Russell, Public Defender  
 Francis P De Rosa IV, States Attorney  
 Scott C Pechter, Public Defender  
 Nicholas Shepherd, States Attorney  
 Mary K. Herbst, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Appellant, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 10/06/2025.  
 Defendant Proceeds Pro Se  
 Motion of Defendant  
 - TO STAY THE RESCISON OF DRIVING  
 Motion denied  
 Continue to previously set date on 03/07/2028  
 Release

BATES RANGE  
State Court Record filings

# EXHIBIT J

## Pro Se Record-Access Filings and Appointed Counsel's Discovery Answer (October-November 2025; March 2025)

<b>CUSTODIAN:</b>	Circuit Court Clerk / Public Defender	<b>DATE OF SOURCE:</b>	March – Nov 2025
<b>VERIFICATION:</b>	Certified Public Record	<b>BATES CITATION:</b>	State Court Record filings
<b>SUPPORTS COMPLAINT:</b>	Count IV & VI (Constructive Abandonment & Coerced Waiver)		

### PROVING VALUE:

*Handwritten motion and sworn affidavit to stay license revocation (10/2-3/2025); pro se Notice of Appeal (10/6/2025); motion to waive transcript/record fees, obtain native-format discovery, and ORDER former counsel to surrender the complete client file within 14 days (filed 11/12/2025); and the public defender's five-paragraph Answer to the State's Motion for Discovery (3/25/2025).*

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

FILED

OCT 02 2025

Eric Conroy Weinstein  
CIRCUIT CLERK



# MOTION

IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY: Lake    
County Where You Are Filing the Case

Enter the case information as it appears on your other court documents.

PLAINTIFF/PETITIONER OR IN RE: People of the State of Illinois   
Who started the case. First, Middle, and Last Name, or Business Name

DEFENDANTS/RESPONDENTS: Ehab Allakabidi   
Who the case was filed against.   
First, Middle, and Last Name, or Business Name

23CF1146   
Case Number

## 1. MOTION TITLE

Explain in a few words what you are asking the judge to do. This should match the title you write in 1 on the Notice of Court Date for Motion.

Motion to: Stay drivers License Revocation Pending Retention of Counsel

## 2. PERSON FILING THE MOTION

Check one box. The Plaintiff/Petitioner is the person who started the case. The Defendant/Respondent is the person or business the case was filed against.

I am filing the Motion. I am the:

Plaintiff/Petitioner  Defendant/Respondent

## 3. MOTION

Explain what you are asking the judge to do and the reasons why the judge should agree with you.

I am asking the judge to:

The grant me a temporary stay of drivers license revocation that is to take effect October 3 2025, I only recently received official notice of this action and I need time to retain counsel. I respectfully request a stay of 60-90 days or for such shorter periods that the court finds appropriate to allow me to secure an attorney, manage my financial responsibilities, and continue caring for my mother who relies on me to transport her to hospital multiple times a week. I am also a student at UIC and losing my ability to drive makes it impossible to attend class.   
 I need more room to explain, and I have filled out and attached an Additional Page for Motion form.



**SIGN**

Under Illinois Supreme Court Rule 137, my signature means that:

1) I read the document, 2) I have been informed and believe it is true and correct, and 3) I am not filing it to cause delay or for another bad reason.

If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.

Signature /s/ Ehab Alhababi Print Name Ehab Alhababi

I am completing this form for myself

Phone Number 773 920 0030 Email (if you have one) Defcon5Ready@gmail.com

Your Address 8514 W WINONA ST Chicago IL 60656  
Street, Apt. # City State Zip Code

Be sure to check your email every day so you do not miss important information, court dates, or documents from other parties.

I am a lawyer completing this form on behalf of a client (Client name): \_\_\_\_\_

Lawyer Name \_\_\_\_\_ Attorney Number \_\_\_\_\_

Lawyer Phone Number \_\_\_\_\_ Law Firm \_\_\_\_\_

Lawyer Email \_\_\_\_\_

Address \_\_\_\_\_  
Street, Apt. # City State Zip Code

**PROOF (EXPLANATION) OF DELIVERY**

This tells the judge how and when you will send your documents to the other people in the case under Rule 11. If a person in the case has a lawyer, you must send your documents to their lawyer. File this form with the Circuit Clerk, but do not list the Clerk below as a person you are sending your documents to.

A. I am sending this Proof of Delivery and the following court documents:

Motion to stay Drivers License Revocation  
Name of Documents

To: Ehab Alhababi  
Full Name or Law Firm Name

B. I am sending the documents:

By email to this email address: \_\_\_\_\_

Through an approved e-filing website (EFSP) to this email address: \_\_\_\_\_



You must send documents electronically (by email or through an EFSP) if you and the person you are sending documents to have an email address. If you or the person you are sending to do not have an email address, or if you have permission from the judge, you may send documents using the options below.

I am sending the documents to this address:  
Lake County State's attorney office  
Street, Apt. # City State Zip Code

Case Number 23CF1146

By (check all that apply):

Personal hand delivery.

You can only deliver to the person, person's family member over 13 at person's residence, person's lawyer, or the lawyer's office.

Mail or third-party carrier (FedEx, UPS, etc.) to the address listed above, with postage or delivery prepaid.

Location of mailbox or third-party carrier: \_\_\_\_\_  
Address or Intersection City State

Mail from a prison or jail: \_\_\_\_\_  
Name and Address of Prison or Jail

C. The documents will be sent on: Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Month, Day, Year Include AM or PM

I am sending the document to more than 1 person and have completed an additional Proof of Delivery form.



**SIGN**

Under 735 ILCS 5/1-109, my signature means that:

- 1) Everything in this document is true and correct, or I have been informed or I believe it to be true and correct, and
- 2) I understand that making a false statement on this form is perjury and has penalties provided by law.

If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.

Signature /s/ [Handwritten Signature] Print Name Emil Alkubaisy

I am completing this form for myself

Phone Number 773 920 0030 Email (if you have one) DefcansReady@gmail.com

Address 8516 W WILSONA ST Chicago IL 60656  
Street, Apt. # City State Zip Code

Be sure to check your email every day so you do not miss important information, court dates, or documents from other parties.

I am a lawyer completing this form on behalf of a client (Client name): \_\_\_\_\_

Lawyer Name \_\_\_\_\_ Attorney Number \_\_\_\_\_

Lawyer Phone Number \_\_\_\_\_ Law Firm \_\_\_\_\_

Lawyer Email \_\_\_\_\_

Address \_\_\_\_\_  
Street, Apt. # City State Zip Code



## WHAT'S NEXT

### NEXT STEP FOR PERSON FILLING OUT THIS FORM:

If you do not already have a court date for your *Motion*, you will need to get one and file a *Notice of Court Date for Motion*. When you file your *Motion*, ask the Circuit Clerk if you have to schedule a court date or if one will be scheduled automatically. In some counties, you may get the court date when you e-file. Include the court date on your *Notice*.

After you fill out your forms, file them with the Circuit Clerk's office in the county where your case is taking place. Then, send your forms to the other people in the case. Find your Circuit Clerk: [ilcourts.info/clerks](http://ilcourts.info/clerks).



Learn more about each step in the process and how to file in our Instructions:  
[ilcourts.info/how-to-motion](http://ilcourts.info/how-to-motion).

### NEXT STEP FOR PERSON RECEIVING THIS DOCUMENT:

For more information about going to court including how to fill out and file forms, call or text Illinois Court Help at 833-411-1121 or go to [ilcourthelp.gov](http://ilcourthelp.gov).

If there are any words or terms that you do not understand, please visit Illinois Legal Aid Online at [ilao.info/glossary](http://ilao.info/glossary). You may also find more information, resources, and the location of your local legal self-help center at: [ilao.info/lshc-directory](http://ilao.info/lshc-directory).



# ADDITIONAL PAGE FOR MOTION

IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY: Lake  
*County Where You Are Filing the Case*

*Enter the case information as it appears on your other court documents.*

PLAINTIFF/PETITIONER OR IN RE: People of State of Illinois  
*Who started the case. First, Middle, and Last Name, or Business Name*

DEFENDANTS/RESPONDENTS: Abub Alakabadi  
*Who the case was filed against.*  
  
*First, Middle, and Last Name, or Business Name*

Case Number

Use this only if you run out of space in **section 3** on your *Motion* form. This document becomes an additional page of your *Motion* and should be filed with your *Motion*.

### Additional explanation continued from my Motion:

This stay will give me the opportunity to handle this matter responsibly and without further harm to my family.

It would be a substantial hardship if the stay was not granted because I earn approximately 15,000 per year and do not have the financial ability to immediately hire counsel or pay for additional costs. I also live with my mother who has limited income and medical needs. I am responsible for driving her to the hospital and for household errands and groceries. Without driving privileges, my mother's care and my education at UIC are severely affected.



File this form with your *Motion*.

IN THE CIRCUIT COURT FOR THE 19th JUDICIAL CIRCUIT  
LAKE COUNTY, ILLINOIS

FILED

OCT 02 2025

Eva Carabiet Weinstein  
CIRCUIT CLERK

People of the State of Illinois,  
Plaintiff,  
v.  
Ehab Allababidi,  
Defendant.

Case No. 23CF1146

### AFFIDAVIT

I, Ehab Allababidi, being first duly sworn, state under oath:

1. I received notice from the Illinois Secretary of State that my driver's license revocation will take effect on October 3, 2025.
2. I did not receive this notice until recently, and I have not yet been able to retain an attorney.
3. I currently earn approximately \$15,000 per year and face significant financial hardship. I live with my mother, who has limited income, and I am responsible for transporting her to medical appointments two to three times each week and for grocery shopping and household support.
4. I am also a student at the University of Illinois at Chicago, and I rely on my ability to drive in order to attend classes. I have already missed classes due to my inability to arrange alternative transportation.
5. Without a stay, the revocation will cause serious hardship to my family and to my education.

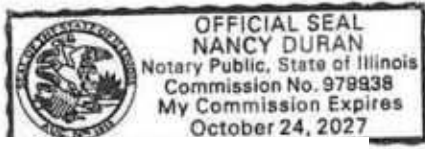
I respectfully request that the Court grant a stay of the revocation for sixty (60) to ninety (90) days, or such period as the Court deems just, so that I may retain counsel and responsibly address this matter.

EA  
~~EA~~ 10-02-2025 *[Signature]*  
 Signature Date

Name: Ehab Allababidi  
Pro Se  
Address: 8516 W. Winona St, Chicago, IL 60656  
Telephone: 773-920-0030

SUBSCRIBED AND SWORN TO BEFORE ME this 02 day of October, 2025

*[Signature]*  
 Notary Public



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

People of the State of Illinois,  
Plaintiff-Appellee,

Case No. 23CF1146

v.

Ehab Allababidi,  
Defendant-Appellant.

**FILED**

**OCT 06 2025**

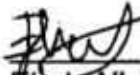
*Eva Cantorget Weinstein*  
**CIRCUIT CLERK**

**NOTICE OF APPEAL**

Now comes the Defendant-Appellant, Ehab Allababidi, and hereby gives notice of appeal to the Illinois Appellate Court, Second District, from the final judgment of conviction entered on September 8, 2025, in the Circuit Court of Lake County, Illinois, before the Honorable Judge Christopher R. Stride, in Case No. 23CF1146.

Appellant's address for service of notices is:  
8516 W Winona St  
Chicago, IL 60656

Respectfully submitted,



Ehab Allababidi  
Defendant-Appellant, pro se

Date: 10/6/2025

To: Clerk of the Circuit Court of Lake County, Waukegan, Illinois  
and the People of the State of Illinois, Plaintiff-Appellee.

THE CIRCUIT CLERK

OCT 06 2025

FILED

[Faint, mostly illegible text, possibly a notice or legal document]

NOTICE OF APPEAL

[Faint text, possibly names or addresses]

[Faint text]

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT OF FLORIDA



# MOTION

IN THE STATE OF ILLINOIS, CIRCUIT COURT

**FILED**

NOV 12 2025

Eni Cantanuta Webster  
CIRCUIT CLERK

**COUNTY:** Lake  
*County Where You Are Filing the Case*

*Enter the case information as it appears on your other court documents.*

**PLAINTIFF/PETITIONER OR IN RE:** People of the State of Illinois  
*Who started the case. First, Middle, and Last Name, or Business Name*

**DEFENDANTS/RESPONDENTS:** Ehab Allababidi  
*Who the case was filed against.*  
  
  
*First, Middle, and Last Name, or Business Name*

23CF1146  
**Case Number**

## 1. MOTION TITLE

*Explain in a few words what you are asking the judge to do. This should match the title you write in 1 on the Notice of Court Date for Motion.*

Motion to: Waive All Court Reporting Transcript fees & Waive all fees

## 2. PERSON FILING THE MOTION

*Check one box. The Plaintiff/Petitioner is the person who started the case. The Defendant/Respondent is the person or business the case was filed against.*

I am filing the Motion. I am the:

Plaintiff/Petitioner     Defendant/Respondent

## 3. MOTION

*Explain what you are asking the judge to do and the reasons why the judge should agree with you.*

I am asking the judge to:

I ask the Court to: (1) waive all Court Reporting Services transcript fees for the following dates and direct preparation forthwith: Sept 8, 2025 (plea/sentencing) and any additional dates set on the record; (2) waive all Circuit Clerk fees for preparation, certification, and transmission of the Record on Appeal and provide me a litigant copy (searchable PDF) at no cost; (3) enter a Rule 415(c) direct-access order authorizing defendant copies in native formats of discovery previously disclosed or to be disclosed or to be disclosed (including BWC/dash video + player/audit logs; 911/CAD audio + logs; photo originals + EXIF; EDR .CDRX + exports; crash-reconstruction files), subject to protective terms (litigation-only use; no public posting); and (4) order former counsel (Public Defender) to surrender my complete client file and any necessary viewing software within 14 days.

I need more room to explain, and I have filled out and attached an *Additional Page for Motion* form.

*This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts. Forms are free at [icourts.info/forms](http://icourts.info/forms).*



**SIGN**

Under Illinois Supreme Court Rule 137, my signature means that:

1) I read the document, 2) I have been informed and believe it is true and correct, and 3) I am not filing it to cause delay or for another bad reason.

If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.

Signature /s/ Ehab Allababidi Print Name Ehab Allababidi

I am completing this form for myself

Phone Number (773) 920-0030 Email (if you have one) defcon5ready@gmail.com

Your Address 8516 w winona st chicago IL 60656  
Street, Apt. # City State Zip Code

Be sure to check your email every day so you do not miss important information, court dates, or documents from other parties.

I am a lawyer completing this form on behalf of a client (Client name): \_\_\_\_\_

Lawyer Name \_\_\_\_\_ Attorney Number \_\_\_\_\_

Lawyer Phone Number \_\_\_\_\_ Law Firm \_\_\_\_\_

Lawyer Email \_\_\_\_\_

Address \_\_\_\_\_  
Street, Apt. # City State Zip Code

**PROOF (EXPLANATION) OF DELIVERY**

*This tells the judge how and when you will send your documents to the other people in the case under Rule 11. If a person in the case has a lawyer, you must send your documents to their lawyer. File this form with the Circuit Clerk, but do not list the Clerk below as a person you are sending your documents to.*

**A. I am sending this Proof of Delivery and the following court documents:**

\_\_\_\_\_  
Name of Documents

To: \_\_\_\_\_  
Full Name or Law Firm Name

**B. I am sending the documents:**

By email to this email address: \_\_\_\_\_

Through an approved e-filing website (EFSP) to this email address: \_\_\_\_\_



You **must** send documents electronically (by email or through an EFSP) if you and the person you are sending documents to have an email address. If you or the person you are sending to do not have an email address, or if you have permission from the judge, you may send documents using the options below.

I am sending the documents to this address:

18 N County St, Waukegan, IL 60085  
Street, Apt. # City State Zip Code

Case Number 23CF1146

By (check all that apply):

Personal hand delivery.

*You can only deliver to the person, person's family member over 13 at person's residence, person's lawyer, or the lawyer's office.*

Mail or third-party carrier (FedEx, UPS, etc.) to the address listed above, with postage or delivery prepaid.

Location of mailbox or third-party carrier: 18 N County St, Waukegan, IL 60085

*Address or Intersection*

*City*

*State*

Mail from a prison or jail: \_\_\_\_\_

*Name and Address of Prison or Jail*

C. The documents will be sent on: Date: \_\_\_\_\_  
*Month, Day, Year*

Time: \_\_\_\_\_  
*Include AM or PM*

I am sending the document to more than 1 person and have completed an additional *Proof of Delivery* form.



**SIGN**

Under 735 ILCS 5/1-109, my signature means that:

- 1) Everything in this document is true and correct, or I have been informed or I believe it to be true and correct, and
- 2) I understand that making a false statement on this form is perjury and has penalties provided by law.

*If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.*

Signature /s/ Ehab Allababidi

Print Name Ehab Allababidi

I am completing this form for myself

Phone Number (773) 920-0030

Email (if you have one) defcon5ready@gmail.com

Address 8516 w winona st chicago IL 60656

*Street, Apt. #*

*City*

*State*

*Zip Code*

Be sure to check your email every day so you do not miss important information, court dates, or documents from other parties.

I am a lawyer completing this form on behalf of a client (Client name): \_\_\_\_\_

Lawyer Name \_\_\_\_\_

Attorney Number \_\_\_\_\_

Lawyer Phone Number \_\_\_\_\_

Law Firm \_\_\_\_\_

Lawyer Email \_\_\_\_\_

Address \_\_\_\_\_

*Street, Apt. #*

*City*

*State*

*Zip Code*



**FILED**

NOV 12 2025

Eric Cantor  
CIRCUIT CLERK

**FILED**

3/25/2025 3:51 PM

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

**Erin Cartwright Weinstein**  
**Clerk of the Court**  
**Lake County, Illinois**

PEOPLE OF THE STATE OF ILLINOIS

)  
)  
)  
)  
)

vs.

CASE NO: 23CF1146

EHAB ALLABABIDI

**ANSWER TO STATE'S MOTION FOR DISCOVERY**

The Defendant, by his attorney, Bailey C. Russell, Assistant Public Defender, answers the State's Motion for Discovery as follows:

1. The defense will rely upon the presumption of innocence and the State's inability to prove guilt beyond a reasonable doubt.
2. The defense may call as witnesses any of those persons named in the police reports, transcripts and other documents tendered by the State to the defendant.
3. The defense has no knowledge of any reports, test results or testimony of physical or mental examinations or of scientific tests or of any other comparisons of reports of experts.
4. The only documents the defense may or may not use for impeachment purposes at hearing or trial are documents previously tendered to the defense by the State.
5. Pursuant to Illinois Supreme Court Rule 415(b), additional discovery shall be provided to the State as it becomes available; investigation continues.

Respectfully submitted,



Bailey C. Russell  
Assistant Public Defender  
Attorney for the Defendant

Office of the Lake County Public Defender  
15 South County Street  
Waukegan, Illinois 60085  
(847) 377-3360 telephone  
(847) 984-5753 facsimile

# EXHIBIT R

## [PROPOSED] FINDINGS OF FACT & ORDER TO QUASH WARRANT

*Tendered to this Court via the Lake County Portal — 22 verified findings of fact*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Proposed order tendered through the Lake County Court Portal	<b>Filed/Dated:</b>	Submitted to this Court June 12, 2026 (see Exhibit S, portal receipt)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	All Grounds — the proposed findings and order tendered to this Court

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This proposed order, with 22 verified findings of fact and conclusions of law, was tendered to this Court through its own electronic filing system on June 12, 2026 (see Exhibit S). It is the form of relief Petitioner asks this Court to enter and consolidates the complete documented record. Its submission also satisfies the federal exhaustion directive of Hon. John Robert Blakey (raising state concerns “with the state court in the first instance”).*

### KEY CONTENTS:

- 22 numbered findings of fact with record citations
- Tendered to this Court via the Lake County Court Portal on June 12, 2026
- Maps every claim to Gagnon, Turner, Bearden, Faretta, Cronin, Brady, Napue
- Satisfies the federal exhaustion directive (raise in the state court first)

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

<b>THE PEOPLE OF THE STATE OF ILLINOIS,</b> <i>Plaintiff-Respondent,</i>	General No.: <b>23 CF 1146</b>
v.	Circuit Court, 19th Judicial Circuit Lake County, Illinois
<b>EHAB ALLABABIDI,</b> <i>Defendant-Petitioner, Pro Se.</i>	Judge: <b>HON. CHRISTOPHER R. STRIDE</b> Courtroom: <b>T-611</b>

**FINDINGS OF FACT AND [PROPOSED] ORDER TO QUASH WARRANT  
AND DISMISS PETITION FOR REVOCATION WITH PREJUDICE**

*Submitted by Defendant-Petitioner Ehab Allababidi, Pro Se — Lake County Court Portal, Proposed Order Upload*

THIS CAUSE coming to be heard on Defendant’s Omnibus Verified Motion to Quash Warrant and Dismiss Petition for Revocation with Prejudice, Notice of Special Appearance and Fraud on the Court; the Court having reviewed the complete documentary record, the authenticated evidentiary exhibits incorporated by reference as Appendices A through I, and the active federal jurisdictional notices from *Allababidi v. Shepherd, et al.*, No. 1:26-cv-06738 (N.D. Ill.) and *Allababidi v. Junkin*, No. 1:26-cv-01077 (N.D. Ill.); the Court further having received this Proposed Order via the Lake County Court Portal Proposed Order upload (June 12, 2026), and the original physical Omnibus Filing having been placed into USPS custody on June 8, 2026 (USPS Tracking No. 9402 6118 9876 5528 9340 61) addressed to the Circuit Court Clerk (that mailing contained the CM/ECF-stamped Omnibus Motion filed in Case No. 1:26-cv-01077 — Appendix C herein); and being fully advised in the premises; the Court hereby issues the following Findings of Fact, Conclusions of Law, and Order:

**I. PROCEDURAL POSTURE & JURISDICTIONAL INTERFACE**

**Pro Se Status / Faretta Recognition:** The Court formally recognizes Defendant’s invocation of his constitutional right to self-representation. *Faretta v. California*, 422 U.S. 806 (1975). Pursuant to 735 ILCS 5/2-301 and Illinois Supreme Court Rule 13, the Circuit Clerk is mandated to accept, file, and index all submissions tendered by Defendant pro se. Any administrative policy conditioning docket entry on a licensed attorney’s signature block is void as applied to self-represented parties.

**Constructive Abandonment by Appointed Counsel:** The record reflects a complete and documented failure by the Lake County Public Defender’s Office to respond to the May 14, 2026 Petition for Revocation, to appear at the May 28, 2026 warrant hearing, or to communicate with Defendant during the entirety of the revocation proceedings. This constitutes constructive abandonment and a per se deprivation of the Sixth Amendment right to counsel. *United States v. Cronin*, 466 U.S. 648 (1984). Defendant was compelled to litigate the revocation and press a parallel federal civil rights action entirely pro se while subject to an active zero-bond bench warrant.

**Federal Coordination — Exhaustion Fulfilled:** On May 29, 2026, the United States District Court for the Northern District of Illinois (Hon. John Robert Blakey) issued a directive in *Allababidi v. Junkin*, No. 1:26-cv-01077 (Dkt. 25), mandating the following:

*“If Petitioner has legitimate concerns about the state case he must raise them with the state court in the first instance.”*

This Court explicitly recognizes Defendant's Omnibus Filing and this resulting Order as the direct, required fulfillment of that federal exhaustion mandate. Simultaneously, Defendant's 42 U.S.C. § 1983 action, *Allababidi v. Shepherd, et al.*, No. 1:26-cv-06738 (N.D. Ill.), names ASA Shepherd, Officer Cervantes, Director Fontana, Cook County Officer Destiny Lee, Lake County, and Cook County as defendants.<sup>5</sup>

<sup>5</sup> **Federal Civil Rights Action — Named Defendants.** *Allababidi v. Shepherd, et al.*, No. 1:26-cv-06738 (N.D. Ill.), asserts claims under 42 U.S.C. § 1983 for First Amendment retaliation, malicious prosecution, fabrication of evidence, and conspiracy against: (1) ASA Nicholas Shepherd; (2) Lake County PO Marisa Cervantes; (3) Director Margaret K. Fontana; (4) Cook County PO Destiny Lee; (5) Lake County; and (6) Cook County. The Illinois Attorney General filed a Notice of Non-Involvement on April 28, 2026, declining to defend any state actor in this matter. This Court's resolution of the revocation proceeding will be transmitted to the Northern District of Illinois as a record exhibit.

## **II. JUDICIAL FINDINGS OF FACT**

**FINDING OF FACT NO. 1:** The Honorable Christopher R. Stride, Courtroom T-611, sentenced Defendant Ehab Allababidi to 30 months' probation in Case No. 23 CF 1146, terminating March 7, 2028. Conditions: (a) drug testing; (b) 240 hours community service; (c) 180 days county jail stayed; (d) \$2,670.86 restitution to O'Brien Landscape (5700 Howard St., Skokie, IL 60077). State: ASA Francis P. De Rosa IV. Defense: Bailey C. Russell (ARDC 6340962; BRussell@lakecountyil.gov), who prepared the Order for Restitution. The Court ordered \$0.00 restitution to James W. Smith Printing Company because Allstate had already satisfied that claim — confirming the Court's actual notice of active Allstate insurance coverage at sentencing.

**FINDING OF FACT NO. 2:** Allstate Fire and Casualty Insurance Company (Claim No. 0670868884; Date of Loss: May 23, 2022; accident location: IL Route 22 & Old Mill Road, Lincolnshire, IL) paid \$16,557.00 to Sentry Insurance for the James W. Smith Printing Company subrogation from the same collision prior to the September 8, 2025 sentencing hearing.<sup>1</sup> Defense counsel Russell failed to investigate whether the same active Allstate policy covered O'Brien Landscape's vehicle damage from the identical collision. It does. Same insurer. Same claim number. Same accident. Active insurance coverage at all relevant times renders a finding of willful nonpayment legally impossible under *Bearden v. Georgia*, 461 U.S. 660 (1983).

<sup>1</sup> **Allstate Claim 0670868884.** Allstate Fire and Casualty Insurance Company opened Claim No. 0670868884 on the date of loss (May 23, 2022 collision at IL Route 22 & Old Mill Road, Lincolnshire, IL). The same claim paid \$16,557.00 to Sentry Insurance for James W. Smith Printing Company's subrogation interest prior to the September 8, 2025 sentencing hearing. The sentencing court's \$0.00 restitution order to Smith Printing confirms the court's actual notice that Allstate had discharged that obligation. Allstate's representative Connie O'Connor (630-972-7357) documented coverage extending to all property damage arising from the same collision. The State never directed O'Brien Landscape to file a claim under this active policy. This administrative routing failure, not willful nonpayment by Defendant, created the restitution gap — rendering the financial allegation frivolous under *Bearden v. Georgia*, 461 U.S. 660 (1983), and *Turner v. Rogers*, 564 U.S. 431 (2011).

**FINDING OF FACT NO. 3:** Cook County Adult Probation Officer Adison Weeks administered urinalysis to Defendant on November 20, 2025 (as recorded in the official Lake County Adult Probation Memorandum, Appendix H). The result detected amphetamine. Defendant held an active, valid prescription for Adderall (amphetamine salts) with a plasma half-life of 10 to 13 hours. The prescription was on file with the supervising probation agency. The detected result was therefore exclusively attributable to lawful prescribed medication.

**FINDING OF FACT NO. 4:** Cook County Adult Probation Officer Adison Weeks issued formal written administrative adjudications on the agency's official digital system, confirming the November 2025 drug test result was fully compliant and exclusively attributable to Defendant's active Adderall prescription. On December 8 and 10, 2025, Officer Weeks confirmed verbatim:

1            “Your drug test results were all negative—Your drug test results were positive for  
2            amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall. I  
3            just want to avoid anyone who sees this result though giving you a hard time for future  
4            reference.”

5            These written adjudications were accessible to the Lake County State's Attorney prior to the filing of the  
6            May 14, 2026 Petition. The failure to disclose them constitutes a knowing false statement under  
7            *Napue v. Illinois*, 360 U.S. 264 (1959), and suppression of exculpatory material under *Brady v.*  
8            *Maryland*, 373 U.S. 83 (1963).

9            **FINDING OF FACT NO. 5:** A federal court set habeas response deadlines expiring June 5, 2026 in  
10            *Allababidi v. Junkin*, No. 1:26-cv-01077 (N.D. Ill.), on April 13, 2026. Concurrently, Defendant’s 42  
11            U.S.C. §1983 action, *Allababidi v. Shepherd, et al.*, No. 1:26-cv-06738, names ASA Nicholas  
12            Shepherd as a defendant for First Amendment retaliation, malicious prosecution, and conspiracy to  
13            interfere with civil rights. On April 28, 2026, the Illinois Attorney General filed a Notice of  
14            Non-Involvement in the Junkin habeas action and a companion corpus case, withdrawing state-level  
15            defense from those federal proceedings. The Illinois Attorney General's April 28, 2026 'Notice of  
16            Non-Involvement' functions as an official state-level admission that the individual defendants' actions  
17            in this matter were not within the scope of legitimate state employment or representation, thereby  
18            stripping the State of any colorable argument for sovereign immunity or indemnification in this  
19            proceeding.

20            **FINDING OF FACT NO. 6:** On February 19, 2026, Lake County Adult Probation Officer Marisa  
21            Cervantes (mcervantes@lakecountyil.gov; (847) 377-3614) made a telephonic directive to Defendant  
22            without identifying herself. Defendant immediately transmitted a Formal Memorialization Email to  
23            Director Margaret K. Fontana, the Lake County State’s Attorney’s Office, and the Circuit Court Clerk,  
24            requesting identification of the anonymous officer. Director Fontana received the email and took no  
25            action. Officer Cervantes maintained her anonymous status for 100 consecutive days. Her identity was  
26            revealed only via a post-warrant communication on May 29, 2026.<sup>3</sup>

27            <sup>3</sup> **Cervantes 100-Day Identity Concealment.** Officer Marisa Cervantes initiated a telephonic communication with Defendant on February 19, 2026,  
28            issuing directives without identifying herself. Defendant responded the same day with a Formal Memorialization Email to Director Margaret K. Fontana  
29            (Director of Adult Probation Services, 19th Judicial Circuit), the Lake County State's Attorney's Office (statesattorney@lakecountyil.gov), and the  
30            Circuit Court Clerk (Clerk Erin Cartwright Weinstein), requesting identification of the anonymous officer. Director Fontana received this email and  
31            took no action. Cervantes's identity was not revealed until her May 29, 2026 written communication directing Defendant to surrender — sent the day  
32            after the warrant she was present to witness had issued. Cervantes was physically present in Courtroom T-611 on May 28 when the warrant issued,  
33            establishing her as an active participant throughout the period of her identity concealment. This conduct is a subject of *Allababidi v. Shepherd, et al.*,  
34            No. 1:26-cv-06738 (N.D. Ill.).

35            **FINDING OF FACT NO. 7:** ASA Nicholas Shepherd filed the Petition for Revocation of Probation on  
36            May 14, 2026 — exactly 31 days after the April 13, 2026 federal deadline order and 175 days after the  
37            November 20, 2025 drug test (Appendix H). The Petition contained two sworn allegations: (1) that  
38            Defendant tested positive for “Amphetamine (illegal substance)” on November 10, 2025; and (2) that  
39            Defendant willfully failed to pay financial obligations. Both allegations were false. Both were  
40            disproved by documentary evidence in the State’s own records as of the date Shepherd signed the  
41            Petition. Shepherd signed under oath.

42            **FINDING OF FACT NO. 8:** The Petition bore a Pitney Bowes postage meter stamp dated May 15, 2026.  
43            USPS did not take physical custody until May 18, 2026 — a 72-hour gap spanning the Memorial Day  
44            federal holiday weekend.<sup>4</sup> USPS delivery occurred May 21, 2026. The manufactured six-day total  
45

transit gap consumed 43% of the statutory 14-day response window, collapsing Defendant’s effective response period to three business days before the May 28, 2026 warrant hearing.

<sup>4</sup> **Pitney Bowes Forensic Timeline.** A Pitney Bowes postage meter stamp applies a machine-generated date and postage at the moment of metering. The Petition bears a Pitney Bowes stamp dated May 15, 2026. USPS tracking confirms USPS did not take physical custody until May 18, 2026 — three full days after metering. This gap is not explainable by normal USPS processing: a metered envelope must be presented to USPS at or near the time of metering for same-day or next-day intake. A 72-hour pre-intake hold spanning the Memorial Day federal holiday weekend is consistent with deliberate retention by the sender. The six-day total transit gap (May 15 meter to May 21 delivery) compressed the statutory 14-day response window to approximately three business days before the May 28 hearing.

**FINDING OF FACT NO. 9:** Illinois Supreme Court Rule 131(b) requires every pleading filed by an attorney to include the attorney’s ARDC number, office telephone number, and email address. The Petition omits ASA Shepherd’s telephone number and email address (nshepherd@lakecountyyil.gov) in direct violation of this rule.<sup>6</sup> This omission was not inadvertent: Shepherd’s email address appears on prior filings in this matter. The stripped contact page, combined with the manufactured mail delay over a federal holiday weekend, ensured Defendant had no rapid channel to present exculpatory material before the warrant issued.

<sup>6</sup> **Illinois Supreme Court Rule 131(b).** Rule 131(b) requires that every pleading and other paper of an attorney filed in any court include the attorney’s ARDC registration number, firm name (if any), office address, telephone number, and email address. The requirement is mandatory, not directory. ASA Shepherd’s Petition omits both his telephone number and his email address. His email address (nshepherd@lakecountyyil.gov) appears on other filings in this proceeding and is therefore known and on record. The omission is not the product of ignorance. For a pro se defendant served with a zero-bond warrant petition over a federal holiday weekend with a compressed response window, the mandatory contact information is the only rapid channel through which exculpatory material can reach the filing attorney before a warrant issues. Stripping that channel is a structural deprivation of the right to be heard.

**FINDING OF FACT NO. 10:** On May 22, 2026, Defendant served a Notice of Mandatory Litigation Hold on all parties, directing preservation of all records, communications, electronic data, and physical evidence related to Case No. 23 CF 1146 and federal Case No. 1:26-cv-06738. The State’s Attorney’s Office, Lake County Adult Probation Services, Cook County Adult Probation, and the Lake County Public Defender’s Office were all served. The preservation obligation arose no later than the date of service.

**FINDING OF FACT NO. 11:** At 7:00 AM on May 28, 2026 — two hours before the 9:00 AM warrant hearing — Defendant transmitted an Emergency Special Appearance email directly to ASA Nicholas Shepherd (nshepherd@lakecountyyil.gov, his confirmed active professional email for Lake County filings), the Circuit Court Clerk (CircuitClerk@lakecountyyil.gov; courts@lakecountyyil.gov), and the Lake County State’s Attorney’s Office (statesattorney@lakecountyyil.gov), with copies to Matthew T. Junkin (Director, Lake County Adult Probation, mjunkin@lakecountyyil.gov), Cook County Probation Officer Destiny Lee (destiny.lee@cookcountyyil.gov), and the U.S. Department of Justice Public Integrity Section (pin@usdoj.gov). The email attached five exhibits: (1) the formal six-page Notice of Special Appearance and Fraud on the Court, verified under penalty of perjury, which documented that on May 27, 2026, Judge Blakey’s courtroom deputy confirmed that a federal Article III order was being drafted concerning the May 28 proceedings; (2) DKT16.pdf — the authenticated December 8 and 10, 2025 Adison Weeks email adjudications previously filed in the N.D. Ill. federal record in Case No. 1:26-cv-01077; (3) the Emergency Petition for Writ of Mandamus (May 27, 2026); (4) the Attorney General Litigation Hold Notice; and (5) the Lake County Litigation Hold Notice. Service was by email only — the Notice of Special Appearance expressly stated no physical or mailed service was made on May 28, 2026. ASA Shepherd was a direct TO: recipient of this email and its five attachments two hours before he permitted the warrant to issue. The Lake County Public Defender’s Office did not receive this email service and entered no appearance at the warrant hearing.

1 **FINDING OF FACT NO. 12:** At 9:00 AM on May 28, 2026, this Court issued a zero-bond bench warrant  
2 in Case No. 23 CF 1146 without holding any evidentiary hearing, without taking sworn testimony,  
3 without conducting any ability-to-pay inquiry required by *Turner v. Rogers*, 564 U.S. 431 (2011), and  
4 without addressing Defendant’s emergency exculpatory submission served two hours prior. Officer  
Marisa Cervantes was physically present in Courtroom T-611 at the time of warrant issuance. No  
5 defense counsel appeared.

6 **FINDING OF FACT NO. 13:** On May 29, 2026 — one day after the warrant issued and 100 days after her  
7 anonymous February 19 call — Officer Cervantes sent her first written communication to Defendant,  
8 directing him to “turn yourself in.” This instruction, sent without disclosure of the exculpatory  
evidence in the State’s own records, confirms that Cervantes was aware of the revocation proceedings  
throughout the period of her identity concealment.

9 **FINDING OF FACT NO. 14:** The federal habeas response deadline in *Allababidi v. Junkin*,  
10 No. 1:26-cv-01077, expired on June 5, 2026, while Defendant remained subject to an active zero-bond  
11 bench warrant. The warrant’s scheduling (May 28 hearing, eight days before the federal deadline) and  
the six-day manufactured mail delay confirm a timeline calibrated to incapacitate Defendant before  
his federal deadlines expired.

12 **FINDING OF FACT NO. 15:** On June 6, 2026 — one day after the June 5, 2026 federal deadline had  
13 passed — law enforcement executed two physical warrant extraction attempts at Defendant’s  
14 residential address: the first at 1:03 PM and the second at 5:51 PM. The timing of these attempts,  
15 occurring within 24 hours of the federal deadline’s expiration, is consistent with a coordinated  
16 strategy to incapacitate Defendant during and immediately after his federal litigation window and is  
inconsistent with any routine enforcement timeline given the 185-day gap between the alleged  
violation and the Petition.

17 **FINDING OF FACT NO. 16:** No probable cause hearing was conducted prior to or at the May 28, 2026  
18 warrant hearing, as required by 730 ILCS 5/5-6-4 and *Gagnon v. Scarpelli*, 411 U.S. 778 (1973). The  
19 Court did not receive or consider Defendant’s exculpatory submission. No testimony was taken. No  
evidence was weighed. The warrant issued on the face of a Petition whose sworn allegations were  
negated in writing by the State’s own agency five months prior.

20 **FINDING OF FACT NO. 17:** The December 8 and 10, 2025 Weeks adjudications were entered on the  
21 Cook County Adult Probation Department’s official digital platform, a unified database accessible to  
22 supervising prosecutors handling cross-jurisdictional probation matters. ASA Shepherd had actual or  
23 constructive access to these records before signing the Petition. A supervising prosecutor who files a  
24 revocation petition based on a drug test result that the administering agency has formally adjudicated  
25 compliant, without disclosing that adjudication to the tribunal, has either failed basic pre-filing due  
diligence or knowingly suppressed exculpatory material. Under *Brady v. Maryland*, 373 U.S. 83  
(1963), and *Napue v. Illinois*, 360 U.S. 264 (1959), both are impermissible.

26 **FINDING OF FACT NO. 18:** Following the May 28, 2026 warrant issuance, Defendant attempted to file  
27 the within Omnibus Verified Motion with the Circuit Court Clerk. Clerk’s office representative Ms.  
28 Becerra denied and refused to accept the filing on the basis that it lacked an attorney’s signature block,  
citing an administrative policy requiring all court filings to bear a licensed attorney’s signature. This  
policy-based refusal constitutes a per se denial of Defendant’s constitutional right to

self-representation under *Faretta v. California*, 422 U.S. 806 (1975), and violates 735 ILCS 5/2-301 and Illinois Supreme Court Rule 13, which mandate that the Clerk accept and file all submissions tendered by self-represented parties. The refusal functionally denied Defendant all access to the court: he was subject to an active zero-bond warrant, appointed counsel had constructively abandoned him, and the only mechanism for relief was direct pro se filing.

**FINDING OF FACT NO. 19:** In direct response to the Clerk’s procedural denial, Defendant placed the original physical Omnibus Filing into USPS custody at 10:00 AM on June 8, 2026 (USPS Tracking No. 9402 6118 9876 5528 9340 61), addressed to the Circuit Court Clerk. That physical mailing contained: (a) the CM/ECF-stamped Omnibus Verified Motion to Quash Warrant and Dismiss Petition for Revocation with Prejudice, as previously filed in *Allababidi v. Junkin*, No. 1:26-cv-01077 (N.D. Ill.) and authenticated by the U.S. District Court CM/ECF system (that document appears as an exhibit within Appendix C of this packet — it is a DISTINCT document from the new, first-time portal submission in Appendix A); and (b) a copy of the N.D. Ill. exhaustion directive issued by Hon. John Robert Blakey (Dkt. 25, May 29, 2026). At 7:08 PM on June 8, 2026, Defendant transmitted written notice of the physical mailing electronically to the Circuit Court Clerk (CircuitClerk@lakecountyil.gov; courts@lakecountyil.gov), ASA Nicholas Shepherd (nshepherd@lakecountyil.gov), the Lake County State’s Attorney’s Office (statesattorney@lakecountyil.gov), and Appointed Counsel Bailey Russell (BRussell@lakecountyil.gov). In that notice, Defendant formally invoked his constitutional right to self-representation under *Faretta v. California* and documented the constructive abandonment by appointed counsel under *United States v. Cronin*, 466 U.S. 648 (1984), demanding emergency docketing for June 9, 2026. ASA Shepherd was thereby on actual notice of the Faretta invocation, the physical filing in transit with its USPS tracking number, and the Cronin abandonment record before he took any further action in these proceedings. No emergency hearing was scheduled. No Zoom or telephonic access was provided. No response was made by any party to this notice.

**FINDING OF FACT NO. 20:** On April 8, 2026, Lake County Adult Probation Officer Marisa Cervantes transmitted a formal Memorandum to the Lake County State's Attorney's Office (Attn: ASA Ben Dillon, Courtroom T-611), recommending that a Petition for Revocation be filed. At the time she transmitted this Memorandum, Cervantes had not identified herself to Defendant in any writing — she had placed an anonymous telephonic directive on February 19, 2026 (Finding 6) but did not reveal her identity until May 29, 2026. The Memorandum alleged: (a) a drug test positive for Amphetamines on November 2025; (b) outstanding court costs of \$1,131.00; (c) failure to report to probation on February 19, February 27, March 10, March 11, and March 26, 2026; (d) failure to complete 240 community service hours; and (e) failure to complete the victim impact panel. The February 19, 2026 failure-to-report date is the SAME DATE on which Cervantes placed her anonymous call to Defendant without identifying herself — an anonymous telephonic directive cannot constitute a lawful reporting obligation. The Memorandum further stated that Defendant 'has not provided an updated prescription' regarding the drug test — yet Cook County Adult Probation Officer Adison Weeks had issued formal written adjudications on December 8 and 10, 2025 confirming the test was compliant with Defendant's active Adderall prescription. Cervantes did not disclose the Weeks adjudication to the State's Attorney's Office. The Memorandum was approved by Lori Carrier

(Cervantes's supervisor). ASA Shepherd filed the Petition 36 days later, on May 14, 2026, based on this Memorandum.

**FINDING OF FACT NO. 21:** The Lake County Court portal record for Case No. 23 CF 1146, retrieved on June 12, 2026, confirms that on November 10, 2025 — Lake County's own probation system formally suspended \$1,400.00 of the \$1,500.00 Probation Service Fee, recording 'Payment Suspended' with a remaining balance of \$100.00. This system-generated fee suspension constitutes probation's own contemporaneous, formal determination that Defendant was unable to pay \$1,400 of his probation financial obligations as of that date. The complete financial record shows outstanding balances of: ~\$549.00 in court schedule fees; \$180.00 sheriff fee; \$125.00 service provider cost; \$100.00 Public Defender fee; and the \$100.00 remaining probation service fee balance. The State cannot simultaneously (a) formally suspend \$1,400 in probation fees through its own system based on demonstrated inability to pay, and (b) file a sworn revocation Petition alleging willful failure to satisfy financial obligations. The probation system's own fee suspension record is direct, court-generated proof that the willful nonpayment allegation is legally impossible under *Bearden v. Georgia*, 461 U.S. 660 (1983), and *Turner v. Rogers*, 564 U.S. 431 (2011), independent of the active Allstate insurance coverage documented in Appendix E. The federal court's IFP indigency finding (Appendix C) provides a third, independent corroboration of Defendant's inability to pay. The fee schedule assessed in this matter further compounds this structural irony: the State charged Defendant \$35.00 to the State's Attorney's Office Fund (funding the prosecution now seeking his revocation); \$100.00 to the Violent Crime Victims Assistance Fund for victims whose collision damages were already covered by Allstate Insurance Claim No. 0670868884 (Appendix E) — leaving no uncompensated victim, yet Defendant funds a victims assistance program; \$100.00 to the Public Defender Fee Felony for the Public Defender's Office that constructively abandoned him; \$20.00 to the Probation and Court Services Operation Fund for the probation division that filed the anonymous Memorandum against him; and \$2.00 directly labeled "Conditional Assessment — SAO Prosecution CV/TR" billing Defendant for the cost of his own criminal prosecution. The State simultaneously determined Defendant could not afford \$1,400 in probation service fees, charged him \$259.00 to fund the machinery of his own prosecution and supervision, and cited his failure to pay these same assessments as grounds for revoking his liberty — a structural debtor's prison arrangement prohibited by the Fourteenth Amendment and *Bearden v. Georgia*, 461 U.S. 660 (1983).

**FINDING OF FACT NO. 22:** All five failure-to-report violation dates cited in the Cervantes Memorandum (Appendix H) — February 19, February 27, March 10, March 11, and March 26, 2026 — fell within the 100-day period during which Officer Cervantes actively concealed her identity from Defendant (February 19 through May 29, 2026, Findings 6 and 13). A probation reporting obligation requires an identifiable, known supervising officer. A supervising officer who conceals her identity cannot simultaneously enforce a duty to report to her. The February 19, 2026 failure-to-report date is the most revealing: it is the identical date on which Cervantes placed her first anonymous call to Defendant, making it simultaneously the date of initial anonymous contact and the date of the first alleged reporting violation — a directive and a violation that arose in the same phone call in which Cervantes refused to identify herself. Director Margaret K. Fontana, the Lake County State's Attorney's Office, and the Circuit Court Clerk all received Defendant's formal written demand for Cervantes's

1 identification on that same date (February 19, 2026). Director Fontana received that demand and took  
2 no action. Cervantes was not identified until May 29, 2026 — the day after the warrant issued. Each of  
3 the remaining four failure-to-report dates (February 27, March 10, March 11, and March 26, 2026)  
4 occurred while Defendant’s written identification demand remained unresolved and pending with the  
5 Director, the SAO, and the Circuit Clerk. All five failure-to-report allegations in the Petition are  
6 predicated on a void reporting directive issued by an officer who concealed her identity throughout the  
7 alleged violation period and must be dismissed as a matter of law.

### 8 **III. CONCLUSIONS OF LAW**

9 <b>Napue / Brady — False Sworn Statements &amp; Suppressed Exculpatory Evidence</b>	The Petition is procured through materially false sworn statements. <i>Napue v. Illinois</i> , 360 U.S. 264, 269 (1959). The drug allegation is directly refuted by Cook County’s formal written adjudication of the test result as compliant, issued five months before Shepherd signed. Failure to disclose constitutes suppression of exculpatory material. <i>Brady v. Maryland</i> , 373 U.S. 83, 87 (1963). Both violations independently require dismissal.
10 <b>Bearden / Turner — Willfulness Element Fails as a Matter of Law</b>	Revocation for financial default requires judicial finding of willful nonpayment. <i>Bearden v. Georgia</i> , 461 U.S. 660, 672 (1983). An ability-to-pay hearing is constitutionally mandated before incarceration. <i>Turner v. Rogers</i> , 564 U.S. 431, 448 (2011). Allstate Claim No. 0670868884 — an active policy covering the same collision — precludes a finding of willfulness as a matter of law.
11 <b>Gagnon / 730 ILCS 5/5-6-4 — Due Process at Revocation</b>	A probationer is entitled to written notice, disclosure of evidence, opportunity to be heard, a neutral hearing body, and a written statement of reasons. <i>Gagnon v. Scarpelli</i> , 411 U.S. 778, 786 (1973). 730 ILCS 5/5-6-4(c) mandates a preliminary probable cause hearing. None were afforded. The warrant issued on a Petition whose sworn allegations were negated in writing by the State’s own agency.
12 <b>First Amendment Retaliation</b>	Adverse state action in response to petitioning federal courts violates the First Amendment. Filing on May 14 — exactly 31 days after federal habeas deadlines were set against Shepherd personally, while he was a named defendant in <i>Allababidi v. Shepherd</i> , No. 1:26-cv-06738 — admits of no non-retaliatory explanation. Execution attempts on June 6, within 24 hours of the federal deadline’s expiration, confirm the incapacitating purpose. <i>Hartman v. Moore</i> , 547 U.S. 250 (2006).
13 <b>Malley — Qualified Immunity Forfeited for Warrant Execution</b>	Officers executing a constitutionally defective warrant forfeit qualified immunity where the violation is obvious. <i>Malley v. Briggs</i> , 475 U.S. 335, 341 (1986). The executing agencies were served with the Notice of Special Appearance and Fraud on the Court prior to the June 6 attempts. Any officer who executed with actual notice of the exculpatory Weeks adjudications did so outside qualified immunity.
14 <b>Cronic — Constructive Abandonment</b>	Complete absence of defense counsel at the May 28 hearing, combined with failure to respond to the Petition or communicate with Defendant, constitutes constructive abandonment entitling Defendant to a presumption of prejudice. <i>United States v. Cronic</i> , 466 U.S. 648, 659–60 (1984). The prejudice is actual: Defendant prepared and served the Emergency Notice pro se, two hours before the hearing.
15 <b>The Warrant Is Void Ab Initio</b>	A warrant procured through knowingly false sworn allegations, issued without a probable cause hearing, over Defendant’s emergency exculpatory submission filed two hours prior, on a Petition whose core allegations are refuted by the State’s own written records, is void from its inception. The defects are not waivable. The warrant must be quashed, vacated, and recalled as a matter of constitutional necessity.
16 <b>Clerk’s Procedural Denial — Access to Courts / Faretta</b>	The Circuit Clerk’s administrative policy requiring a licensed attorney’s signature as a condition of docketing a pro se filing is void as applied to self-represented defendants. <i>Faretta v. California</i> , 422 U.S. 806 (1975); 735 ILCS 5/2-301; Ill. S. Ct. Rule 13. Applied here, the policy denied Defendant all access to the court after the warrant issued, while he was subject to an active zero-bond warrant and abandoned by appointed counsel. Denial of access to courts in these circumstances constitutes an independent constitutional violation requiring immediate remedial relief, independent of all other grounds herein.
17 <b>Cervantes Identity Concealment — Failure-to-Report Charges Void Ab Initio</b>	All five failure-to-report violation dates in the Petition occurred during the 100-day period in which Officer Cervantes concealed her identity from Defendant (February 19 through May 29, 2026, Finding 22). A reporting obligation cannot attach to an anonymous, unidentified supervising officer. The February 19, 2026 violation date is the same date as Cervantes’s first anonymous call — directive and violation arose in the same call in which she refused to identify herself. Director Fontana received Defendant’s written identification demand that same day and took no action, ratifying the void-directive chain through all five dates. All five failure-to-report charges must be dismissed as a matter of law independent of all other grounds herein.

### 18 **IV. ORDER**

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**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

- 1 **1. Motion GRANTED.** Defendant's Omnibus Verified Motion to Quash Warrant and Dismiss Petition for  
2 Revocation with Prejudice is GRANTED in its entirety.
- 3 **2. Warrant QUASHED, VACATED, AND RECALLED Void Ab Initio.** The zero-bond bench warrant  
4 issued May 28, 2026 in Case No. 23 CF 1146 is hereby QUASHED, VACATED, and RECALLED as  
5 void ab initio. **Within two (2) hours of the entry of this Order,** the Clerk shall transmit certified  
6 copies to the Lake County Sheriff's Department, the Lincolnshire Police Department, the Chicago  
7 Police Department, and the Illinois State Police, directing immediate cessation of all  
8 warrant-execution activity. The Illinois State Police are directed to immediately strike and expunge  
9 the warrant from the LEADS database. The Lake County Sheriff's Department is directed to transmit  
10 a NCIC entry-removal request to the FBI within two (2) hours of this Order's entry. Confirmation of  
11 LEADS/NCIC removal shall be transmitted to Defendant at defcon5ready@gmail.com.
- 12 **3. Petition DISMISSED WITH PREJUDICE — Collateral Estoppel.** The May 14, 2026 Petition for  
13 Revocation of Probation is DISMISSED WITH PREJUDICE. Under the doctrine of collateral  
14 estoppel and this Court's Findings of Fact Nos. 1 through 22, the State of Illinois is permanently  
15 barred from initiating any future revocation proceedings, seeking any arrest warrant, or imposing any  
16 probation modification based upon: (a) the November 10, 2025 urinalysis result; or (b) the O'Brien  
17 Landscape restitution balance as it existed prior to this Order.
- 18 **4. Brady / Napue Record Preservation.** The Court formally incorporates into the record of Case No. 23  
19 CF 1146 the authenticated December 8 and 10, 2025 Weeks adjudications, as exhibits to Defendant's  
20 Notice of Special Appearance and Fraud on the Court. These documents shall be permanently retained  
21 in the case file as evidence that the drug allegation in the May 14, 2026 Petition was false and known  
22 to be false at the time of filing. The Clerk is directed to index these exhibits on the public docket.
- 23 **5. ARDC Referral — Mandatory Transmission.** The Clerk of the Circuit Court is directed to transmit a  
24 certified copy of this Order — together with a certified copy of the May 14, 2026 Petition for  
25 Revocation — to the Illinois Attorney Registration and Disciplinary Commission (130 E. Randolph  
26 Dr., Suite 1500, Chicago, IL 60601; Fax: (312) 565-2320) within five (5) business days, for the  
27 ARDC's consideration of ASA Nicholas Shepherd's conduct, pursuant to this Court's supervisory  
28 authority under Illinois Supreme Court Rule 771.
- 6. Mandatory Litigation Hold — State Directed to Preserve.** The State's Attorney's Office, Lake  
County Adult Probation Services, Cook County Adult Probation Services, and the Lake County Public  
Defender's Office are directed to preserve all documents, records, electronic communications, emails,  
text messages, database entries, and other data relating to Case No. 23 CF 1146, the  
November 10, 2025 drug test, the February 19, 2026 Cervantes call, the May 14, 2026 Petition, and  
the May 28, 2026 warrant hearing. This preservation mandate encompasses all server-side metadata  
and audit trail logs associated with the processing, routing, and internal review of the May 14, 2026  
Petition, including any digital stamps applied by state-court judicial officers or administrative staff.  
Destruction or alteration of any such material after service of Defendant's May 22, 2026 Litigation  
Hold Notice constitutes spoliation subject to adverse inference and sanctions.
- 7. Faretta Recognition / Public Defender Relieved / Clerk Directed to Accept Pro Se Filings.**  
Defendant's Faretta right to self-representation is formally recognized and entered on the active

docket. *Faretta v. California*, 422 U.S. 806 (1975); 735 ILCS 5/2-301. The Lake County Public Defender's Office is relieved of all obligations in Case No. 23 CF 1146 as of the date of this Order. **The Circuit Court Clerk is hereby directed to immediately accept, file, and docket all submissions tendered by Defendant pro se, without requiring an attorney's ARDC number, firm name, or signature block as a condition of filing.** Any administrative policy, directive, or practice of the Clerk's office conditioning the acceptance of a pro se filing on the presence of an attorney's signature block is hereby declared void as applied to self-represented defendants in this matter, inconsistent with *Faretta v. California* and the mandatory filing rights conferred by 735 ILCS 5/2-301 and Illinois Supreme Court Rule 13. The Clerk is further directed to immediately docket the physical Omnibus Filing transmitted via USPS on June 8, 2026 (Tracking No. 9402 6118 9876 5528 9340 61) upon its receipt, without conditioning docketing on any attorney signature requirement. In the event any law enforcement entity initiates a physical extraction or custodial booking under Case No. 23 CF 1146 following entry of this Order, this *Faretta* waiver is automatically rescinded, and this Court mandates the immediate appointment of independent and conflict-free defense counsel prior to any custodial interrogation, processing, or bond hearing.

**8. Reservation of Federal Civil Remedies — Anti-Waiver.** The entry of this Order shall not operate as a waiver, release, accord and satisfaction, or settlement of any claim or remedy available to Defendant under 42 U.S.C. §1983, 42 U.S.C. §1985, or any other federal statute, currently pending in *Allababidi v. Shepherd, et al.*, No. 1:26-cv-06738 (N.D. Ill.). This Order shall not be cited as a bar to Defendant's independent civil damages claims, equitable relief claims, or any claim for attorney's fees under 42 U.S.C. §1988. The Clerk is directed to transmit a certified copy of this Order to the United States District Court for the Northern District of Illinois for docketing in Case No. 1:26-cv-06738. This Order is entered without prejudice to Defendant's right to seek immediate mandamus relief from the Seventh Circuit should the Clerk of this Court fail to docket this Order or should any law enforcement agency fail to verify the expungement of the warrant within the timeframe prescribed herein.

**9. Remote Adjudication Mandatory for Future Proceedings.** All future hearings, status checks, and substantive proceedings in Case No. 23 CF 1146 shall be conducted via remote video-conferencing through this Court's approved infrastructure. The Circuit Clerk and Court Coordinator are directed to transmit remote access credentials to Defendant at defcon5ready@gmail.com no later than 48 hours prior to any scheduled proceeding. No requirement of Defendant's physical presence in Courtroom T-611 shall be imposed within 90 days of the recall of the zero-bond warrant.

**10. Financial Conditions SUSPENDED — Pending Constitutionally Adequate Turner/Bearden Inquiry.** In light of this Court's findings that (a) the probation system formally suspended \$1,400.00 in probation service fees upon demonstrated indigency (Finding 21, Appendix I); (b) the federal court entered an IFP indigency finding (Appendix C); and (c) active Allstate Insurance Claim No. 0670868884 covers the O'Brien Landscape restitution (Finding 2, Appendix E) — all remaining financial conditions of probation in Case No. 23 CF 1146 are hereby SUSPENDED. No future revocation proceeding, arrest warrant, or probation modification predicated on financial default may be initiated absent: (i) a constitutionally adequate ability-to-pay hearing under *Turner v. Rogers*, 564 U.S. 431 (2011); and (ii) an affirmative judicial finding of willful nonpayment under *Bearden v. Georgia*, 461 U.S. 660 (1983). No fine, fee, or financial condition may be enforced while Defendant

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1 holds an active IFP status in any pending federal proceeding. The Clerk is directed to transmit a  
2 certified copy of this Order to the Lake County Circuit Court Finance Division within five (5)  
3 business days.  
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5  
6 **DATE:**

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8 **HON. CHRISTOPHER R. STRIDE**  
Circuit Court Judge, Courtroom T-611  
19th Judicial Circuit, Lake County, Illinois

9 *Submitted by: Ehab Allababidi, Defendant-Petitioner, Pro Se | 8516 W. Winona St., Chicago, IL 60656 | (773) 920-0030 |*  
10 *defcon5ready@gmail.com | Dated: June 12, 2026*  
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# EXHIBIT S

## LAKE COUNTY PORTAL FILING RECEIPT

*Proof the Proposed Order was submitted to this Court — June 12, 2026, 10:26 PM*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Official e-filing receipt — Lake County Court Portal (Journal Technologies)	<b>Filed/Dated:</b>	Submitted June 12, 2026, 10:26:03 PM (JTI Ref. No. dc5ffbe9a07e)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Jurisdiction / Exhaustion — proves concurrent state-court submission

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This official Lake County Court Portal receipt (Status: “Submitted”; Filing Date: 06/12/2026 10:26:03 PM; JTI Ref. No. dc5ffbe9a07e) establishes that the complete documented record was formally tendered to this Court through its own electronic filing system. It forecloses any suggestion that the Court was unaware of the defects in the warrant, and it documents Petitioner’s compliance with the federal exhaustion directive to raise these issues in the state court in the first instance.*

### KEY CONTENTS:

- Case 23CF00001146 — Status: “Submitted”
- Filing date: June 12, 2026, 10:26:03 PM; JTI Ref. No. dc5ffbe9a07e
- Authenticated Journal Technologies portal receipt
- Proves concurrent state-court submission and exhaustion compliance



# Circuit Court of the Nineteenth Judicial Circuit

Lake County, Illinois

## Receipt

Your filing has been received.  
Case Number: 23CF00001146



<b>Filing Sent</b>
Filing Title <b>File_1</b>
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 T

## MANDATORY LITIGATION HOLD — LAKE COUNTY (MAY 22, 2026)

*Pre-warrant evidence-preservation notice served on the State — Fed. R. Civ. P. 37(e)*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Litigation hold / ESI preservation notice served on all Lake County parties	<b>Filed/Dated:</b>	Served May 22, 2026 (six days before the warrant issued)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 3, 6 — State on notice to preserve; spoliation risk; pre-warrant notice

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This litigation hold, served on the State six days before the warrant issued, placed all Lake County actors on notice to preserve every record relating to the revocation, the November 2025 test, and the anonymity period. It establishes that the State had actual, written notice of the constitutional defects — including the fabricated drug allegation and the identity concealment — before the warrant issued, and that any destruction of responsive records is sanctionable spoliation.*

### KEY CONTENTS:

- Served May 22, 2026 — six days before the warrant issued
- Identifies the fabricated drug allegation and the identity-concealment scheme
- Triggers preservation duties under Fed. R. Civ. P. 37(e) and 18 U.S.C. § 1512(b)
- Establishes pre-warrant actual notice to the State

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

**EHAB ALLABABIDI,**  
*Plaintiff / Petitioner, Pro Se,*

v.

**MATT JUNKIN,** Adult Probation Officer, Lake  
County;

**MARGARET K. FONTANA,** Director,  
Division of Adult Probation Services,  
19th Judicial Circuit (Lake County);  
*Respondents.*

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

Judge: *Hon. John Robert Blakey*  
Magistrate: *Hon. Daniel P. McLaughlin*

**HABEAS CORPUS PROCEEDING**  
*28 U.S.C. § 2254*

**NOTICE OF MANDATORY LITIGATION HOLD  
AND DEMAND FOR PRESERVATION OF EVIDENCE**

*Issued Pursuant to Illinois Rule of Professional Conduct 3.4(a),  
Fed. R. Civ. P. 37(e), and the Inherent Authority of the Federal Judiciary  
to Sanction Spoliation and Issue Adverse Inferences*

**DATE:** May 22, 2026

**TO:** Lake County State's Attorney's Office  
ASA Nicholas Shepherd  
Director Matthew T. Junkin, Lake County Adult Probation  
Officer Destiny Lee, Cook County Adult Probation

**RE:** Preservation of Evidence Relevant to Lake County Case No. 23 CF 1146  
and Federal CM/ECF Dockets ([1:26-cv-01077](#), [1:25-cv-15181](#),  
[1:25-cv-15800](#), [1:25-cv-15786](#))

**I. TRIGGERING EVENTS AND LEGAL OBLIGATION**

You are hereby placed on formal notice that a Litigation Hold is immediately and irrevocably activated as of the date of this Notice. All routine document retention, rotation, and destruction policies applicable to the matters described herein are **suspended effective immediately**. Any further destruction, deletion, alteration, or loss of records within the scope of this Hold will be documented as spoliation of evidence and submitted to the United States District Court for the Northern District of Illinois in support of motions for adverse inferences and sanctions.

This Hold is triggered by the following predicate events, each independently sufficient to impose a preservation obligation:

**(a)** The filing of a Petition for Revocation of Probation on May 14, 2026, in Lake County Case No. 23 CF 1146, which alleges five "failure to report" dates that are mathematically contradicted by the State's

own documentary record;

(b) The inclusion of a knowingly false allegation of illegal amphetamine use in said Petition, directly contradicted by Cook County Adult Probation Officer Adison Weeks’s written confirmation on December 8 and December 10, 2025, that Petitioner’s drug test results were attributable to a lawfully prescribed Adderall prescription — *Napue v. Illinois*, 360 U.S. 264, 269 (1959);

(c) The active concealment of the identity of the supervising probation officer who contacted Petitioner on February 19, 2026, and refused to provide her name, supervisory authority, or direct contact information;

(d) The deliberate omission of direct contact information from the signature block of ASA Nicholas Shepherd on the Petition for Revocation, in violation of Illinois Supreme Court Rule 131(b);

(e) The forensic spoliation of Petitioner’s response time via a 7-day mail transit delay in a 14-day procedural window, compressing the effective response period to three business days through the operation of the Memorial Day holiday;

(f) The imminent filing of federal motions for sanctions and evidentiary review concerning the documented *Napue* violation and forensic mail spoliation executing a jurisdictional blackout against active federal dockets in the United States District Court for the Northern District of Illinois, Eastern Division (Case Nos. [1:26-cv-01077](#), [1:25-cv-15181](#), [1:25-cv-15800](#), [1:25-cv-15786](#)).

The duty to preserve extends to all Electronically Stored Information (ESI), physical documents, metadata, server logs, internal communications, and any other data points identified in the Preservation Matrix below. This duty is active, continuing, and non-delegable. *Zubulake v. UBS Warburg LLC*, 220 F.R.D. 212, 216-18 (S.D.N.Y. 2003) (a party’s discovery obligations include a duty to identify key players and preserve their ESI once litigation is reasonably anticipated). Litigation was reasonably anticipated no later than February 19, 2026, when Petitioner’s Formal Memorialization was served on the Lake County State’s Attorney’s Office and Probation Director Junkin — 84 days before this Notice issues.

## **II. REQUIRED PRESERVATION MATRIX (CHAIN-OF-AUTHORIZATION)**

You are directed to immediately identify, quarantine, and preserve the following exact data points. Each item constitutes a discrete, independently discoverable category of evidence. Failure to preserve any single item will be documented as spoliation and submitted in support of a motion for an adverse

inference instruction.

**1. Cross-Jurisdictional Query Logs.** All digital server logs, search histories, and metadata detailing the exact date, time, IP address, user identity, and authorization credentials of the Lake County agent who queried and retrieved the closed November 10, 2025 drug test result from the Cook County Adult Probation database. This includes any inter-agency data sharing agreements, memoranda of understanding, or informal arrangements under which Lake County obtained access to Cook County compliance records.

**2. Exculpatory Suppression Metadata.** All internal emails, drafts, memoranda, case notes, and digital communications within the Lake County State’s Attorney’s Office discussing the omission, suppression, or re-characterization of Officer Adison Weeks’s December 8 and December 10, 2025, written verification of Petitioner’s lawful Adderall prescription. This includes any communication regarding the characterization of the amphetamine test result as an “illegal substance” rather than a lawfully prescribed medication.

**3. Supervisory Approval Logs.** The identities, timestamps, digital signatures, and written authorizations of all supervising Assistant State’s Attorneys, administrative officials, or supervisory personnel who reviewed, approved, or authorized the drafting and filing of the May 14, 2026 Petition for Revocation containing the fabricated “illegal substance” allegation. This includes any documentation of legal review or supervisory scrutiny applied to the factual allegations in the Petition.

**4. Internal Mail & Pitney Bowes Processing Logs.** All internal mailroom logs, Pitney Bowes postage meter usage records, inter-office mail routing data, and metadata explaining the deliberate 24-hour retention of the Petition between its notarization on May 14, 2026, and its internal meter stamping on May 15, 2026, as well as the additional 72-hour delay before its physical deposit at the USPS Carol Stream facility on May 18, 2026, at 4:00 PM. This includes the identities of all personnel who handled, routed, or authorized the timing of the envelope’s deposit.

**5. Anonymous Probation Officer Identity.** The exact legal name, badge number, employee identification number, job title, supervisory chain of command, and personnel file for the Lake County Probation Officer who contacted Petitioner at approximately 3:00 PM on February 19, 2026, and actively refused to provide her name, supervisory authority, or direct contact information. This includes all training records, performance evaluations, and any disciplinary history related to the concealment of identity during official probation contacts.

**6. Supervisory Abandonment & Field Contact Logs.** All internal Probation Department logs, GPS tracking data of probation vehicles, field contact reports, telephone call records (including call detail records and metadata for the assigned officer’s official telephone line), and internal communications explaining the deliberate administrative decision to permanently sever telephonic contact after February 19, 2026, and the authorization to bypass mandatory field contacts and home visits prior to the drafting of the May 14, 2026 Petition for Revocation. This includes all documentation of the supervisory review process, if any, that determined that zero field contacts, zero home visits, and zero telephone calls over a 60-day period constituted an adequate investigative foundation for a Petition for Revocation seeking incarceration.

**7. Cook County Inter-Agency Communications & Pretextual Mail Logs.** All internal emails, memoranda, and digital transfers originating from Cook County Adult Probation (specifically including Officer Destiny Lee and Officer Adison Weeks) detailing the transmission of Petitioner’s November 10, 2025 drug test data to Lake County. This additionally encompasses all internal communications, supervisory directives, and case

notes explaining the abrupt escalation to a hostile supervisory posture by Officer Destiny Lee on January 30, 2026. You must immediately preserve all mailing logs, drafting metadata, and supervisory approvals for any physical ultimatums sent by Officer Lee, specifically documenting the administrative rationale for utilizing physical mail while deliberately refusing to utilize Petitioner’s verified telephonic and email vectors.

The Preservation Matrix above is not exhaustive. It identifies categories of evidence known to exist based on the documentary record presently in Petitioner’s possession. You are independently obligated to preserve all other records, communications, and data that may be relevant to the claims and defenses in the coordinated federal proceedings.

### **III. NOTICE OF SUPERVISORY ABANDONMENT AND STATUTORY BURDEN**

Under 730 ILCS 5/5-6-4(c), the State of Illinois bears the absolute burden of proving a willful failure to report. The evidentiary record demonstrates that since February 19, 2026, the Lake County Probation Department executed a complete abandonment of its supervisory mandate.

Specifically, Lake County agents:

- Actively concealed the identity of the supervising officer during the initial and only telephonic contact, refusing to provide name, badge number, or supervisory authority upon direct request;
- Generated zero phone calls, emails, text messages, or electronic communications of any kind to Petitioner’s active, unchanged, and documented contact vectors during the formalized March 10, 2026 Constructive Compliance Window (12:00 PM to 4:00 PM CST), despite Petitioner’s written instruction that the administrative burden rested with the Probation Department to select a reporting time;
- Conducted zero field contacts, zero home visits, and zero in-person verification attempts between February 19, 2026, and the filing of the May 14, 2026 Petition for Revocation — a 60-day period of absolute administrative silence preceding the filing of an instrument seeking incarceration;
- Intentionally bypassed standard administrative protocols requiring documented attempts at field contact or home visitation prior to the filing of a revocation instrument, as evidenced by the complete absence of any such documentation in the Petition’s factual averments.

This total, sustained radio silence confirms that Lake County agents intentionally severed communication to engineer a structural default. **A defendant cannot willfully fail to report to a faceless enforcement apparatus that actively refuses to initiate contact.** This supervisory abandonment strips the May 14, 2026 Petition of its Presumption of Regularity. *United States v. Chemical Foundation, Inc.*, 272 U.S. 1, 14-15 (1926).

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The State’s conduct constitutes a textbook violation of the supervisory duty imposed by 730 ILCS 5/5-6-4(c). The statute does not merely require that a defendant fail to report; it requires that the State prove such failure was **willful**. Where the State’s own agent actively conceals her identity on the first contact date, affirmatively downgrades the reporting directive from a command to a discretionary “appreciation,” generates zero calls during a four-hour window expressly established for compliance, and then remains absolutely silent for 60 days before filing a revocation petition, the element of willfulness is not merely unproven — it is structurally impossible.

### **B. The Pretextual Paper Trail & Refusal of Digital Vectors**

The State cannot cure its supervisory abandonment by relying on generic, physical mail ultimatums demanding in-person reporting. The State possesses actual, written notice that physical transit was rendered structurally impossible due to documented vehicle sabotage (Predicate Act 6; Case No. [1:25-cv-15800](#), Dkt. 30, ¶ 87; Dkt. 43).

Despite possessing Petitioner’s verified, continuously active telephone number and email address, Cook County and Lake County probation agents initiated zero telephonic contacts and sent zero digital notifications. Sending physical mail demanding an impossible physical act, while actively refusing to utilize functional, direct telephonic and digital communication vectors, constitutes the deliberate manufacturing of a pretextual paper trail. The burden of supervision rests with the State; the State cannot intentionally bypass available, functional communication channels and subsequently claim a “willful” failure to report.

## **IV. CONSEQUENCES OF FAILURE TO PRESERVE**

Failure to preserve any data point identified in the Preservation Matrix above will be documented as active spoliation of evidence and submitted in support of the following relief, which Petitioner will seek from the coordinate federal tribunals:

**Adverse Inference Instructions.** Under Fed. R. Civ. P. 37(e)(2), where electronically stored information that should have been preserved is lost because a party failed to take reasonable steps to preserve it, and the court finds that the party acted with the intent to deprive another party of the information’s use, the court may presume that the lost information was unfavorable to the party that failed to preserve it. *Parker v. City of Chicago*, 2005 WL 1384056, at \*4-5 (N.D. Ill. May 20, 2005) (adverse inference instruction for spoliation of ESI).

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**Monetary Sanctions.** The cost of forensic examination, reconstruction, and motion practice necessitated by any spoliation will be sought as sanctions payable personally by the responsible custodians and their supervisors, pursuant to Fed. R. Civ. P. 37(e)(1) and the court's inherent authority. *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43-44 (1991).

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**Supplemental Filing in Federal Criminal Investigation.** Evidence of deliberate spoliation will be submitted to the United States Attorney's Office for the Northern District of Illinois as supplemental evidence in connection with the pending investigation under 18 U.S.C. § 1512(b) (witness tampering) and 18 U.S.C. § 1519 (destruction of records in federal investigations).

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This Notice is issued with the full understanding that the duty to preserve is self-executing. No court order is required to activate a litigation hold once litigation is reasonably anticipated. *Zubulake v. UBS Warburg LLC*, 229 F.R.D. 422, 432 (S.D.N.Y. 2004) (the duty to preserve attaches when a party reasonably anticipates litigation). Any argument that this Notice should have been formally served by the Court rather than by the pro se Petitioner is a concession of willful ignorance of established federal preservation law.

## 15 **V. REQUIRED CERTIFICATION OF COMPLIANCE**

16 Each recipient of this Notice is directed to provide a written certification of compliance, under penalty of perjury, within **seven (7) calendar days** of service. The certification must:

- 17
- 18 • Identify by name and title the individual(s) responsible for implementing and supervising the litigation hold;
  - 19 • Describe the specific steps taken to preserve each category of evidence identified in the Preservation Matrix;
  - 20 • Confirm that routine document retention and destruction policies have been suspended as to all records within the scope of this Hold;
  - 21 • Identify any records within the scope of this Hold that have been deleted, destroyed, altered, or otherwise made unavailable since February 19, 2026, and explain the circumstances of such loss;
  - 22 • Identify any third-party vendors, contractors, or service providers (including Pitney Bowes, USPS, and any ESI hosting services) who may possess records within the scope of this Hold.
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27 Certifications should be directed to Petitioner via the contact information provided below. Petitioner reserves the right to seek judicial enforcement of this Hold and any associated discovery obligations.

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1  
2 Respectfully submitted,

3 /s/ Ehab Allababidi

4 **EHAB ALLABABIDI**, *Pro Se*

5 Plaintiff / Petitioner

6 8516 W. Winona St., Chicago, IL 60656

(773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)

Dated: May 22, 2026

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2       **CERTIFICATE OF SERVICE**

3 I, EHAB ALLABABIDI, certify under penalty of perjury that on the date set forth above, I caused the  
4 foregoing NOTICE OF MANDATORY LITIGATION HOLD AND DEMAND FOR  
5 PRESERVATION OF EVIDENCE to be served on the following recipients:

6 Lake County State’s Attorney’s Office  
7 18 N. County St., Waukegan, IL 60085  
8 **Email:** [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov)

9 ASA Nicholas Shepherd  
10 Lake County State’s Attorney’s Office  
11 18 N. County St., Waukegan, IL 60085  
12 **Email:** [nshepherd@lakecountyil.gov](mailto:nshepherd@lakecountyil.gov)

13 Director Matthew T. Junkin  
14 Lake County Adult Probation Department  
15 18 N. County St., Waukegan, IL 60085  
16 **Email:** [mjunkin@lakecountyil.gov](mailto:mjunkin@lakecountyil.gov)

17 Officer Destiny Lee  
18 Cook County Adult Probation Department  
19 **Email:** [destiny.lee@cookcountyil.gov](mailto:destiny.lee@cookcountyil.gov)

20 Lake County State’s Attorney’s Office (General Fallback)  
21 **Email:** [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov)

22 Lake County Circuit Clerk (General Fallback)  
23 **Email:** [courts@lakecountyil.gov](mailto:courts@lakecountyil.gov)

24 Lake County Circuit Clerk  
25 18 N. County St., Waukegan, IL 60085  
26 **Email:** [CircuitClerk@lakecountyil.gov](mailto:CircuitClerk@lakecountyil.gov)

27 Executed under Fed. R. Civ. P. 5(b)(2)(E).

28 /s/ Ehab Allababidi

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EHAB ALLABABIDI, *Pro Se*  
Plaintiff / Petitioner  
Dated: May 22, 2026

# EXHIBIT U

## SCOTUS COMPLETE FILING PACKET — PETITION FOR WRIT OF CERTIORARI

Filed February 27, 2026 — IFP motion (\$0 assets, \$0 income) + Cert Petition on the 604(d) failure Russell caused

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Supreme Court of the United States — IFP Motion, Single Copy Motion, and Petition for Writ of Certiorari	<b>Filed/Dated:</b>	Filed February 27, 2026 (documenting the cascade from Russell's 604(d) failure through all appellate courts)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 1, 4, 9, 11, 12 — complete cascade of public defender failure; third governmental indigency finding

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This 43-page filing packet is the documented terminus of Russell's constructive abandonment. Russell's failure to file the mandatory 604(d) motion caused: (1) the Illinois Appellate Court to execute a jurisdictional dismissal on November 17, 2025, based exclusively on counsel's noncompliance; (2) the Illinois Supreme Court to deny the Petition for Leave to Appeal; and (3) Petitioner to file this pro se Petition for Writ of Certiorari in the Supreme Court of the United States. The SCOTUS IFP Motion — supported by a Form 4 Declaration showing \$0.00 in liquid assets, \$0.00 in monthly income, and complete reliance on family support — constitutes a THIRD governmental indigency determination, joining the November 10, 2025 Lake County fee suspension and the federal IFP grant. Three separate governmental bodies at three levels of the judiciary have found this defendant indigent — and the State still swore he “willfully” refused to pay. The Cert Petition's Questions Presented specifically frame the Garza v. Idaho argument: that Russell's 604(d) failure is per se IAC with presumed prejudice. The “Case Not Found” eFiling lockout documented at pages 31+ independently corroborates Ground 11 (denial of access to courts) with additional evidence of systemic digital exclusion of criminal defendants from Lake County's electronic filing infrastructure.*

### KEY CONTENTS:

- SCOTUS IFP Motion: \$0 liquid assets, \$0 monthly income — THIRD governmental indigency finding
- Cert Petition on the identical 604(d) failure by Russell — cascaded through IL App. Ct., IL Sup. Ct., to SCOTUS
- Questions Presented frame Garza v. Idaho per se prejudice for failure to file appeal
- “Case Not Found” eFiling lockout documented — corroborates Ground 11 (access to courts)
- 43 pages proving Russell's single act of abandonment destroyed the entire appellate chain

**IN THE  
SUPREME COURT OF THE UNITED STATES**

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**EHAB ALLABABIDI, *Petitioner,***  
**v.**  
**PEOPLE OF THE STATE OF ILLINOIS, *Respondent.***

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**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

Pursuant to Supreme Court Rule 39 and 28 U.S.C. § 1915(a), Petitioner Ehab Allababidi respectfully moves this Court for leave to proceed *in forma pauperis*, as supported by the attached Form 4 Declaration.

WHEREFORE, Petitioner respectfully requests that this Court grant leave to proceed *in forma pauperis* and accept the accompanying Petition for a Writ of Certiorari for filing without prepayment of the docket fee.

Respectfully submitted,

**/s/ Ehab Allababidi**  
EHAB ALLABABIDI, *Pro Se*  
8516 W. Winona St., Chicago, IL 60656  
(773) 920-0030  
Dated: February 20, 2026

No. \_\_\_\_\_

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**IN THE  
SUPREME COURT OF THE UNITED STATES**

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**EHAB ALLABABIDI,**  
*Petitioner,*

v.

**PEOPLE OF THE STATE OF ILLINOIS,**  
*Respondent.*

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

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**PETITION FOR A WRIT OF CERTIORARI**

**EHAB ALLABABIDI**

*Petitioner, Pro Se*

8516 W. Winona St., Chicago, IL 60656

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## 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?

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## PARTIES TO THE PROCEEDINGS

Petitioner is EHAB ALLABABIDI, who was the defendant in the trial court and the appellant in the Illinois Appellate Court and Illinois Supreme Court.

Respondent is the PEOPLE OF THE STATE OF ILLINOIS, who were the prosecution in the trial court and the appellee in the appellate courts.

## LIST OF DIRECTLY RELATED PROCEEDINGS

<b>Court</b>	<b>Case No.</b>	<b>Caption</b>	<b>Date</b>
19th Judicial Circuit (Lake County, IL)	23 CF 1146	People v. Allababidi	Sep. 8, 2025
IL App. Ct., 2d Dist.	2-25-0440	People v. Allababidi	Nov. 17, 2025
IL Supreme Court	132495	People v. Allababidi	Jan. 28, 2026
U.S. Dist. Ct., N.D. Ill. (Judge Blakey)	1:26-cv-01077	Allababidi v. Junkin et al.	Pending
Cir. Ct. Cook County (Judge Walker)	26CH01421	Allababidi v. Illinois Secretary of State	Feb. 20, 2026

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## OPINIONS AND ORDERS BELOW

The order of the Supreme Court of Illinois denying Petitioner’s Petition for Leave to Appeal is unreported and is reproduced at Appendix A. The order of the Appellate Court of Illinois, Second District, dismissing Petitioner’s appeal is unreported and is reproduced at Appendix B. The judgment of the Circuit Court of the 19th Judicial Circuit (Lake County), entering the conviction and sentence, is reproduced at Appendix D.

## JURISDICTIONAL STATEMENT

The Supreme Court of Illinois denied Petitioner’s Petition for Leave to Appeal on January 28, 2026. (App. A.) This Petition is filed within 90 days of that order, as required by Supreme Court Rule 13.1. The jurisdiction of this Court rests on 28 U.S.C. § 1257(a), which provides that “[f]inal judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari.” The denial of discretionary review by the Illinois Supreme Court constitutes the final judgment of the highest state court in which a decision could be had. *See Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469, 481 (1975). Petitioner remains in constructive custody through continuing restitution obligations and felony-conviction consequences (App. F). *See Jones v. Cunningham*, 371 U.S. 236, 243 (1963).

The filing deadline under Rule 13.1 is April 28, 2026. This Petition is filed on February 20, 2026, within the requisite statutory period, conferring proper jurisdiction upon this Court.

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

**U.S. Const. amend. V:** “No person shall . . . be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law . . . .”

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**U.S. Const. amend. VI:** “In all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defence.”

**U.S. Const. amend. XIV, § 1:** “. . . nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

**28 U.S.C. § 1257(a):** “Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari . . . where any title, right, privilege, or immunity is specially set up or claimed under the Constitution . . . .”

**Ill. S. Ct. R. 604(d):** (In relevant part) “No appeal from a judgment entered on a plea of guilty shall be taken unless the defendant, within 30 days of the date on which sentence is imposed, files in the trial court a motion to reconsider the sentence, if only the sentence is being challenged, or, if the plea is being challenged, a motion to withdraw the plea of guilty and vacate the judgment.”

## **STATEMENT OF THE CASE**

The deprivation of appellate access presented herein demonstrates a textbook manifestation of state-created unavailability. The strict enforcement of a jurisdictional prerequisite, occurring concurrently with the systemic unavailability of the State’s physical and digital filing infrastructure, resulted in a structural impossibility that permanently severed the petitioner’s access to the Article III judiciary.

### **A. The Underlying Conviction and Procedural Default**

On September 8, 2025, Petitioner entered a negotiated guilty plea to a felony enhancement in the Circuit Court of Lake County, Illinois (Case No. 23 CF 1146). Following the entry of the plea, Petitioner sought to exercise his right to direct appeal. Under Illinois Supreme Court Rule 604(d), trial counsel is strictly mandated to file a post-plea motion in the circuit court as a jurisdictional prerequisite to initiating an appeal. *See People v. Wilk*, 124 Ill. 2d 93, 100 (1988).

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Court-appointed counsel failed to file the mandatory Rule 604(d) motion or the requisite counsel certificate. Applying a rigid interpretation of Illinois Supreme Court Rule 604(d), the Appellate Court executed a jurisdictional dismissal on November 17, 2025, based exclusively on court-appointed counsel’s failure to file the mandatory prerequisite certificate, functionally imputing the procedural default to the unrepresented defendant. (App. B.)

**B. The State-Created Unavailability and January 28 Convergence**

The chronological progression demonstrates the exact structural impossibility recognized by this Court in *Perttu v. Richards*. On January 28, 2026, the administrative mechanisms of the State converged to render the appellate forum strictly unavailable. The categorical exclusion of criminal cases from the digital portal, verified by the system’s “Case Not Found” error, operated concurrently with the Lake County Circuit Clerk’s explicit written directive refusing alternative remote filing methods. When combined with the administrative revocation of physical transit, the State’s infrastructure rendered compliance with the 30-day jurisdictional prerequisite a literal impossibility. The chronological chain of state action is undisputed:

**September 8, 2025:** Petitioner’s conviction is entered, triggering the statutory revocation of driving privileges.

**October 3, 2025:** The license revocation takes effect, legally barring Petitioner from driving to the Waukegan courthouse.

**November 17, 2025:** The Appellate Court dismisses Petitioner’s direct appeal solely due to court-appointed counsel’s failure to file the mandatory Rule 604(d) prerequisite motion. (App. B.)

**December 19, 2025:** At a mandatory administrative hearing to restore driving privileges, Petitioner invoked his Fifth Amendment right against self-incrimination regarding the underlying crash, as it is the subject of active federal habeas litigation.

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**January 28, 2026 (The Convergence):** On a single date, the administrative mechanisms of the State converged to render the appellate forum structurally unavailable:

- The Illinois Supreme Court denied Petitioner’s Petition for Leave to Appeal without opinion. (App. A.)
- Petitioner’s attempt to access the Waukegan eFiling system returned “Case Not Found,” as criminal cases are categorically excluded from the portal.
- The Lake County Circuit Clerk issued a written directive explicitly refusing email filing, stating: “Where eFiling is not available, filings must be made ... in person or ... by mail. Email is not accepted.” (App. C.)

**February 5, 2026:** The Secretary of State issued a formal Order denying driving relief, citing Petitioner’s “refusal to provide testimony” (his Fifth Amendment invocation) as the basis for maintaining the revocation.

**February 18, 2026:** The Illinois Attorney General’s Office was served with actual, written notice of the unconstitutional condition regarding the Fifth Amendment.

**February 19–20, 2026:** The Attorney General’s Office appeared in the Circuit Court of Cook County and demanded the “status quo” (the revoked license). On February 20, the Circuit Court issued an Order ratifying this demand, officially ruling that “it is permissible for the trier of fact to draw adverse inferences from the invocation of the [F]ifth [A]mendment.” (App. G.)

### **C. The Unconstitutional Condition: The Administrative Exaction**

The administrative machinery of the State has engineered an impermissible exaction, functionally purchasing the submission of an enumerated right. Under the guise of an administrative hearing for driving relief, the State has leveraged its monopoly over a fundamental state benefit—the physical transit requisite for meaningful courthouse access—to

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coerce the surrender of the Fifth Amendment privilege against self-incrimination.

Under Illinois law, the revocation of driving privileges is an indefinite administrative action that strictly requires a formal hearing for reinstatement. Petitioner cannot legally drive to the Waukegan courthouse (47 miles away) because his privileges are revoked. He cannot navigate the mandated administrative hearing to regain those privileges without waiving the very constitutional right that protects him in parallel federal proceedings (No. 1:26-cv-01077, N.D. Ill.).

The February 20, 2026 Order by the Cook County Circuit Court formalizes the administrative overreach, expressly validating the extraction of adverse inferences from the invocation of the Fifth Amendment in civil administrative proceedings. By conditioning the restoration of physical transit on the waiver of this right, the administrative agency has executed a coercive unconstitutional condition that effectively forecloses access to the judiciary, mirroring the precise structural concerns regarding administrative conditionality articulated by this Court’s recent exactions jurisprudence. *See Sheetz v. County of El Dorado*, 601 U.S. 267 (2024); *Koontz v. St. Johns River Water Mgmt. Dist.*, 570 U.S. 595, 604 (2013). (App. G.)

Under *Garrity v. New Jersey*, 385 U.S. 493, 497 (1967), this Court held that the “option to lose their means of livelihood or to pay the penalty of self-incrimination is the antithesis of free choice.” Here, the State has substituted “means of livelihood” with “means of reaching the courthouse”—an even more fundamental right. The Attorney General’s demand for the “status quo” on February 19–20—made with actual, written knowledge of the structural barrier—constitutes the formal administrative ratification of the exaction. The Fourteenth Amendment does not permit a State to force a criminal defendant to choose between his Fifth Amendment privilege and his right of access to the courts.

## **REASONS FOR GRANTING THE WRIT**

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This case presents an ideal, clean vehicle to resolve an entrenched divide over whether state judiciaries may utilize procedural prerequisites to permanently insulate Sixth Amendment violations from direct appellate review. In *Garza v. Idaho*, 586 U.S. 232 (2019), this Court definitively established that when an attorney’s deficient performance costs a defendant an appeal they otherwise would have pursued, prejudice is presumed. However, the State of Illinois has engineered a total circumvention of that constitutional mandate. By converting court-appointed counsel’s *per se* omission into an immovable jurisdictional bar under Illinois Supreme Court Rule 604(d), the State has created a structural impossibility that extinguishes Sixth and Fourteenth Amendment rights simultaneously.

This state-mandated procedural default is not merely a localized appellate grievance; it represents a systemic abdication of state constitutional policing that directly threatens the architecture of federalism. By utilizing Rule 604(d) as an absolute jurisdictional bar, Illinois systematically defaults unreviewed Sixth Amendment deprivations directly onto the overburdened federal habeas docket. Certiorari is imperative to prevent state administrative machinery from circumventing *Garza* and converting the federal district courts into the courts of first review for state-level constitutional failures.

Furthermore, this deprivation is executed through an unprecedented convergence of administrative conditionality and systemic infrastructural failure. The State has constructed a hybrid justice system with an irreconcilable structural conflict: it categorically excludes *pro se* criminal defendants from digital e-filing portals, while its administrative agencies simultaneously leverage indefinite license revocations to structurally sever a citizen’s sole lawful means of physical transit to the courthouse. When equitable tolling is categorically denied in the face of this state-created unavailability, the resulting dismissal is not a legitimate failure to exhaust state remedies; it is an impermissible exaction and a state-sponsored deprivation of meaningful access to the courts that offends the Due Process Clause’s most fundamental guarantee.

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**A. THE DECISION BELOW DEEPENS A NATIONAL DIVIDE OVER THE SCOPE OF *GARZA V. IDAHO* WHEN STATES REQUIRE JURISDICTIONAL PREREQUISITE MOTIONS.**

This Court's intervention is required to resolve a fractured application of *Garza v. Idaho*, 586 U.S. 232 (2019), and *Roe v. Flores-Ortega*, 528 U.S. 470 (2000), among lower courts. In *Garza*, this Court unequivocally established that an attorney's failure to file a requested appeal constitutes *per se* ineffective assistance of counsel, presuming prejudice because the defendant is entirely deprived of the appellate proceeding. The ruling was fundamentally about protecting client autonomy.

However, a critical split has emerged regarding state-mandated procedural prerequisites. Illinois Supreme Court Rule 604(d) requires a post-plea motion as a strict, jurisdictional prerequisite to a direct appeal. The lower courts in this jurisdiction treat the failure to file this gateway motion under the burdensome actual-prejudice standard of *Strickland* rather than the *Garza per se* omission standard. This creates an unconstitutional loophole: States can bypass the *Garza* presumption of prejudice simply by relabeling the initiation of an appeal as a "post-plea motion."

This inter-jurisdictional divide is not theoretical. Colorado, Florida, and Washington each employ post-plea motion prerequisites to direct appeal that mirror Illinois Rule 604(d). *See* Colo. App. R. 7(a)(2) (motion to reconsider required); Fla. R. App. P. 9.140(b)(2)(A)(ii) (motion to withdraw plea required); Wash. Super. Ct. Crim. R. 7.8 (same). These jurisdictions have reached conflicting conclusions on whether counsel's failure to file the prerequisite motion triggers the *Garza* presumption of prejudice or merely a *Strickland* ineffective-assistance analysis. At least four state supreme courts — Colorado, Illinois, Florida, and Washington — have ruled that the jurisdictional default caused by counsel's omission is reviewed only for actual prejudice, thereby directly contravening *Garza's* *per se* mandate. This petition presents an optimal, factually undisputed vehicle to resolve this

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acknowledged division of authority.

This petition presents a critical corollary to the appellate waiver framework currently under active review in *Hunter v. United States* (No. 24-1063). While *Hunter* examines the outer constitutional limits of explicit, contractual appellate waivers negotiated between the government and the defendant, the instant case presents a far more insidious and constitutionally alarming variant: a systemic, non-consensual constructive waiver. The State of Illinois has utilized court-appointed counsel's procedural omission under Rule 604(d) to trigger an absolute jurisdictional defect, functionally imposing an unreviewable appellate waiver without the defendant's contractual consent. If this Court in *Hunter* is concerned with the parameters of an appellate waiver that a defendant explicitly signed, it must exercise its supervisory power to address state procedural architectures that construct non-consensual waivers designed to permanently insulate Sixth Amendment deprivations from Article III review. This petition is, at minimum, a strong candidate for a Grant, Vacate, and Remand order pending this Court's final disposition of *Hunter*.

**B. THIS CASE PRESENTS THE IDEAL, CLEAN VEHICLE TO RESOLVE THESE CONSTITUTIONAL CONFLICTS.**

The Supreme Court frequently denies certiorari when the factual record is disputed or when alternative state-law grounds obscure the federal question. This petition suffers from no such vehicle problems. The mechanisms of deprivation are formalized and administratively undisputed, allowing this Court to reach the Sixth and Fourteenth Amendment questions without entanglement in factual disputes. This case presents a pure question of law requiring no further factual development.

First, the administrative barrier is memorialized in the formal Walker Order, which officially ratified the State's demand for the "status quo" (the indefinite revocation of driving privileges) in direct response to Petitioner's invocation of the Fifth Amendment. Second, the structural barrier is verified by the State's formal ratification of that impediment. On February

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18, 2026, the State was provided actual, written notice of the unconstitutional condition. The State subsequently demanded the continued revocation of Petitioner’s license, thereby formally ratifying the barrier. Because the State’s mechanisms of deprivation are codified in administrative mandates rather than disputed allegations, this Court can resolve the presented constitutional questions on a pristine factual record.

**I. THE CONVERGENCE OF COUNSEL’S OMISSION AND THE STATE’S INFRASTRUCTURE RENDERED THE APPELLATE FORUM STRUCTURALLY UNAVAILABLE**

The State of Illinois has constructed a procedural architecture that completely bypasses the Sixth and Fourteenth Amendments. The State did not merely deny Petitioner’s appeal; its rigid administrative machinery systematically rendered all physical and digital filing pathways structurally unavailable.

The sequence of events operates as a strict logical proof of deprivation: (1) Illinois law requires counsel to file the Rule 604(d) motion; (2) Counsel failed to discharge this duty; (3) The State imputed counsel’s omission to Petitioner by dismissing the appeal; and (4) When Petitioner attempted to cure the defect *pro se*, the State’s own infrastructure rendered compliance a structural impossibility.

This Court’s jurisprudence has long recognized that a state cannot invoke a procedural default when the State itself bears responsibility for the default. *See Coleman v. Thompson*, 501 U.S. 722, 750 (1991). In *Martinez v. Ryan*, 566 U.S. 1 (2012), this Court held that when state procedures make it practically impossible to raise a claim of ineffective trial counsel, a remedy must be provided. Illinois’s strict application of Rule 604(d) creates the exact paradox *Martinez* sought to prevent: the defendant cannot appeal without the motion, cannot get the motion filed without counsel, and cannot challenge counsel’s failure without an appeal.

But this case escalates the deprivation from procedural to structural. The Clerk’s January 28 email (App. C) is a written document confirming that every remote filing method

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was closed. The Secretary of State’s denial of driving relief — conditioned on waiver of the Fifth Amendment — ensured that Petitioner could not lawfully drive himself to the courthouse. The convergence of these barriers constitutes a structural deprivation of access to the state courts.

In *Evitts v. Lucey*, 469 U.S. 387, 401 (1985), this Court held that “a first appeal as of right . . . is not adjudicated in accord with due process of law if the appellant does not have the effective assistance of an attorney.” The corollary must also be true: a right of access to the courts is meaningless if the physical and digital means of exercising that right are simultaneously eliminated.

The Walker Order of February 20, 2026 (App. G) removes any doubt about the constitutional dimension of this structural barrier. When the State’s own courts rule that invoking the Fifth Amendment will result in adverse inferences, and the State simultaneously conditions driving relief on testimony, the State has created a closed loop: Petitioner cannot access the court without surrendering the constitutional right that the court will then use against him. See *Perry v. Sindermann*, 408 U.S. 593, 597 (1972); cf. *Garrity v. New Jersey*, 385 U.S. 493, 500 (1967).

## **II. ILLINOIS SUPREME COURT RULE 604(d) CIRCUMVENTS *GARZA V. IDAHO*’S *PER SE* PREJUDICE STANDARD AND IMMUNIZES SIXTH AMENDMENT VIOLATIONS FROM APPELLATE REVIEW**

The Appellate Court’s dismissal of Petitioner’s appeal without first considering remand for Rule 604(d) proceedings represents a departure from accepted judicial proceedings warranting this Court’s supervisory power under Rule 10(a). More importantly, it creates a direct conflict with this Court’s Sixth Amendment jurisprudence.

This Court has recognized that counsel’s failure to take the steps necessary to perfect an appeal constitutes *per se* deficient performance. In *Roe v. Flores-Ortega*, 528 U.S. 470, 477 (2000), the Court held that counsel’s failure to file a notice of appeal when requested is

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presumptively prejudicial. In *Garza v. Idaho*, 586 U.S. 232 (2019), the Court confirmed that this presumption of prejudice applies even when the defendant has signed an appeal waiver — because the loss of the appellate proceeding itself is the injury. The Seventh Circuit has extended this reasoning to hold that counsel’s failure to file any necessary appellate document constitutes omission. *Castellanos v. United States*, 26 F.3d 717, 718 (7th Cir. 1994).

The Rule 604(d) motion is not a discretionary filing — it is a *mandatory prerequisite* to appeal. Under Illinois law, counsel is the only actor authorized to file it. When counsel fails to file the motion, the defendant is caught between two rules: (1) Rule 604(d), which requires the motion as a prerequisite, and (2) the general principle that a *pro se* defendant cannot file the motion because only an attorney can make the certifications the rule requires.

Petitioner did everything a *pro se* litigant could do: he timely filed a Notice of Appeal and moved for remand to allow the 604(d) proceedings to occur. (App. E.) The Appellate Court denied both without explanation. This has the practical effect of making counsel’s omission permanently unreviewable. If Illinois is permitted to insulate Sixth Amendment violations behind the Rule 604(d) jurisdictional defect with no review mechanism, it creates a replicable model for other jurisdictions to systematically deny appellate review to defendants whose court-appointed counsel fail to file the requisite gateway motion.

### **III. CONDITIONING THE PHYSICAL MEANS OF COURTHOUSE ACCESS ON THE WAIVER OF THE FIFTH AMENDMENT RAISES AN UNRESOLVED QUESTION UNDER THE UNCONSTITUTIONAL CONDITIONS DOCTRINE**

Certiorari review is warranted under Rule 10(c) because this case presents an important question of federal law that this Court has not yet resolved: whether a State may condition a defendant’s only physical means of reaching the courthouse on the waiver of his Fifth Amendment privilege.

The question is not academic. Illinois Supreme Court Rule 604(d) places the entire appellate right of a guilty-plea defendant in the hands of counsel — and then immunizes

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counsel's failure from appellate review by treating the failure as a jurisdictional defect. This circular trap ensures that any constitutional violation occurring before or during the plea process becomes permanently unreviewable once counsel fails to file the mandatory gateway motion.

When layered on top of this procedural paradox, the State's conditioning of driving relief on a Fifth Amendment waiver transforms a state-level defect into a constitutional crisis of national importance. The defendant cannot reach the courthouse because the State has indefinitely revoked his license. The State will not restore his license unless he testifies at a mandated hearing. And the State's own courts have codified that his testimony — or his invocation of the privilege — will be held against him. (App. G.) This is an unconstitutional condition that no other court in the country has the authority to remedy.

The State may argue that Petitioner could have utilized alternative means of transportation or the postal service. This ignores the jurisdictional reality of state court deadlines. Mail does not provide a guaranteed file-stamped receipt before a jurisdictional deadline, and the Walker Order effectively immobilized Petitioner by leveraging his Fifth Amendment rights against his ability to legally travel to a courthouse 47 miles away.

The unconstitutional conditions doctrine "vindicates the Constitution's enumerated rights by preventing the government from coercing people into giving them up." *Koontz v. St. Johns River Water Mgmt. Dist.*, 570 U.S. 595, 604 (2013). As articulated in *Perry v. Sindermann*, 408 U.S. 593 (1972), and *Garrity v. New Jersey*, 385 U.S. 493 (1967), the State may not condition a benefit on the waiver of a constitutional right. Here, the "benefit" is not employment or a land-use permit — it is the fundamental ability to physically reach a courthouse to challenge a criminal conviction. If the State may condition courthouse access on Fifth Amendment waiver, then no criminal defendant who invokes the privilege in parallel proceedings can ever meaningfully access the state courts. This Court should grant certiorari to resolve this structural deficiency.

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**C. THE STATE’S RIGID APPLICATION OF RULE 604(d) OFFENDS PRINCIPLES OF FEDERALISM AND COMITY.**

When a State’s rigid procedural rules permanently insulate Sixth Amendment violations from state appellate review, those rules directly undermine the principles of federalism. By mechanically applying Rule 604(d) to dismiss direct appeals following *per se* omission by appointed counsel, Illinois forces indigent defendants to seek their sole remedy in federal court via 28 U.S.C. § 2254 habeas corpus proceedings.

This systemic state-level abdication of constitutional review places an unwarranted burden on the federal judiciary — as evidenced by Petitioner’s concurrent need to litigate these exact Sixth Amendment deprivations in the Northern District of Illinois (*Allababidi v. Junkin*, No. 1:26-cv-01077, N.D. Ill.). Without this Court’s intervention, state administrative agencies will retain a validated blueprint to constructively waive a defendant’s federal appellate rights through the simple mechanism of a mandatory prerequisite motion that only counsel can file. This Court has recognized that the integrity of the federal habeas corpus system depends on state courts performing their primary role as guardians of federal constitutional rights. *See Martinez v. Ryan*, 566 U.S. 1, 10 (2012). Just as the amici in *Hunter* argue that plea agreements cannot contractually shield unconstitutional sentences from appellate scrutiny, state procedural rules cannot shield *per se* Sixth Amendment deprivations from review.

**D. THIS PETITION PRESENTS A NOVEL, LANDMARK QUESTION REGARDING FOURTEENTH AMENDMENT DUE PROCESS IN THE ERA OF DIGITIZED COURTS.**

The rapid transition of state judiciaries to digital infrastructure requires this Court to clarify the boundaries of the Fourteenth Amendment in the context of the modern digital divide. Illinois has constructed a hybrid filing architecture heavily reliant on digital access, yet the State categorically excludes unrepresented criminal defendants from its e-filing portal. The core constitutional defect is structural: Illinois Supreme Court Rule 604(d) and the Lake

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County Circuit Clerk’s digital infrastructure contain no equitable impossibility exception or tolling mechanism for state-created unavailability.

In *Boddie v. Connecticut*, 401 U.S. 371 (1971), this Court established that Due Process requires “meaningful access” to the judicial process. Today, meaningful access is inextricably linked to the State’s digital e-filing portals. When this structural digital barrier is enforced concurrently with an administrative revocation of physical transit, the State constructs a two-tiered system of justice. The categorical digital exclusion of a specific class of indigent litigants is a quintessential manifestation of the structural inequality inherent in the digital divide, rendering meaningful access to the courts a physical and technological impossibility.

The June 2025 decision in *Perttu v. Richards* makes plain that this Court views structural barriers to judicial access as a matter of paramount constitutional concern. There, this Court held that prisoners may not have their civil rights cases dismissed for failure to exhaust administrative remedies when the prison’s own infrastructure prevented that exhaustion. The principle is directly applicable here: Petitioner was dismissed for failing to “exhaust” Illinois Rule 604(d) proceedings—but, just as in *Perttu*, it was the State’s own incompatible systems that made that exhaustion impossible.

When a State mandates a strict jurisdictional deadline, explicitly excludes a class of *pro se* defendants from its digital e-filing portal, and simultaneously enforces an administrative barrier to physical transit, the State’s refusal to recognize an “impossibility exception” is the unconstitutional State action. The mechanical interaction of three independent state systems—the Rule 604(d) prerequisite, the Secretary of State’s administrative revocation policy, and the Circuit Clerk’s digital exclusion of criminal cases—combined to produce a structural result that no single actor may have intended, but that the State has since formally ratified. This state-created unavailability also operates as a functional prior restraint on the First Amendment right to petition the government for a redress of grievances. *See California Motor Transport Co. v. Tucker*, 404 U.S. 508, 510 (1972).

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This Court must grant certiorari to establish that when a State transitions to a hybrid digital/physical filing architecture, the Due Process Clause forbids the rigid, mechanical enforcement of a jurisdictional dismissal against a *pro se* litigant who is structurally excluded by the State's own incompatible systems. The Constitution requires, at minimum, an impossibility safety valve.

### CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that this Court grant the Petition for a Writ of Certiorari, reverse the judgment of the Supreme Court of Illinois denying leave to appeal, and remand the cause to that court for further proceedings not inconsistent with this Court's opinion.

Respectfully submitted,

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**/s/ Ehab Allababidi**  
EHAB ALLABABIDI, *Pro Se*  
8516 W. Winona St., Chicago, IL 60656  
(773) 920-0030

Dated: February 20, 2026

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**VERIFICATION**

I, Ehab Allababidi, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the facts stated in this Petition for a Writ of Certiorari are true and correct to the best of my knowledge, information, and belief. I further declare that I have personally reviewed each document contained in the Appendix and confirm that each is a true and correct copy of the original.

**/s/ Ehab Allababidi**  
EHAB ALLABABIDI  
Dated: February 20, 2026  
Chicago, Illinois

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**PROOF OF SERVICE**

I, Ehab Allababidi, hereby certify and declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that on this date, February 20, 2026, I caused a true and correct copy of the foregoing PETITION FOR A WRIT OF CERTIORARI and the accompanying APPENDIX to be served upon the parties listed below.

Pursuant to Supreme Court Rule 29.2, I further certify that all copies were deposited in the United States mail, with first-class postage prepaid, securely packaged and properly addressed to the Clerk of the Supreme Court of the United States and to the following parties:

**Kwame Raoul**

Attorney General of the State of Illinois  
100 West Randolph Street, 12th Floor  
Chicago, IL 60601

**Lake County State's Attorney's Office**

18 N. County Street  
Waukegan, IL 60085

**Clerk of the Supreme Court of Illinois**

200 East Capitol Avenue  
Springfield, IL 62701

**/s/ Ehab Allababidi**

EHAB ALLABABIDI, *Pro Se*

Dated: February 20, 2026

# APPENDIX INDEX

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The following documents are reproduced in the Appendix to this Petition for Writ of Certiorari. Each document is preceded by a cover page identifying the document, a key excerpt, and its relevance to the Questions Presented.

<b>App.</b>	<b>Document</b>	<b>Writ Sections</b>
<b>A</b>	Illinois Supreme Court Order Denying Leave to Appeal (January 28, 2026)	<i>Questions Presented 1–3; Jurisdictional Statement</i>
<b>B</b>	Illinois Appellate Court Dismissal Order (November 17, 2025)	<i>Question 1 (counsel omission / Rule 604(d)); Reasons I, II</i>
<b>C</b>	Lake County Circuit Clerk: Email Filing Refusal (January 28, 2026)	<i>Questions 1, 3 (State-Created Unavailability / Digital Exclusion); Reasons I, III, D</i>
<b>D</b>	Sentencing Order: Guilty Plea and Sentence (September 8, 2025)	<i>Question 1; Jurisdictional Statement</i>
<b>E</b>	Notice of Appeal and Motion to Remand (October 6, 2025)	<i>Question 1; Reasons I, II (diligence)</i>
<b>F</b>	Order for Restitution: Continuing Judicial Restraint (September 8, 2025)	<i>Jurisdictional Statement (custody requirement)</i>
<b>G</b>	Cook County Circuit Court Order: Judge Allen P. Walker (February 20, 2026)	<i>Question 2 (unconstitutional condition / Garrity); Reasons III</i>

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*Petition for Writ of Certiorari — Appendix Index*

# APPENDIX A

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## Illinois Supreme Court Order Denying Leave to Appeal (January 28, 2026)

### DOCUMENT IDENTIFICATION

Official letter-order of the Supreme Court of Illinois, signed by Clerk Cynthia A. Grant, entered January 28, 2026, in *People v. Allababidi*, Case No. 132495 (on petition from the Appellate Court of Illinois, Second District, No. 2-25-0440). The Court denied the Petition for Leave to Appeal without opinion.

### KEY EXCERPT

*“The Supreme Court today DENIED the Petition for Leave to Appeal in the above entitled cause.” — Clerk Cynthia A. Grant, Jan. 28, 2026*

### WHY THIS DOCUMENT MATTERS TO THIS PETITION

**This is the judgment under review.** Supreme Court Rule 14.1(i)(i) requires that Appendix A contain the opinion or order of the state court of last resort. The denial was entered *without opinion* on January 28, 2026 — the same day the Lake County Clerk refused all remote filing (App. C). This convergence of the denial with the physical and digital is the factual foundation of the State-Created Unavailability claim.

**Writ Cross-Reference:** Questions Presented 1–3; Jurisdictional Statement

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*Petition for Writ of Certiorari — Appendix A (1 of 7)*

*Document follows this cover page →*



## SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING  
200 East Capitol Avenue  
SPRINGFIELD, ILLINOIS 62701-1721  
(217) 782-2035

FIRST DISTRICT OFFICE  
160 North LaSalle Street, 20th Floor  
Chicago, IL 60601-3103  
(312) 793-1332  
TDD: (312) 793-6185

January 28, 2026

In re: People State of Illinois, respondent, v. Ehab Allababidi, petitioner.  
Leave to appeal, Appellate Court, Second District.  
132495

The Supreme Court today DENIED the Petition for Leave to Appeal in the above entitled cause.

The mandate of this Court will issue to the Appellate Court on 03/04/2026.

Very truly yours,

A handwritten signature in cursive script that reads "Cynthia A. Grant".

Clerk of the Supreme Court

# APPENDIX B

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## Illinois Appellate Court Dismissal Order (November 17, 2025)

### DOCUMENT IDENTIFICATION

Letter-order of the Appellate Court of Illinois, Second District, entered November 17, 2025, dismissing Appeal No. 2-25-0440 in *People v. Allababidi* (Lake County Case No. 23 CF 1146). The appeal was dismissed solely for failure to file the mandatory Supreme Court Rule 604(d) certificate — a filing that was the exclusive responsibility of trial counsel, not Petitioner.

### KEY EXCERPT

*Appeal dismissed for noncompliance with Ill. S. Ct. R. 604(d). Trial counsel's failure to file the mandatory certificate was the sole basis for dismissal.*

### WHY THIS DOCUMENT MATTERS TO THIS PETITION

**This order is the predicate for both the counsel-omission and State-Created Impediment claims.** The Appellate Court dismissed the appeal because trial counsel — not Petitioner — failed to file a mandatory certificate. Under *Roe v. Flores-Ortega*, 528 U.S. 470 (2000), and *Garza v. Idaho*, 586 U.S. 232 (2019), counsel's procedural default cannot be imputed to the client.

**Writ Cross-Reference:** Question 1 (counsel omission / Rule 604(d)); Reasons I, II

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*Petition for Writ of Certiorari — Appendix B (2 of 7)*

*Document follows this cover page →*



**ILLINOIS APPELLATE COURT  
SECOND DISTRICT**

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

November 17, 2025

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

RE: People v. Allababidi, Ehab  
Appeal No.: 2-25-0440  
County: Lake County  
Trial Court No.: 23CF1146

The court has this day, November 17, 2025, entered the following order in the above entitled case:

Appellant's motion to stay this appeal and issue a limited remand for proceedings under Rule 604(d) is denied, as appellant's admitted failure to file a Rule 604(d) motion requires instead that his appeal be dismissed. See *People ex rel. Alvarez v. Skryd*, 241 Ill. 2d 34, 40 (2011) ("Where a defendant has failed to file a motion to withdraw the guilty plea, the appellate court must dismiss the appeal."). (Although appellant offers certain excuses for why he failed to file the motion, he does not offer the only excuse that is legally actionable, which applies "[w]here a circuit court fails to give applicable Rule 605 admonishments." *Id.* at 41.) Accordingly, this appeal is dismissed.

**THIS ORDER IS FINAL AND SHALL STAND AS THE MANDATE OF THIS COURT.**  
(McLaren, Hutchinson, Schostok, JJ.)

Jeffrey H. Kaplan  
Clerk of the Court

cc: Edward Randall Psenicka  
Lake County Circuit Court

# APPENDIX C

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## Lake County Circuit Clerk: Email Filing Refusal (January 28, 2026)

### DOCUMENT IDENTIFICATION

Email from the Circuit Clerk of the 19th Judicial Circuit (Lake County, Illinois), sent January 28, 2026 at 10:41 AM, in response to Petitioner’s inquiry about electronic filing of post-conviction pleadings in Case No. 23 CF 1146. The Clerk confirmed: (1) eFiling is “not available for criminal cases”; (2) “email is not accepted”; and (3) filings must be made “in person or by mail.”

### KEY EXCERPT

*“Efiling is not available for criminal cases... Email is not accepted... You would need to file in person or mail.” — Lake County Circuit Clerk, Jan. 28, 2026 at 10:41 AM*

### WHY THIS DOCUMENT MATTERS TO THIS PETITION

**The written record of the digital exclusion.** This email was sent on the same morning the PLA was denied (App. A). It confirms that every remote filing pathway was closed. With Petitioner’s driving privileges revoked (App. G) and Waukegan 47 miles from Petitioner’s home, in-person filing was a physical impossibility. This document establishes that the state corrective process was inaccessible.

**Writ Cross-Reference:** Questions 1, 3 (State-Created Unavailability / Digital Exclusion); Reasons I, III, D

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*Petition for Writ of Certiorari — Appendix C (3 of 7)*

*Document follows this cover page →*

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**RE: ON THE RECORD: 23CF1146 — T611 (01/26/2026) — eFile “Case Not Found” LOCKOUT + Sixth Amendment/Faretta violation + preservation demand (Federal record notice)**

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**Circuit Clerk** <CircuitClerk@lakecountyil.gov>

Wed, Jan 28, 2026 at 10:41 AM

To: Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;, Circuit Clerk &lt;CircuitClerk@lakecountyil.gov&gt;, Courts &lt;Courts@lakecountyil.gov&gt;, Lake County State's Attorney &lt;StatesAttorney@lakecountyil.gov&gt;, "Gregory C. Ticsay" &lt;GTicsay@lakecountyil.gov&gt;

Good Afternoon,

1. Where eFiling is not available, filings must be made in the conventional manner, either in person or, where applicable, on paper by mail. Email is not accepted.

To receive a filed stamped copy:

- If filing in person, bring additional copies to be stamped.
  - If filing by mail, include additional copies and a self-addressed, stamped envelope for the return of stamped documents.
  - Because mail goes through the County mailroom before being disbursed to the various departments, we can only confirm the date this office receives the document, as indicated in the Filed Stamp. If working with a timeline, allow ample time for delivery.
2. 23CF00001146 has no case restrictions, either statutory or by court order, at this time so information would be visible on the portal. As you have case access to the case in the portal as party, once you log in with this email address, go to the My Cases tab to be able to view documents Filed as well as any other case information, including court events.
  3. The Circuit Clerk record is not the verbatim transcript of a proceeding. To receive a transcript of the proceedings as recorded by the Electronic Court Reporter being used in T611 on 1/26/26, you'd need to make a request to: [Official Certified Shorthand Reporters and Computer-Aided Transcripts | 19th Judicial Circuit Court, IL](#)

As to retention of records, the Circuit Clerk's Office will defer to the Courts, already included in this correspondence.

Office of the Clerk of the Circuit Court Erin Cartwright Weinstein

[18 N. County St.](#)[Waukegan, IL 60085](#)

**From:** Ehab Hilfiger <defcon5ready@gmail.com>

**Sent:** Tuesday, January 27, 2026 2:36 PM

**To:** Circuit Clerk <CircuitClerk@lakecountyil.gov>; Courts <Courts@lakecountyil.gov>; Lake County State's Attorney <StatesAttorney@lakecountyil.gov>; Gregory C. Ticsay <GTicsay@lakecountyil.gov>

**Subject:** Re: ON THE RECORD: 23CF1146 — T611 (01/26/2026) — eFile “Case Not Found” LOCKOUT + Sixth Amendment/Faretta violation + preservation demand (Federal record notice)

To: [circuitclerk@lakecountyil.gov](mailto:circuitclerk@lakecountyil.gov)

Cc: [courts@lakecountyil.gov](mailto:courts@lakecountyil.gov); [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov); [gticsay@lakecountyil.gov](mailto:gticsay@lakecountyil.gov)

Clerk of the Circuit Court:

Thank you for confirming that **eFiling is not available for Criminal/Traffic cases in Lake County**, and for providing the portal instructions. I will use the Lake County Circuit Clerk Online Portal and will search the case in the format you provided: **23CF00001146**.

However, your response does **not** resolve the core issues raised in my prior email: **(a) the pro se filing pathway when eFiling is unavailable, and (b) preservation of the official record from Courtroom T611 on 01/26/2026**. This reply is submitted **on the record** and should be placed in the case file.

1. CONFIRM THE AUTHORIZED PRO SE FILING PATH (CRIMINAL CASES — NO EFILE)

Because eFiling is unavailable, please provide the Clerk-approved method(s) by which a **pro se defendant** may file motions/notices into **23CF00001146**, including:

- Whether the Clerk’s Office accepts **email intake** for pro se criminal filings (and if so, the correct email address, required subject line, and file-format rules);
- If not email: whether filing must be **in-person** and/or **by U.S. mail**, including the exact address, attention line, hours, and any required cover sheet;
- How the Clerk will provide a **file-stamped copy** back to the filer (email back / portal upload / mail / pickup); and
- Whether the Clerk will confirm the **received date/time** in writing when filings are delivered remotely (mail/email).

2. PORTAL ACCESS VS. PARTY ACCESS (RESTRICTIONS)

You stated the portal can be used to view cases “that are not restricted from public view.” Please state clearly, in writing:

- Whether **23CF00001146** is restricted from public view; and
- If it is restricted, what exact steps a **party of record (pro se defendant)** must take to obtain **full docket/document access** (including what identification is required and whether that can be done remotely).

3. PRESERVATION DEMAND — COURTROOM T611 (01/26/2026)

Please confirm, in writing, preservation of all records for **Courtroom T611 on 01/26/2026**, including:

- Any **audio/video recording**, Zoom/remote proceeding records (if any), and related logs;
- Any clerk/courtroom minutes reflecting what occurred, including the basis for continuance and any statements directing me to “get a lawyer”; and
- Any retention policy that would result in deletion—identify the policy and the retention period.

If the position is that “no recording exists,” state that explicitly in writing and identify **who** can certify that fact.

4. STATE’S ATTORNEY — POSITION REQUIRED (COPIED)

State’s Attorney’s Office is copied: confirm in writing whether you are taking the position that I must retain counsel and cannot proceed pro se, and whether you oppose remote appearance for motions. If you contend any denial of Zoom/remote appearance is proper, state the **cause and authority** relied upon (not a vague “policy”).

5. PUBLIC DEFENDER — NOTICE (COPIED)

Public Defender is copied for notice because the same evidence/preservation issues implicated by my motions are at issue with defense-side access as well. This email places the Public Defender on notice of the preservation demand and the official filing-path request.

6. CONFIRMATION OF RECEIPT — I WILL CALL

I will be calling to confirm receipt and to obtain the name/title of the person responsible for (a) confirming the pro se filing pathway and (b) confirming preservation of the T611 01/26/2026 record.

Attachments:

# APPENDIX D

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## Sentencing Order: Guilty Plea and Sentence (September 8, 2025)

### DOCUMENT IDENTIFICATION

Order of the Circuit Court of the 19th Judicial Circuit (Lake County, Illinois), entered September 8, 2025, accepting a negotiated guilty plea and imposing sentence in *People v. Allababidi*, Case No. 23 CF 1146. Petitioner pleaded guilty to Aggravated Reckless Driving (Great Bodily Harm) under 625 ILCS 5/11-503(a)(1), with felony-level consequences including mandatory DNA collection.

### KEY EXCERPT

*Sentence: 24 months conditional discharge. Mandatory DNA collection ordered — a felony consequence that trial counsel represented as a misdemeanor disposition.*

### WHY THIS DOCUMENT MATTERS TO THIS PETITION

**This is the judgment of conviction from which all claims flow.** It documents the plea to a charge carrying felony consequences that trial counsel misrepresented as a “misdemeanor.” The mischaracterization is directly relevant to Petitioner’s claim that the guilty plea was not knowing and voluntary under *Padilla v. Kentucky*, 559 U.S. 356 (2010).

**Writ Cross-Reference:** Question 1; Jurisdictional Statement

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*Petition for Writ of Certiorari — Appendix D (4 of 7)*

*Document follows this cover page →*

THE PEOPLE OF THE STATE OF ILLINOIS,  
City or Village of \_\_\_\_\_ )

vs. )

Ehab Allababidi )  
\_\_\_\_\_  
(Defendant) )

General Number 23CF1146

**Erin Cartwright Weinstein**  
**Clerk of the Court**  
**Lake County, Illinois**

**FINANCIAL SENTENCING ORDER**

The Defendant has appeared before this court and  plead guilty  was found guilty of the offenses listed in paragraph 1 below.

Defendant has been admonished of his/her right to be sentenced under the law in effect at the time of the offense or the time of sentencing:

In addition to any other sentences imposed in the case, the Defendant is ordered to pay the following fines and assessments:

**1. Fine(s) (705 ILCS 105/27.3b-1 and 730 ILCS 5/4-4.5-5 sets forth the minimum fine):**

- a. Offense: Aggravated Reckless Driving/Great Bodily Harm \$75 \_\_\_\_\_
  - b. Offense: \_\_\_\_\_ \$ \_\_\_\_\_
  - c. Offense: \_\_\_\_\_ \$ \_\_\_\_\_
- Total fine(s):** \$75 \_\_\_\_\_

**2. Fine Credits:**

Credit for time served: \_\_\_\_\_ days x \$30.00 per day credit \$( \_\_\_\_\_ )

**Balance of fines less fine credit(s):** \$75 \_\_\_\_\_

**3. Criminal Assessments (One per case. Check the highest-class offense only.)**

Offense:

- \_\_\_\_\_ a.  Schedule 1: Generic Felony (705 ILCS 135/15-5) \$ 549 \$549 \_\_\_\_\_
- \_\_\_\_\_ b.  Schedule 2: Felony DUI/OUI (705 ILCS 135/15-10) \$1,709 \$ \_\_\_\_\_
- \_\_\_\_\_ c.  Schedule 3: Felony Drug Offense (705 ILCS 135/15-15) \$2,215 \$ \_\_\_\_\_
- \_\_\_\_\_ d.  Schedule 4: Felony Sex Offense (705 ILCS 135/15-20) \$1,314 \$ \_\_\_\_\_
- \_\_\_\_\_ e.  Schedule 5: Generic Misdemeanor Offense (705 ILCS 135/15-25) \$ 439 \$ \_\_\_\_\_
- \_\_\_\_\_ f.  Schedule 6: Misdemeanor DUI/OUI (705 ILCS 135/15-30) \$1,381 \$ \_\_\_\_\_
- \_\_\_\_\_ g.  Schedule 7: Misdemeanor Drug Offense (705 ILCS 135/15-35) \$ 905 \$ \_\_\_\_\_
- \_\_\_\_\_ h.  Schedule 8: Misdemeanor Sex Offense (705 ILCS 135/15-40) \$1,184 \$ \_\_\_\_\_
- \_\_\_\_\_ i.  Schedule 9: Major Traffic Offense (705 ILCS 135/15-45) \$ 325 \$ \_\_\_\_\_
- \_\_\_\_\_ j.  Schedule 10: Minor Traffic Offense (705 ILCS 135/15-50) \$ 226 \$ \_\_\_\_\_
- \_\_\_\_\_ k.  Schedule 10.5: Truck Weight/Load Offense (705 ILCS 135/15-52) \$ 260 \$ \_\_\_\_\_
- \_\_\_\_\_ l.  Schedule 11: Conservation Offense (705 ILCS 135/15-55) \$ 195 \$ \_\_\_\_\_
- \_\_\_\_\_ m.  Schedule 13: Non-Traffic Violation (705 ILCS 135/15-65) \$ 100 \$ \_\_\_\_\_

**Subtotal-Criminal Assessment:** \$549 \_\_\_\_\_

**4. Offsets of Assessments**

- a.  Public/Community Service (1 hour x current Illinois minimum wage subtracted from Criminal Assessment - Section 3 – only) (705 ILCS 135/5-20(b))  
Number of Hours \_\_\_\_\_ x \$ \_\_\_\_\_ per hour \$( \_\_\_\_\_ )
- b.  Substance Abuse Treatment Program Credit (subtracted from Criminal Assessment – Section 3 – only) (705 ILCS 135/5-10(c-5)) \$( \_\_\_\_\_ )

**Total Additional Offsets:** \$( \_\_\_\_\_ )

**Total Balance of Criminal Assessments:** \$ \_\_\_\_\_

**5. Conditional Assessment(s) (Check all that apply)**

Offense:

- \_\_\_\_\_ a.  Arson/Residential/Aggravated Arson (705 ILCS 135/15-70(1)) \$500 per conviction \$ \_\_\_\_\_
- \_\_\_\_\_ b.  Child Pornography (705 ILCS 135-15-70(2))  
 State Police  Other Arresting Agency \$500 per conviction \$ \_\_\_\_\_
- \_\_\_\_\_ c.  Crime lab drug analysis (705 ILCS 135/15-70(3)) \$ 100 \$ \_\_\_\_\_
- \_\_\_\_\_ d.  DNA analysis (705 ILCS 135/15-70(4)) \$ 250 \$ \_\_\_\_\_
- \_\_\_\_\_ e.  DUI analysis (705 ILCS 135/15-70(5)) \$ 150 \$ \_\_\_\_\_

<input type="checkbox"/>	f.	Street Value – Drug-related offense, possession/delivery (705 ILCS 135/15-70(6))	\$	_____
<input type="checkbox"/>	g.	Street Value – Methamphetamine, possession/manufacture (705 ILCS 135/15-70(7))	\$	_____
<input type="checkbox"/>	h.	Order of protection violation (705 ILCS 135/15-70(8))	\$200 per conviction	\$ _____
<input type="checkbox"/>	i.	Order of protection violation (705 ILCS 135/15-70(9))	\$ 25 per violation	\$ _____
<input type="checkbox"/>	j.	State’s Attorney petty or business offense (705 ILCS 135/15-70(10)(A))	\$ 4	\$ _____
<input checked="" type="checkbox"/>	k.	State’s Attorney conservation or traffic offense (705 ILCS 135/15-70(10)(B))	\$ 2	\$ <sup>2</sup> _____
<input type="checkbox"/>	l.	Speeding in a construction zone (705 ILCS 135/15-70(11))		
		<input type="checkbox"/> Interstate Highway <input type="checkbox"/> County	\$ 250	\$ _____
<input type="checkbox"/>	m.	Supervision disposition under Vehicle Code (705 ILCS 135/15-70(12))	\$ 0.50	\$ _____
<input type="checkbox"/>	n.	Guilty plea or no contest, specified offense against family member		
<input type="checkbox"/>		<input type="checkbox"/> Sentencing offense is Sexual Assault (705 ILCS 135/15-70(13))	\$ 200	\$ _____
<input type="checkbox"/>	o.	EMS response reimbursement, vehicle/snowmobile/boat violation (DUI/OUI) (705 ILCS 135/15-70(14))	Max. Amt. is \$1,000	\$ _____
<input type="checkbox"/>	p.	EMS response reimbursement, controlled substances violation (705 ILCS 135/15-70(15))	\$1,000	\$ _____
<input type="checkbox"/>	q.	EMS response reimbursement, reckless driving/aggravated reckless driving/speed in excess 26 mph violation (705 ILCS 135/15-70(16))	Max. Amt. is \$1,000	\$ _____
<input type="checkbox"/>	r.	Human Trafficking, Sex Offender Registration, or Soliciting a Sexual Act Violation (705 ILCS 135/15-70(17));	Not less than \$350 for each offense sentenced	\$ _____
		This amount shall be the minimum amount of the fine, which shall be distributed pursuant to this act		
<input type="checkbox"/>	s.	Weapons Violation, Trauma Center Fund (705 ILCS 135/15-70(18))	\$100 per conviction	\$ _____
<input type="checkbox"/>	t.	Scott’s Law (705 ILCS 135/15-70(19)) <input type="checkbox"/> State Police <input type="checkbox"/> County	\$ 250	\$ _____
		<b>Subtotal – Conditional Assessment Amount:</b> \$ _____		
		<b>TOTAL CRIMINAL AND CONDITIONAL ASSESSMENTS:</b> \$551.00		

**6. Assessment waiver (only applies to financial obligations under sections 3 and 5):**

a.  Waiver of Criminal Court Assessment granted \_\_\_\_\_ (does not apply to fines or IVC)  
 \_\_\_\_\_ (Date)  
 100%  75%  50%  25% Waiver amount: \$( \_\_\_\_\_ )  
**Balance of assessments and conditional assessments after credits are applied:** \$ \_\_\_\_\_

**7. Other Assessments:**

a.  Restitution (See separate Restitution Order for details) \$ \_\_\_\_\_  
 b.  Probation/Supervision/Conditional Discharge Fee \$50/month x 30 months \$1500  
 c.  Public Defender assessment \$100  
 d.  Service Provider cost  Urinalysis Testing \$125  \$125  
 e.  Therapeutic Intensive Monitoring Fee \$ \_\_\_\_\_  
 f.  Other: \_\_\_\_\_ \$ \_\_\_\_\_  
 g.  Pretrial Bond Services Fee \$ \_\_\_\_\_  
 h.  Court Ordered Contribution: Agency & Address: \_\_\_\_\_ \$ \_\_\_\_\_  
 i.  Roadside Memorial Fund \$ 50 \$ \_\_\_\_\_

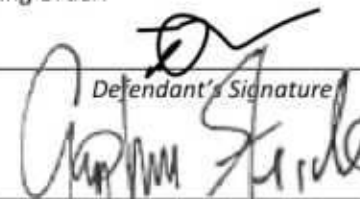
**8. Bond posted:** \_\_\_\_\_ **minus 10% bond fee** \_\_\_\_\_ **= Bond Available:** \$ \_\_\_\_\_

**SEE EXHIBIT A** **BALANCE OF ALL FINES AND ASSESSMENTS MINUS BOND:** \$2,251.00

I am the Defendant in the above case and I have read and understand this Financial Sentencing Order.

Dated: September 8, 2025

Entered this date: 09/08/2025, 2025

\_\_\_\_\_  
 Defendant's Signature  
  
 \_\_\_\_\_  
 Judge Signature

# APPENDIX E

---

## Notice of Appeal and Motion to Remand (October 6, 2025)

### DOCUMENT IDENTIFICATION

Petitioner's Notice of Appeal filed October 6, 2025, in the Circuit Court of the 19th Judicial Circuit (Lake County), together with a Motion to Stay Appeal and Remand for Limited Rule 604(d) Proceedings in Case No. 23 CF 1146 / Appeal No. 2-25-0440.

### KEY EXCERPT

*Petitioner simultaneously appealed and moved to remand for the 604(d) proceedings that trial counsel failed to initiate.*

### WHY THIS DOCUMENT MATTERS TO THIS PETITION

**Demonstrates diligence, not delay.** Within 28 days of sentencing, Petitioner filed this Notice of Appeal and simultaneously moved the Appellate Court to remand for the very Rule 604(d) proceedings that counsel omitted. The Appellate Court denied the motion and instead dismissed the appeal (App. B).

**Writ Cross-Reference:** Question 1; Reasons I, II (diligence)

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*Petition for Writ of Certiorari — Appendix E (5 of 7)*

*Document follows this cover page →*

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

People of the State of Illinois,  
Plaintiff-Appellee,

v.

Ehab Allababidi,  
Defendant-Appellant.

Case No. 23CF1146

FILED

OCT 06 2025

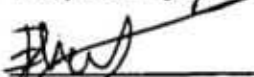
Eva Cantorget Weinstein  
CIRCUIT CLERK

NOTICE OF APPEAL

Now comes the Defendant-Appellant, Ehab Allababidi, and hereby gives notice of appeal to the Illinois Appellate Court, Second District, from the final judgment of conviction entered on September 8, 2025, in the Circuit Court of Lake County, Illinois, before the Honorable Judge Christopher R. Stride, in Case No. 23CF1146.

Appellant's address for service of notices is:  
8516 W Winona St  
Chicago, IL 60656

Respectfully submitted,

  
\_\_\_\_\_  
Ehab Allababidi  
Defendant-Appellant, pro se

Date: 10/6/2025

To: Clerk of the Circuit Court of Lake County, Waukegan, Illinois  
and the People of the State of Illinois, Plaintiff-Appellee.

# APPENDIX F

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## Order for Restitution: Continuing Judicial Restraint (September 8, 2025)

### DOCUMENT IDENTIFICATION

Order for Restitution entered by the Circuit Court of the 19th Judicial Circuit (Lake County), September 8, 2025, in Case No. 23 CF 1146, imposing specific financial obligations and conditions as part of the sentence.

### KEY EXCERPT

*Restitution ordered as a condition of sentence, creating a continuing judicial restraint on Petitioner's liberty.*

### WHY THIS DOCUMENT MATTERS TO THIS PETITION

**Establishes continuing judicial restraint.** Under *Jones v. Cunningham*, 371 U.S. 236, 243 (1963), this restitution order and the conditional discharge (App. D) create continuing judicial restraints on Petitioner's liberty, maintaining a live controversy for Article III purposes.

**Writ Cross-Reference:** Jurisdictional Statement (custody requirement)

---

*Petition for Writ of Certiorari — Appendix F (6 of 7)*

*Document follows this cover page →*

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

**Erin Cartwright Weinstein**  
**Clerk of the Court**  
**Lake County, Illinois**

**State of Illinois**

Plaintiff(s)

vs.

**Ehab Allababidi**

Defendant(s)

General No. **23CF1146**

**ORDER FOR RESTITUTION**

This cause coming to be heard before this Honorable Court, the parties being duly represented, and the Court being fully apprised, it is hereby ordered that Restitution be paid as follows:

Restitution shall be paid to:

Name O'Brien Landscape  
Address 5700 Howard St.  
City, Skokie State, IL Zip 60077

In the total amount of \$2,670.86 to be paid through the Circuit Clerk's office.

All money paid shall apply to restitution first.

Joint and several with

case number

ENTER:

  
\_\_\_\_\_  
JUDGE

Dated this 8 day of September , 2025 .

Prepared by:

Name: Bailey C. Russell  
Address: 15 S. County St.

City: Waukegan

Phone:

Fax

ARDC: 6340962

State: IL

Zip Code:

# APPENDIX G

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## Cook County Circuit Court Order: Judge Allen P. Walker (February 20, 2026)

### DOCUMENT IDENTIFICATION

Order entered February 20, 2026, by Judge Allen P. Walker in the Circuit Court of Cook County, Case No. 26CH01421 (Allababidi v. Illinois Secretary of State), ruling on the consequences of invoking the Fifth Amendment privilege.

### KEY EXCERPT

*“It is permissible for the trier of fact to draw adverse inferences from the invocation of the [F]ifth [A]mendment.”*

### WHY THIS DOCUMENT MATTERS TO THIS PETITION

**The unconstitutional condition made explicit.** The Walker Order officially codifies that Petitioner’s invocation of the Fifth Amendment will be used against him in the proceedings determining his driving privileges. This establishes the structural barrier: Petitioner must surrender his Fifth Amendment right to regain the physical means to access the courthouse.

**Writ Cross-Reference:** Question 2 (unconstitutional condition / Garrity); Reasons III

---

*Petition for Writ of Certiorari — Appendix G (7 of 7)*

*Document follows this cover page →*

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

EHAB ALLABABIDI,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
ALEXI GIANNOULIAS, SECRETARY OF THE STATE OF ILLINOIS, et al.	)	Case No. 2026CH01421
	)	
Defendants.	)	Hon. Allen P. Walker
	)	
	)	
	)	

**ORDER**

**IT IS HEREBY ORDERED:**

THIS MATTER coming on Petitioner’s Emergency Motion to stay the Illinois Secretary of State’s February 5, 2026, Order. **THE COURT HEREBY FINDS AND HOLDS AS FOLLOWS:**

1. Circuit courts have broad statutory authority under 735 ILCS 5/3-111(a)(1) to stay administrative decisions upon a showing of "good cause," which requires demonstrating: "(i) that an immediate stay is required in order to preserve the status quo without endangering the public, (ii) that it is not contrary to public policy, and (iii) that there exists a reasonable likelihood of success on the merits." 735 Ill. Comp. Stat. Ann. 5/3-111 (a)(1); *Moore v. Mankowitz*, 127 Ill.App.3d 1050 (1984).
2. On October 3, 2025, the Illinois Secretary of State (“Secretary”) revoked Petitioner’s driver’s license pursuant to section 6-205(a)(3) of the Illinois Vehicle Code, which mandates revocation upon conviction of a felony “in the commission of which a motor vehicle was used.” 625 ILCS 5/6-205(a)(3) (West 2024). The underlying offense was Aggravated Reckless Driving (Great Bodily Harm), a Class 4 felony, to which Petitioner pleaded guilty in *People v. Allababidi* (19th Judicial Circuit, Lake County). On December 8, 2025, Petitioner filed an Application for Driving Relief with the Secretary, which was denied by administrative order dated February 5, 2026 (“Order”).

The “status quo” is defined as “the last actual, peaceful, uncontested status which preceded the pending controversy.” *Bd. of Educ. of City of Chicago v. Illinois State Charter Sch. Comm’n*, 2016 IL App (1st) 161706-U, ¶ 31; *Markert v. Ryan*, 247 Ill. App. 3d 915, 918 (1993). In this case, that period is after the conclusion of *People v. Allababidi*, when Petitioner’s driver’s license was revoked pursuant to section 6-205(a)(3). The administrative proceeding resulting in the Order constitutes the “pending controversy” under review by this Court.

In a similar case, *Markert v. Ryan*, a petitioner had been issued two separate Restricted Driving Permits (“RDPs”), following license revocation for a DUI conviction. *Id.* at 916. Before the

expiration of his second RDP, the petitioner applied for a renewal, which the Secretary denied in a formal order. *Id.* A circuit court granted a stay of that order, pending administrative review, finding that because the petitioner's RDP was still effective when his new application was filed the status quo was an active RDP. *Id.* By contrast, Petitioner in the case at hand has not been issued an RDP and had no valid driving privileges at the time the Application for Driving Relief was filed. Therefore, the status quo is the period after Petitioner's driver's license was revoked pursuant to 625 ILCS 5/6-205(a)(3). Thus, preserving the status quo under the 735 ILCS 5/3-111(a)(1) "good cause" standard, means maintaining Petitioner's revoked license.

3. There is no clear-cut definition of public policy. *Leweling v. Schnadig Corp.*, 276 Ill. App. 3d 890, 893 (1st Dist. 1995). "In general, it can be said that public policy concerns what is right and just and what affects the citizens of the State collectively." *Id.* Hearing Officer Palmer ("Officer Palmer") wrote the Order. Officer Palmer found that Petitioner demonstrated an undue hardship without a driver's license, but concluded that, when balanced against public safety, granting driving privileges would not serve the interests of public policy. The Court concurs.
4. Petitioner does not have a reasonable likelihood of success on the merits. The Illinois Appellate Court has explained that, to meet this standard, a petitioner must have "at least a fair question as to the likelihood of success on the merits." (Internal quotation marks omitted.) *Markert* 247 Ill. App. 3d 917; *Parikh v. Div. of Pro. Regul. of Dep't of Fin. & Pro. Regul.*, 2012 IL App (1st) 121226, ¶ 30. Petitioner's administrative review complaint can be separated into two claims regarding the Secretary's Order: (1) that it is against the manifest weight of the evidence, and (2) that it violates due process. Each is addressed in turn.

### **Due Process Violation**

Throughout the administrative proceeding, Petitioner refused to substantively testify regarding prior arrests and incidents of drug use in both 2018 and 2022. Petitioner stated these refusals were based on the Fifth Amendment due to concurrent criminal or federal habeas proceedings. Petitioner argues that the "sole basis for denial was Plaintiff's 'refusal to provide testimony'—his exercise of the constitutional right against self-incrimination." However, Illinois courts have repeatedly held that it is "permissible for the trier of fact to draw adverse inferences from the invocation of the [f]ifth [a]mendment in a civil proceeding." *Universal Metro Asian Servs. Ass'n v. Mahmood*, 2021 IL App (1st) 200584, ¶ 33; *Jacksonville Sav. Bank v. Kovack*, 326 Ill. App. 3d 1131, 1135, 762 N.E.2d 1138, 1141 (4th Dist. 2002) (quoting *Keating v. Office of Thrift Supervision*, 45 F.3d 322, 326 (9th Cir. 1995)). This principle applies equally to administrative hearings. *Giampa v. Illinois Civ. Serv. Comm'n*, 89 Ill. App. 3d 606, 613 (1st Dist. 1980).

Further, the denial was not based solely on Petitioner's invocation of the Fifth Amendment. The Order expressly states that its conclusion was based on multiple findings of fact, including finding of fact #5: "Petitioner has two arrest(s) and zero convictions for driving under the influence ("DUI"). The certified record, the PDPS and/or alcohol and drug evaluations contained in the file disclose the DUI arrests of December 21, 2022 and January 23, 2018. (Secretary of State's Exhibits #3 & 5 and Petitioner's Exhibit #1).

**Against the Manifest Weight of the Evidence**

An administrative agency's findings and conclusions on questions of fact are deemed prima facie true and correct. *Cinkus v. Stickney Mun. Officers Electoral Bd.*, 228 Ill. 2d 200, 210 (2008). A reviewing court may not reweigh the evidence or substitute its judgment for that of the agency. *Id.* Instead, the court determines only whether the agency's factual findings are against the manifest weight of the evidence. *Id.* Factual determinations are against the manifest weight of the evidence only when the opposite conclusion is clearly evident. *Id.* (citing *City of Belvidere v. Ill. State Labor Relations Bd.*, 181 Ill. 2d 191, 205 (1998)); see also *Giampa* 89 Ill. App. 3d 613.

Petitioner primarily contends that the Uniform DUI Evaluation Form (the "Form") contained material defects and therefore could not be used as a finding of fact. However, even assuming, without deciding, that the Form could not support a factual finding, Officer Palmer concluded that "The evidence established that the Petitioner's abuse of alcohol/drugs developed into an alcohol/drug problem, but the extent of that problem is not clear." This includes Finding of Fact #5, which states that Petitioner was arrested twice for DUI but never convicted of a drug-related offense.

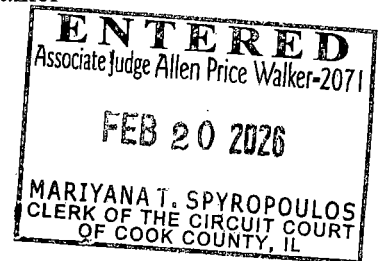
Therefore, Petitioner's argument fails to raise "at least a fair question as to the likelihood of success on the merits."

5. For the aforementioned reasons, Petitioner's Emergency Motion to stay the IL Secretary of State's February 5, 2026, Order is denied. This case's status date remains set for on April 20, 2026 at 9:30 AM over Zoom.

Dated: 02/20/2026

ENTERED

Hon. Judge Allen P. Walker



# EXHIBIT V

## DEROSA CONDUCT SUBMISSION — EVIDENTIARY NEXUS ON PROSECUTORIAL MISCONDUCT

Filed June 15, 2026 — 42 pages documenting Francis P. DeRosa as complaining witness under *Kalina v. Fletcher*

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Federal evidentiary submission — Allababidi v. Shepherd, No. 1:26-cv-06738	<b>Filed/Dated:</b>	June 15, 2026 (CM/ECF filing in progress)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 1, 3, 4, 7, 12 — complete prosecutorial misconduct matrix from DeRosa's 19 hearings through nolle prosequi

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This 42-page evidentiary submission documents ASA Francis P. DeRosa's conduct across 19 court appearances in Case No. 23 CF 1146 — from the May 2, 2024 status hearing through the December 11, 2025 post-disposition motion practice. The submission establishes that DeRosa: (1) appeared at 19 hearings without ever setting a trial date; (2) signed a sworn Petition to Revoke under Section 1-109 certifying that Defendant “committed” a Class 4 Felony in Cook County, not that he was charged or arrested, thereby converting himself into a factual complaining witness under *Kalina v. Fletcher*, 522 U.S. 118 (1997), and *Buckley v. Fitzsimmons*, 509 U.S. 259 (1993) (the petition itself called the Cook County case merely “pending”); (3) withdrew that petition 39 days later on the State’s own motion; (4) assembled a 35-witness medical-records disclosure for a matter resolved by plea (IRPC Rule 3.8 overreach); and (5) carried Count 2 from indictment to the September 8, 2025 nolle prosequi before entering nolle prosequi. Exhibit A contains a chronological index of all 19 hearings with exact page references.*

### KEY CONTENTS:

- 19 hearings documented; zero trial dates set — every hearing continued
- *Kalina v. Fletcher* complaining-witness forfeiture of absolute immunity
- Section 1-109 sworn attestation that Defendant “committed” a merely pending charge
- 35-witness medical disclosure for a case resolved by plea — IRPC Rule 3.8 overreach
- 838-day maintenance of Count 2 before nolle prosequi



**FILED**  
6/15/2026

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

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

**EHAB ALLABABIDI,**  
*Plaintiff, Pro Se,*

Case No.: **1:26-cv-06738**

v.

**NICHOLAS SHEPHERD,** Assistant State’s  
Attorney, Lake County;

Judge: *Hon. Matthew F. Kennelly*

Magistrate: *Hon. Karyn L. Bass Ehler*

**MARISA CERVANTES,** Adult Probation  
Officer, Lake County;

**DESTINY LEE,** Adult Probation Officer,  
Cook County;

**MARGARET K. FONTANA,** Director,  
Division of Adult Probation Services,  
19th Judicial Circuit (Lake County);

**LAKE COUNTY, ILLINOIS;**

**COOK COUNTY, ILLINOIS,**

*Defendants.*

SUPPLEMENTAL EVIDENTIARY  
SUBMISSION — PROSECUTORIAL  
CONDUCT OF ASA FRANCIS P.  
DEROSA & THE  
COMPLAINING-WITNESS QUESTION

**PLAINTIFF’S SUPPLEMENTAL EVIDENTIARY SUBMISSION DOCUMENTING  
THE  
PROSECUTORIAL CONDUCT OF ASSISTANT STATE’S ATTORNEY FRANCIS P.  
DEROSA  
AND THE COMPLAINING-WITNESS QUESTION UNDER KALINA v. FLETCHER**

*Authenticating the certified circuit-court record of ASA Francis P. DeRosa’s role in People v. Allababidi, No. 23 CF 1146: his 19 documented appearances, his personally verified Petition to Revoke Pre-Trial Release and its withdrawal, and his discovery filings — submitted in support of the Verified Complaint [Doc. 1] and bearing on the Fourth Amendment malicious-prosecution claim and the scope of prosecutorial immunity.*

**(SUBMITTED FOR EVIDENTIARY PURPOSES ONLY)**

Plaintiff Ehab Allababidi, proceeding pro se, files this Supplemental Evidentiary Submission in support of his Verified Complaint [Doc. 1] pursuant to Fed. R. Civ. P. 5(d), in the form prescribed by N.D. Ill. Local Rule 5.2. The attached exhibits are certified circuit-court records, self-authenticating under Fed. R. Evid. 902(4), and are accompanied by Plaintiff’s declaration under 28 U.S.C. § 1746. This submission requests no relief; it places the record of ASA DeRosa’s documented conduct before the Court and identifies the legal questions that conduct raises. Every factual assertion below is drawn from the attached certified minutes, orders, and filings.

Francis P. DeRosa was the principal prosecutor of record in People v. Allababidi. From the May 2, 2024 status hearing through the December 11, 2025 post-disposition motion practice, the certified minutes show DeRosa appearing as the Assistant State’s Attorney on *19 documented court dates* — more than any other single prosecutor in the file. He signed the State’s discovery filings — the Motion for Discovery, the Disclosure to the Accused, and the Supplemental Disclosure — and he personally

verified, under penalty of perjury, the Petition to Revoke Pre-Trial Release that he later moved to withdraw. Across the 16 pre-disposition appearances the case was continued from one date to the next, and *no trial date was ever set*. This submission documents, from his own filings and the court's own minutes, what DeRosa did and what the record does not show him doing.

### **I. THE 19 HEARINGS: A PROSECUTOR WHO NEVER SET TRIAL**

From May 2, 2024 to September 8, 2025, DeRosa appeared before the Hon. Christopher R. Stride in Courtroom T-611 across the 16 pre-disposition court dates reflected in the certified minutes. At those appearances the recurring entry is the same — the case was heard and continued, and pretrial release was continued. DeRosa moved for discovery at the arraignment. He obtained orders setting reciprocal discovery. He filed a petition seeking the defendant's detention and then withdrew it. He participated in a 402 conference. What the minutes *do not* show is a trial date. In the *1,484 days* between the May 23, 2022 collision and the present, the certified docket reflects no trial setting in this case.

#	Date	Event	DeRosa's Role
1	May 2, 2024	Status Of Attorney	Status Of Attorney: DeRosa appears as ASA; PD appointed (Ticsay); Arraignment set; Pretrial Release Shall Continue
2	May 14, 2024	Arraignment	Arraignment: DeRosa as ASA; NG plea entered; DeRosa moves for discovery (14 days); reciprocal discovery ordered; set Pre-Trial
3	Jun 25, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); Heard and Continued; set Jul 23; Pretrial Release Shall Continue
4	Jul 23, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); Heard and Continued; Motion of Defense; set Aug 20
5	Aug 20, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); def via video; Heard and Continued; set Sep 24
6	Sep 24, 2024	Pre-Trial	Pre-Trial: DeRosa (Derosa); sent to test for pretrial; set Oct 11
7	Oct 11, 2024	Pre-Trial	Pre-Trial: DeRosa (Derosa); Heard and Continued; admonished re: drugs/alcohol; set Oct 29
8	Oct 29, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); State's Petition to Revoke Pretrial Release WITHDRAWN; set Nov 26
9	Nov 26, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); Def tested negative; sent for testing; set Jan 3
10	Jan 3, 2025	Pre-Trial	Pre-Trial: DeRosa (Derosa); Motion of State re: medical records; set Feb 18
11	Mar 19, 2025	Plea	Plea: DeRosa (De Rosa IV); def via Zoom; Heard and Continued; set Apr 30
12	Apr 30, 2025	Plea	Plea: DeRosa (Derosa); def via video; Heard and Continued; set Jun 12
13	Jun 12, 2025	Plea	Plea: DeRosa (De Rosa IV); Case Called; Motion of Defense; set Pre-Trial Jul 23
14	Jun 23, 2025	Order Entered	Order Entered: DeRosa (Derosa); HIPAA forms processed
15	Jul 23, 2025	Pre-Trial	Pre-Trial: DeRosa (Derosa) + Shepherd; 402 conference; set Aug 12
16	Aug 12, 2025	Pre-Trial FINAL	Pre-Trial FINAL: DeRosa (Derosa); set Plea Aug 26
17	Sep 8, 2025	DISPOSITION	DISPOSITION: DeRosa (De Rosa IV); Count 1 Guilty, Count 2 Nolle Prosequi; 30 mo. IFP
18	Oct 6, 2025	Post-disp	Post-disp: DeRosa (De Rosa IV) + Shepherd; Faretta invoked; motion to stay driving DENIED
19	Dec 11, 2025	Post-disp	Post-disp: Shepherd + DeRosa (Derosa); motion entered and continued

The minutes are the evidence: 19 documented appearances, continuance to the next date at each pre-disposition setting, and no trial date in the file. The duration of the prosecution and the absence of

1 any trial setting are facts of record; the inferences to be drawn from them are for the Court and the trier  
2 of fact.

## 3 **II. THE VERIFIED PETITION TO DETAIN AND THE** 4 **COMPLAINING-WITNESS QUESTION**

5 **A. The immunity rule, and its boundary.** A prosecutor is absolutely immune from § 1983  
6 liability for conduct undertaken as an advocate — initiating and pursuing a prosecution, and presenting  
7 the State’s case. *Imbler v. Pachtman*, 424 U.S. 409, 430-31 (1976). That immunity is real, and Plaintiff  
8 does not contest that DeRosa’s appearances, continuances, and advocacy fall within it. But absolute  
9 immunity is function-specific. It does *not* attach to a prosecutor’s acts as a complaining witness who  
10 personally attests to the truth of facts supporting process. *Kalina v. Fletcher*, 522 U.S. 118, 129-31  
11 (1997); *Buckley v. Fitzsimmons*, 509 U.S. 259, 274-76 (1993). When a prosecutor steps out of the  
12 advocate’s role and vouches, under oath, for the facts, he is treated like any other witness and retains  
13 only qualified immunity. *Kalina*, 522 U.S. at 130-31.

14 **B. What DeRosa personally swore.** On the Petition docketed September 20, 2024, DeRosa did  
15 more than advocate. He personally verified a “People’s Verified Petition to Revoke Pre-Trial Release”,  
16 signing it under Section 1-109 of the Code of Civil Procedure — the certification that the statements are  
17 true — and attesting to the following assertion of fact:

18 *“Since that release on March 20, 2024, the Defendant committed: A Class 4 Felony, being the*  
19 *offense of Unlawful Possession of a Controlled Substance. Said case being People v. Ehab*  
20 *Allababidi, pending in the Circuit Court of Cook County.”*

21 **C. The legal significance of the word.** The petition does not say the defendant was “charged  
22 with” or “arrested for” an offense. It says the defendant “committed” a Class 4 felony — an affirmative  
23 assertion of fact — while the very same sentence describes that Cook County case as merely “pending.”  
24 A charge that is pending has not, in law, been “committed” by anyone; the accused is presumed  
25 innocent. By personally certifying the factual truth of that assertion under Section 1-109, DeRosa  
26 vouched for a fact as a witness rather than arguing an inference as an advocate. That is the conduct  
27 *Kalina* and *Buckley* place outside absolute immunity. The petition bore his signature.

28 **D. The withdrawal.** Thirty-nine days later, on October 29, 2024, DeRosa moved to withdraw his  
own petition. The minute order reads: “State’s Motion to Withdraw Petition to Revoke Pretrial Release  
is GRANTED AND PETITION IS WITHDRAWN.” The sworn instrument that had sought the  
defendant’s detention was withdrawn on the State’s own motion, without findings. The record does not  
disclose DeRosa’s reasons; it discloses that the petition he had verified under penalty of perjury did not  
result in detention and was abandoned by the State that filed it.

1           **E. The interval as a seizure.** During the period that verified petition was pending, Plaintiff  
 2 remained subject to the pretrial conditions it sought to tighten — mandatory reporting, compelled  
 3 post-hearing drug screens, and travel restrictions. The Fourth Amendment governs deprivations of  
 4 liberty effected through legal process even after its initiation. *Manuel v. City of Joliet*, 580 U.S. 357,  
 5 367 (2017). Whether the verification satisfied the prosecutor’s duty of candor, and what immunity  
 6 attaches to it, are questions for the Court; this submission establishes only the authenticated fact that the  
 7 petition was personally verified, was acted upon, and was then withdrawn.

8           The Petition to Revoke is attached as Exhibit B; its withdrawal is documented in the October 29,  
 9 2024 minute order within Exhibit A. The sequence — personally verified, filed, acted upon, withdrawn  
 10 — is a single prosecutor’s own record, in his own hand.

### 11           **III. THE STATE’S DISCLOSURES AND THE SCOPE OF THE PROSECUTION**

12           On June 12, 2024, DeRosa filed the State’s Disclosure to the Accused under Supreme Court Rule  
 13 412, listing *18 witnesses*: Lincolnshire police officers, civilian collision witnesses, a phlebotomist, and  
 14 an Illinois State Police trooper. On August 12, 2024, he filed a Supplemental Disclosure adding *17*  
 15 *more witnesses*, identified by name — a medical workup keyed to the aggravated bodily-harm theory of  
 16 Count 1.<sup>1</sup> In total the State disclosed *35 named witnesses*. These disclosures are attached as Exhibits C  
 17 and E.

18 <sup>1</sup> See Ex. E. **The fabricated expert dragnet included:** Scott Miller, MD; Mark Oquist-Cardenas, MD; David Foosaner, MD; Kristin Vercillo, MD;  
 19 Stephen Amesbury, MD; Megan Stock, MD; John Brunetti, DMD; Beth Ginsburg, MD; Rami Taha, MD; Marcus Talerico, MD; Stephen Clark, MD;  
 20 Holly Loud, DO; Christopher Coury, MD; David Zartaitsky, MD; Shayle Patzik, MD; Shabirusain Abadin, MD; Maher Nahlawi, MD. **None of these 17**  
 21 **medical professionals were ever called to testify.**

22           Plaintiff does not contend that disclosing witnesses is itself improper — it is required by Rule 412.  
 23 The record point is one of scope and outcome: the State assembled an extensive medical and forensic  
 24 case to prove a bodily-harm count, then resolved the matter by negotiated plea, nolle-prossing the  
 25 second count, without ever setting the case for trial. The same medical record DeRosa marshaled is the  
 26 record that, elsewhere in this action, bears on whether the bodily-harm and impairment theories were  
 27 supported at all (see Evidentiary Nexus Dossier [Doc. 9]). The disclosures are placed here as part of the  
 28 authenticated record of DeRosa’s conduct of the prosecution.

### 29           **IV. THE DISPOSITION: NOLLE PROSEQUI ON THE SECOND COUNT**

30           On September 8, 2025, DeRosa appeared before Judge Stride for the disposition. Count 1  
 31 (Aggravated Reckless Driving / Bodily Harm) resulted in a guilty plea with 30 months of intensive  
 32 felony probation, \$2,670.86 restitution, and 240 hours of public service. Count 2 (Aggravated  
 33 Speeding) was resolved by nolle prosequi; the order of nolle prosequi is part of the disposition record

(Exhibit G).

The nolle prosequi of Count 2 is a termination of that charge *without a conviction*. For the Fourth Amendment malicious-prosecution claim pleaded in the Complaint, that is the favorable-termination standard: the plaintiff need show only that the prosecution ended without a conviction, not affirmative innocence. *Thompson v. Clark*, 596 U.S. 36, 49 (2022). Under Illinois common law the inquiry is narrower — a nolle prosequi is a favorable termination when it is not the product of a compromise or of reasons unrelated to the merits. *Swick v. Liautaud*, 169 Ill. 2d 504, 513-14 (1996). Plaintiff identifies both standards so the record is complete; the application is for the Court.

The disposition also intersects with the financial record already before the Court. The Allstate indemnification correspondence (of record in this action) reflects that the property loss underlying the \$2,670.86 restitution obligation was paid by a responsive insurer before sentencing. The count carried to judgment — Count 1 — is the count carrying that restitution obligation the State's own insurer had *already satisfied*. The documents that prove this are of record. The question is whether DeRosa knew—or *should* have known.

#### **V. THE CONTINUED PROSECUTION: WHAT DEROSA DID NOT DO**

A prosecutor's professional duties are defined by the Illinois Rules of Professional Conduct: Rule 3.8 requires timely disclosure of evidence tending to negate guilt, and Rule 3.3 requires candor toward the tribunal. The certified record shows that DeRosa prosecuted this matter across *1,484 days* without setting it for trial; that he personally verified a petition to revoke pretrial release and then withdrew it; and that the prosecution proceeded while the State's own insurer had indemnified the parallel loss underlying the restitution he sought. Whether that course of conduct satisfied Rules 3.3 and 3.8 is a question properly presented to the Attorney Registration and Disciplinary Commission and to this Court; this submission preserves the record on which that question turns.

<sup>2</sup> **IRPC Rule 3.8(d)** explicitly mandates the prosecutor shall 'make timely disclosure to the defense of all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates the offense.' **IRPC Rule 3.3** prohibits a lawyer from making a false statement of fact or law to a tribunal.

The record does not show what DeRosa subjectively knew, or when — that is a matter for discovery. What the record does show, from his own filings and the court's own minutes, is what he did: he personally verified a petition to revoke pretrial release and later withdrew it; he disclosed 35 witnesses in a case resolved by plea; he appeared as the continuance-and-pretrial case proceeded for years without a trial setting; and he carried to judgment a count whose restitution obligation the State's insurer had already paid. Each of those facts is documented in the attached exhibits.

#### **VI. CONCLUSION**

1 Francis P. DeRosa was the prosecutor who appeared *most often* in this case. He filed the State's  
2 discovery, personally verified the petition to revoke pretrial release, and stood before the court at each  
3 setting. The record he left behind is complete, certified, and attached here. It shows a prosecution that  
4 *continued for 1,484 days without a trial date*; a petition to detain, personally verified under oath, that  
5 was withdrawn on the State's own motion; an extensive set of disclosures in a case resolved by plea;  
6 and a count carried to judgment whose restitution the State's own insurer had already paid. **The record  
7 does not purport to prove DeRosa's state of mind; it preserves, in his own hand, what he did.**

8 This submission requests no relief. It places in the record what the record already contains: the  
9 minutes, orders, and filings that bear DeRosa's name and signature, collected in one place for the  
10 Court's consideration. Each exhibit is a certified circuit-court record. Each entry is docketed in the  
11 publicly accessible case file. *The record is not silent. The record answers.* The exhibits are  
12 authenticated and submitted in support of the Verified Complaint [Doc. 1].

13 Respectfully submitted,

14 /s/ Ehab Allababidi

15 **EHAB ALLABABIDI**, *Pro Se* Plaintiff  
16 8516 W. Winona St., Chicago, IL 60656  
17 (773) 920-0030 | defcon5ready@gmail.com  
18 Dated: June 15, 2026

---

#### 19 **CERTIFICATE OF FILING AND SERVICE**

20 I, EHAB ALLABABIDI, certify under penalty of perjury that on June 15, 2026, I caused the foregoing  
21 Evidentiary Submission Re: Prosecutorial Conduct of Assistant State's Attorney Francis P. DeRosa to be filed  
22 with the Clerk of the United States District Court for the Northern District of Illinois via the District's Pro Se  
23 Electronic Filing Portal in Case No. 1:26-cv-06738. This action is in its preliminary stages; no summons has  
24 issued and no Defendant has appeared.  
25  
26  
27  
28

# EXHIBIT A

## Court Minutes of All DeRosa Hearings (19 Appearances)

Certified court minutes from 19 separate court dates between May 2, 2024 and December 11, 2025 at which ASA Francis P. D...

**DEROSA CONDUCT SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738**

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	2024-2026
<b>Verification:</b>	Certified Court Records	<b>Prosecutor:</b>	Francis P. DeRosa, ASA
<b>Supports:</b>	Malicious Prosecution / Bad Faith		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*Certified court minutes from 19 separate court dates between May 2, 2024 and December 11, 2025 at which ASA Francis P. DeRosa appeared as the prosecutor. Every pre-disposition hearing was continued without a trial date.*

*There is no pattern more damning in a criminal prosecution than a calendar filled with continuances and no trial date anywhere on it. DeRosa appeared before the Hon. Christopher R. Stride in Courtroom T-611 on 19 separate dates—more than any other prosecutor in this case. At every single pre-disposition hearing, the court entered the same order: “Heard and Continued; Pretrial Release Shall Continue.” DeRosa moved for discovery. He obtained orders compelling the defense to produce. He filed a sworn petition seeking the defendant’s detention and then withdrew it. He attended a 402 conference. He processed HIPAA forms. What he never did was set a trial. In the 1,484 days between the May 23, 2022 collision and the present, DeRosa’s office never once placed this case on a trial call. The witness list that grew to 35 names was a threat, not a trial plan. The petition he swore under penalty of perjury he abandoned 39 days later. Each hearing below is a certified circuit-court record, filed in the order it occurred. The individual entries follow with their page references.*

**EXHIBIT A — CHRONOLOGICAL INDEX OF HEARINGS***Case No. 23 CF 1146, 19th Judicial Circuit, Lake County, Illinois — ASA Francis P. DeRosa appearances in order*

#	Date	Event Type	Disposition / Outcome	Page
1	May 2, 2024	Status Of Attorney	Status Of Attorney: DeRosa appears as ASA; PD appointed (Ticsay); Arraignment set; Pretrial Rel	9
2	May 14, 2024	Arraignment	Arraignment: DeRosa as ASA; NG plea entered; DeRosa moves for discovery (14 days); reciprocal d	10
3	Jun 25, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); Heard and Continued; set Jul 23; Pretrial Release Shall Continu	11
4	Jul 23, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); Heard and Continued; Motion of Defense; set Aug 20	12
5	Aug 20, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); def via video; Heard and Continued; set Sep 24	13
6	Sep 24, 2024	Pre-Trial	Pre-Trial: DeRosa (Derosa); sent to test for pretrial; set Oct 11	14
7	Oct 11, 2024	Pre-Trial	Pre-Trial: DeRosa (Derosa); Heard and Continued; admonished re: drugs/alcohol; set Oct 29	15
8	Oct 29, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); State's Petition to Revoke Pretrial Release WITHDRAWN; set Nov	16
9	Nov 26, 2024	Pre-Trial	Pre-Trial: DeRosa (De Rosa IV); Def tested negative; sent for testing; set Jan 3	17
10	Jan 3, 2025	Pre-Trial	Pre-Trial: DeRosa (Derosa); Motion of State re: medical records; set Feb 18	18
11	Mar 19, 2025	Plea	Plea: DeRosa (De Rosa IV); def via Zoom; Heard and Continued; set Apr 30	19
12	Apr 30, 2025	Plea	Plea: DeRosa (Derosa); def via video; Heard and Continued; set Jun 12	20
13	Jun 12, 2025	Plea	Plea: DeRosa (De Rosa IV); Case Called; Motion of Defense; set Pre-Trial Jul 23	21
14	Jun 23, 2025	Order Entered	Order Entered: DeRosa (Derosa); HIPAA forms processed	22
15	Jul 23, 2025	Pre-Trial	Pre-Trial: DeRosa (Derosa) + Shepherd; 402 conference; set Aug 12	23
16	Aug 12, 2025	Pre-Trial FINAL	Pre-Trial FINAL: DeRosa (Derosa); set Plea Aug 26	24
17	Sep 8, 2025	DISPOSITION	DISPOSITION: DeRosa (De Rosa IV); Count 1 Guilty, Count 2 Nolle Prosequi; 30 mo. IFP	25
18	Oct 6, 2025	Post-disp	Post-disp: DeRosa (De Rosa IV) + Shepherd; Faretta invoked; motion to stay driving DENIED	27
19	Dec 11, 2025	Post-disp	Post-disp: Shepherd + DeRosa (Derosa); motion entered and continued	28

*Note: DeRosa appeared at every hearing; all pre-disposition hearings were continued.*



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	May 2, 2024 9:00 AM
v.	)	Event Type:	Status Of Attorney
	)		
PEOPLE VS ALLABABIDI	)	Clerk:	Johanna B
Defendant.	)		
_____	)		

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Francis P Derosa, States Attorney  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 05/02/2024.

Appoint Public Defender

The Court orders this matter set as follows: Arraignment on 05/14/2024 at 09:00 AM in T611

Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	May 14, 2024 9:00 AM
v.	)	Event Type:	Arraignment
	)		
PEOPLE VS ALLABABIDI	)	Clerk:	Johanna B
Defendant.	)		

---

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023  
 Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Francis P Derosa, States Attorney  
 Christopher R Stride, Judge  
 ECR Specialist, Lake County Court Reporters  
 Justin Malec, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 05/14/2024.  
 Advised of Mandatory Supervised Release  
 Not Guilty Plea  
 Motion for Discovery.  
 14 DAYS  
 Reciprocal discovery ordered.  
 14 DAYS  
 Motion of Defense  
 The Court orders this matter set as follows: Pre-Trial on 06/25/2024 at 09:00 AM in T611  
 By Agreement  
 Pretrial Release Shall Continue



People	)	
	)	
Plaintiff,	)	Case No. 23CF00001146
v.	)	Location: Courtroom 611
	)	Event Date: June 25, 2024 9:00 AM
PEOPLE VS ALLABABIDI	)	Event Type: Pre-Trial
Defendant.	)	
	)	Clerk: Amy B

---

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023  
 Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Justin Malec, Public Defender  
 ECR Specialist, Lake County Court Reporters  
 Francis P De Rosa IV, States Attorney

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 06/25/2024.  
 The Court orders this matter set as follows: Pre-Trial on 07/23/2024 at 09:00 AM in T611  
 By Agreement  
 Pretrial Release Shall Continue



People	)	
	)	
Plaintiff,	)	Case No. 23CF00001146
v.	)	Location: Courtroom 611
	)	Event Date: July 23, 2024 9:00 AM
PEOPLE VS ALLABABIDI	)	Event Type: Pre-Trial
Defendant.	)	
_____	)	Clerk: Amy B

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Francis P De Rosa IV, States Attorney  
 ECR Specialist, Lake County Court Reporters  
 Christopher R Stride, Judge  
 Justin Malec, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 07/23/2024.  
 Motion of Defense

**The matter is set for Pre-Trial on 08/20/2024 at 9:00 AM in Courtroom 611. .**

Pretrial Release Shall Continue



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: August 20, 2024 9:00 AM
	)	Event Type: Pre-Trial
PEOPLE VS ALLABABIDI	)	
Defendant.	)	Clerk: Amy B
<hr/>		

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

ECR Specialist, Lake County Court Reporters  
 Francis P De Rosa IV, States Attorney  
 Christopher R Stride, Judge  
 Justin Malec, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present via video

**Nature of Proceedings:**

Event Result: Heard and Continued 08/20/2024.

**The matter is set for Pre-Trial on 09/24/2024 at 9:00 AM in Courtroom 611. MUST APPEAR IN PERSON.**  
 Pretrial Release Shall Continue



People )  
 )  
 Plaintiff, )  
 v. )  
 )  
 PEOPLE VS ALLABABIDI )  
 Defendant. )  
 )  
 \_\_\_\_\_ )

Case No. 23CF00001146  
Location: Courtroom 611  
Event Date: September 24, 2024 9:00 AM  
Event Type: Pre-Trial  
MUST APPEAR IN PERSON  
Clerk: Johanna B

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Francis P Derosa, States Attorney  
Justin Malec, Public Defender  
Christopher R Stride, Judge  
ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 09/24/2024.

DEF SENT TO TEST FOR PRETRIAL - MUST COME BACK IF POSITIVE

The Court orders this matter set as follows: Pre-Trial on 10/11/2024 at 09:00 AM in T611

Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	October 11, 2024 9:00 AM
v.	)	Event Type:	Pre-Trial
	)		
PEOPLE VS ALLABABIDI	)	Clerk:	Sarah P
Defendant.	)		
_____	)		

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Justin Malec, Public Defender  
 Christopher R Stride, Judge  
 Francis P Derosa, States Attorney  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 10/11/2024.

Admonish

Def not to consume or possess any alcohol or drugs - comply with pretrial conditions

The Court orders this matter set as follows: Pre-Trial on 10/29/2024 at 09:00 AM in T611

Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	October 29, 2024 9:00 AM
v.	)	Event Type:	Pre-Trial
	)		
PEOPLE VS ALLABABIDI	)	Clerk:	Amy B
Defendant.	)		

---

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Justin Malec, Public Defender  
 Christopher R Stride, Judge  
 Francis P De Rosa IV, States Attorney  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 10/29/2024.

Motion of State

Petition Withdrawn

- STATE'S MOTION TO WITHDRAW PETITION TO REVOKE PRETRIAL RELEASE IS GRANTED AND  
 PETITION IS WITHDRAWN

Motion of Defense

No Objection by the State

**The matter is set for Pre-Trial on 11/26/2024 at 9:00 AM in Courtroom 611. - MUST APPEAR IN PERSON.**

Pretrial Release Shall Continue



	)	
	)	
People	)	
	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: November 26, 2024 9:00 AM
	)	Event Type: Pre-Trial
PEOPLE VS ALLABABIDI	)	- MUST APPEAR IN PERSON
Defendant.	)	Clerk: Amy B

---

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Justin Malec, Public Defender  
 ECR Specialist, Lake County Court Reporters  
 Francis P De Rosa IV, States Attorney

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 11/26/2024.  
 Defendant Sent to Pre-Trial Services or Probation for Testing.  
 Advised of Failure to Appear  
 - THIS CASE WILL BE HEARD LATER TODAY



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: January 3, 2025 9:00 AM
	)	Event Type: Pre-Trial
PEOPLE VS ALLABABIDI	)	
Defendant.	)	Clerk: Amy B
<hr/>		

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

ECR Specialist, Lake County Court Reporters  
 Christopher R Stride, Judge  
 Francis P Derosa, States Attorney  
 Justin Malec, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 01/03/2025.  
 Motion of State

**The matter is set for Pre-Trial on 02/18/2025 at 9:00 AM in Courtroom 611. / STAT. OF DISCOVERY OF  
 MEDICAL RECORDS.**

Pretrial Release Shall Continue



	)		
	)		
People	)		
	)	Case No.	23CF00001146
Plaintiff,	)	Location:	Courtroom 611
v.	)	Event Date:	March 19, 2025 9:00 AM
	)	Event Type:	Plea
PEOPLE VS ALLABABIDI	)	- ON ZOOM	
Defendant.	)	Clerk:	Amy B
_____	)		

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

ECR Specialist, Lake County Court Reporters  
 Christopher R Stride, Judge  
 Francis P De Rosa IV, States Attorney  
 Bailey Russell, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present via video

**Nature of Proceedings:**

Event Result: Heard and Continued 03/19/2025.

**The matter is set for Plea on 04/30/2025 at 9:00 AM in Courtroom 611. - IN PERSON.**  
 Pretrial Release Shall Continue



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: April 30, 2025 9:00 AM
	)	Event Type: Plea
PEOPLE VS ALLABABIDI	)	- IN PERSON
Defendant.	)	Clerk: Johanna B

---

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Francis P Derosa, States Attorney  
 Bailey Russell, Public Defender  
 Christopher R Stride, Judge  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present via video

**Nature of Proceedings:**

Event Result: Heard and Continued 04/30/2025.

**The matter is set for Plea on 06/12/2025 at 9:00 AM in Courtroom 611. MUST APPEAR - IN PERSON.**  
 Pretrial Release Shall Continue



	)	
	)	
People	)	
	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: June 12, 2025 9:00 AM
	)	Event Type: Plea
PEOPLE VS ALLABABIDI	)	MUST APPEAR - IN PERSON
Defendant.	)	Clerk: Amy B

---

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Bailey Russell, Public Defender  
 Francis P De Rosa IV, States Attorney  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Case Called 06/12/2025.  
 Motion of Defense

**The matter is set for Pre-Trial on 07/23/2025 at 9:00 AM in Courtroom 611. .**

Pretrial Release Shall Continue



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: June 23, 2025 9:00 AM
	)	Event Type: Order Entered
PEOPLE VS ALLABABIDI	)	
Defendant.	)	Clerk: Johanna B
<hr/>		

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Francis P Derosa, States Attorney

**Present in Court**

**Nature of Proceedings:**

Event Result: Heard 06/23/2025.  
 HIPPA FORMS



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: July 23, 2025 9:00 AM
	)	Event Type: Pre-Trial
PEOPLE VS ALLABABIDI	)	
Defendant.	)	Clerk: Johanna B
<hr/>		

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

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

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 07/23/2025.

Admonish

ADVISAL AND RIGHT TO A 402 CONFERENCE CONSET TO A 402 CONFERENCE  
 402 conference.

The Court orders this matter set as follows: Pre-Trial on 08/12/2025 at 09:00 AM in T611  
 Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	August 12, 2025 9:00 AM
v.	)	Event Type:	Pre-Trial
	)	FINAL	
PEOPLE VS ALLABABIDI	)	Clerk:	Johanna B
Defendant.	)		

---

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Bailey Russell, Public Defender  
 Francis P Derosa, States Attorney  
 Christopher R Stride, Judge  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 08/12/2025.

The Court orders this matter set as follows: Plea on 08/26/2025 at 09:00 AM in T611

Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	September 8, 2025 9:00 AM
v.	)	Event Type:	Plea
	)	FINAL	
PEOPLE VS ALLABABIDI	)	Clerk:	Amy B
Defendant.	)		

---

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Guilty  
 09/08/2025  
 Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Nolle Prosequi  
 09/08/2025

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Bailey Russell, Public Defender  
 Francis P De Rosa IV, States Attorney  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 09/08/2025.  
 Withdraw Not Guilty Plea  
 Arraignment  
 Advised of Mandatory Supervised Release  
 Advised Of Nature Of Charge Sentence  
 Advised of Right to Trial by Jury or Court  
 Trial Waived  
 Enter Negotiated Plea Of Guilty  
 Nolle Prosequi  
 - COUNT 2 ONLY  
 Effects, Consequences Explained, Persisted.  
 Unconditionally Accepted by Court  
 Waive Pre-Sentence Investigation  
 Judgment on Plea  
 Sentencing  
 Election of Financial Sentencing  
 Order Entered



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

Defendant Advised of Right to Appeal

It is hereby ordered:

**Charge(s):**

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

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

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

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

Additional Sentence Information

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

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

Additional Sentence Information

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

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

Alcohol & Drug

09/08/2025 Employment - Ordered

09/08/2025 Not Possess Illegal Drug - Ordered

Additional Sentence Information

09/08/2025 No Cannabis - Ordered

09/08/2025 No Alcohol Consumed - Ordered

09/08/2025 Nowhere Alcohol Sold - Ordered

09/08/2025 No Driving - Ordered

Do Not Drive Without Valid Driver's License

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

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

09/08/2025 Administrative Sanctions Program - Ordered

09/08/2025 Jail - 180.0 Day - Stayed

Additional Sentence Information

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

Additional Sentence Information

09/08/2025 No Contact - Ordered

Additional Sentence Information

09/08/2025 Attend Program - Ordered

03/07/2028 Victim Impact-Live

09/08/2025 Attend Program - Ordered

03/07/2028 8 Hour Defensive Driving

09/08/2025 Evaluation - Ordered

Rehab Assessment & Serv

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

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

Release



People	)	
	)	
Plaintiff,	)	Case No. 23CF00001146
v.	)	Location: Courtroom 611
	)	Event Date: October 6, 2025 9:00 AM
PEOPLE VS ALLABABIDI	)	Event Type: Motion Of Defendant
Defendant.	)	
	)	Clerk: Amy B

---

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Guilty  
 09/08/2025  
 Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Nolle Prosequi  
 09/08/2025

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Bailey Russell, Public Defender  
 Francis P De Rosa IV, States Attorney  
 Scott C Pechter, Public Defender  
 Nicholas Shepherd, States Attorney  
 Mary K. Herbst, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Appellant, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 10/06/2025.  
 Defendant Proceeds Pro Se  
 Motion of Defendant  
 - TO STAY THE RESCISION OF DRIVING  
 Motion denied  
 Continue to previously set date on 03/07/2028  
 Release



People	)	
	)	
Plaintiff,	)	Case No. 23CF00001146
v.	)	Location: Courtroom 611
	)	Event Date: December 11, 2025 9:00 AM
PEOPLE VS ALLABABIDI	)	Event Type: Motion Of Defense
Defendant.	)	
	)	Clerk: Johanna B

---

**Charge(s):**

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

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

**Criminal/Traffic - Minutes**

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

**Present in Court**

ALLABABIDI, EHAB, Appellant, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 12/11/2025.

**The matter is set for Status on 01/26/2026 at 9:00 AM in Courtroom 611. OF MOTION.**  
 MOTION ENTERED AND CONTINUED  
 Release

# EXHIBIT B

## Petition to Revoke Pretrial Release (DeRosa, Signed under Perjury Penalty)

*The People’s Verified Petition to Revoke Pretrial Release, signed by Francis P. DeRosa under Section 1-109 of the Code o...*

**DEROSA CONDUCT SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738**

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	2024-2026
<b>Verification:</b>	Certified Court Records	<b>Prosecutor:</b>	Francis P. DeRosa, ASA
<b>Supports:</b>	Malicious Prosecution / Bad Faith		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*The People’s Verified Petition to Revoke Pretrial Release, signed by Francis P. DeRosa under Section 1-109 of the Code of Civil Procedure, certifying the statements as "true and correct." Filed September 20, 2024. Withdrawn by DeRosa on October 29, 2024.*

*A prosecutor swore under penalty of perjury that Ehab Allababidi had committed a Class 4 Felony in Cook County and asked the court to order his detention. DeRosa signed the petition beneath a certification that its statements were “true and correct” under Section 1-109 of the Illinois Code of Civil Procedure. Thirty-nine days later, DeRosa stood before the same court, in the same case, on the same docket, and moved to withdraw his own petition. The court’s minute order reads: “State’s Motion to Withdraw Petition to Revoke Pretrial Release is GRANTED AND PETITION IS WITHDRAWN.” No explanation. No findings. No consequences. A sworn instrument that sought the defendant’s detention was withdrawn without a trace—because DeRosa acknowledged, by moving to withdraw it, that the grounds did not hold. This exhibit is the petition itself.*

**FILED**

HC 1-1-11 10:01 AM '24

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

**Erin Cartwright Weinstein**  
**Clerk of the Court**  
**Lake County, Illinois**

PEOPLE OF THE STATE OF ILLINOIS

vs.

**EHAB ALLABABIDI**

GEN. NO. 23CF00001146

**PEOPLE’S VERIFIED PETITION TO REVOKE PRE-TRIAL RELEASE**

The People of the State of Illinois, through State’ Attorney Eric Rinehart, bring this Petition to Revoke Pre-Trial Release pursuant to 725 ILCS 5/110-6(a) and respectfully requests that this Honorable Court, order the detention of the Defendant named in the above caption until disposition of this matter or other order of Court.

1. Defendant was arrested for the offense(s):

**AGG RECKLESS DRVG/BODILY HARM (Class 4 Felony)** in violation of **625 ILCS 5/11-503(a)(1)(d)** and **SPEEDING 35+ MPH OVER LIMIT (Class A Misdemeanor)** in violation of **625 ILCS 5/11-601.5**. The Defendant was released after his or her original arrest pending the outcome of that case.

2. Since that release on March 20, 2024, the Defendant committed:

A Class 4 Felony, being the offense of Unlawful Possession of a Controlled Substance. Said case being People v. Ehab Allababidi, pending in the Circuit Court of Cook County.

3. There is clear and convincing evidence that detention is needed because there are no conditions or combination of conditions that will:

reasonably ensure the Defendant does not commit another Class A misdemeanor or felony.

4. In further support of this Petition, the State alleges on information and belief:

Per Leads, on 8/30/24, the defendant was arrested by the Chicago Police Department for Unlawful Possession of a Controlled Substance (Class 4), Drive without Headlight/Cyc (Class P) and Fail to Signal (Class P, 24111164501). The next court date is scheduled for 10/11/2024.

WHEREFORE, the State requests that this Honorable Court revoke the Defendant’s pre-trial release and detain the Defendant pending the outcome of this case.

Respectfully submitted,

---

Francis P DeRosa  
Assistant State's Attorney

Under penalties provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Petition to Detain are true and correct, except as to matters herein stated to be upon information and belief and as to such matters, the undersigned certifies as aforesaid that he/she verily believes the same to be true.

Respectfully submitted,

---

Francis P DeRosa  
Assistant State's Attorney

# EXHIBIT C

## State's Disclosure to the Accused (DeRosa, 18 Witnesses)

*State's Disclosure signed by DeRosa listing 18 witnesses under Supreme Court Rule 412, including Lincolnshire police off...*

**DEROSA CONDUCT SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738**

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	2024-2026
<b>Verification:</b>	Certified Court Records	<b>Prosecutor:</b>	Francis P. DeRosa, ASA
<b>Supports:</b>	Malicious Prosecution / Bad Faith		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*State's Disclosure signed by DeRosa listing 18 witnesses under Supreme Court Rule 412, including Lincolnshire police officers, civilian witnesses, and a phlebotomist.*

*On June 12, 2024, DeRosa filed the State's Disclosure to the Accused, listing 18 witnesses he intended to call: Lincolnshire police officers, civilian collision eyewitnesses, a phlebotomist from Advocate Condell Medical Center, an Illinois State Police trooper. Standard practice for a case the State intended to try. But this case never went to trial. Not a single one of these 18 witnesses ever testified. DeRosa listed them under Supreme Court Rule 412, bound the defense to respond to them, and then resolved the case by plea without calling any of them. The disclosure is not a witness list; it is a threat made in the form of a court filing. The question is why the State needed 18 witnesses for a case it was always going to settle.*

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF LAKE )

**FILED**

~~06/15/26 10:03 AM~~

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

Erin Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois

PEOPLE OF THE STATE OF ILLINOIS )  
 )  
VS. ) GENERAL NO. 23CF1146  
 )  
**EHAB ALLABABIDI**

**DISCLOSURE TO THE ACCUSED**

Now come the People of the State of Illinois by ERIC F. RINEHART, State's Attorney, in and for the County of Lake, State of Illinois, by Assistant State's Attorney, pursuant to Supreme Court Rule 412 disclose the following response to Defendant's motion for pre-trial disclosure:

1. The names of persons whom the State intends, at this time, to call at the time of hearing or trial appear on the attached list of witnesses.

To the extent that said witnesses prepared relevant written or recorded statements or memoranda containing substantially verbatim reports of oral statements by them exist, the same are contained in the attached reports labeled 23CF1146-FPD00001-00003-23CF1146-FPD00122-00125, 2 discs containing squad video, and photos.

2. Written statements of the accused, or co-defendant, if any, recorded statements of the accused, or co-defendant, if any, and the substance or oral statements of the accused or the co-defendant, if any, are contained in the attachments hereto. The witnesses to the making of written or oral statements of the accused are included in the attached list of witnesses.

3. Grand Jury minutes, if any, will be furnished through Supplemental Discovery.

4. The reports of experts, if any, are contained in the attachments hereto.

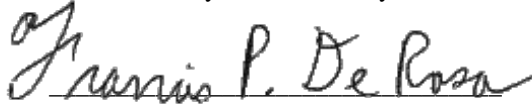
5. Books, papers, documents, photographs or tangible objects which the State intends to use at hearing or trial or which were obtained from or belong to the accused, may be examined at the State's Attorney's Office upon reasonable notice during business hours.

6. The People are not aware of any record of prior criminal convictions which may be use for impeachment of persons whom the People intend to call as witnesses at hearing or trial other than may be contained herein.

7. Electronic surveillance, if any, is contained in the attached reports.

8. Material or information within the possession or control of the People tending to negate the guilt of defendant as to the offenses charged or tending to reduce his punishment, therefore, if any, is contained within the attached reports.

ERIC F. RINEHART  
State's Attorney of Lake County

  
Assistant State's Attorney

STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF LAKE )

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

PEOPLE OF THE STATE OF ILLINOIS )  
 )  
VS. ) GENERAL NO. **23CF1146**  
 )

**EHAB ALLABABIDI**

**LIST OF WITNESS**

The People disclose the following as a list of witnesses to be called at trial. Additionally, the people reserve the right to call as witness any persons referenced in any disclosure of materials to the defendant.

**WITNESSES**

- Gurnee Officer Murray
- Lincolnshire Detective Forkes
- Lincolnshire Officer Plotke
- Lincolnshire Officer Temple
- Lincolnshire Community Service Officer Kanter
- Lincolnshire Officer Skrobot
- Lincolnshire Detective Petrick
- Lincolnshire Officer Beale
- Lincolnshire Sergeant Zange
- Illinois State Police Trooper Nebelski
- Riverwoods Officer Durkin
- Christopher King
- Manuel Rojo
- Asad Khan
- Adam Heald
- Gary Gutierrez
- James Howard
- Condell Phlebotomist Stacy Rietschel
- Any Other Person Mentioned in the Reports

# EXHIBIT D

## State's Motion for Discovery (DeRosa, 14-Day Demand)

*DeRosa's motion demanding defense disclose witnesses, statements, documents, alibi, and affirmative defenses within 14 d...*

**DEROSA CONDUCT SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738**

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	2024-2026
<b>Verification:</b>	Certified Court Records	<b>Prosecutor:</b>	Francis P. DeRosa, ASA
<b>Supports:</b>	Malicious Prosecution / Bad Faith		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*DeRosa's motion demanding defense disclose witnesses, statements, documents, alibi, and affirmative defenses within 14 days.*

*DeRosa moved the court for an order compelling the defense to furnish witness lists, documentary evidence, statements, alibi information, and any affirmative defenses within 14 days. The court granted the motion. DeRosa obtained the discovery order, the defense complied three months later filing an answer that disclosed no criminal history, no expert witnesses, no physical evidence, and only two witnesses—then DeRosa continued the case another six months before accepting the negotiated plea. The motion compelled the machinery of the prosecution; it did nothing to advance the case toward trial. The order, attached here, bears DeRosa's litigation strategy on its face: demand everything, produce nothing, continue indefinitely.*

STATE OF ILLINOIS )  
 )  
COUNTY OF LAKE )

SS

**FILED**

~~06/15/26 10:03 AM~~

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

**Erin Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois**

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

GENERAL NO: 23CF1146

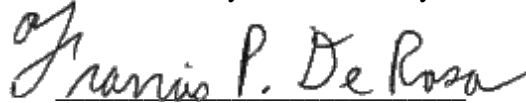
**PEOPLE'S MOTION FOR DISCOVERY**

NOW COME the People of the State of Illinois, by ERIC F. RINEHART, State's Attorney, in and for the County of Lake, State of Illinois, by and through, Assistant State's Attorney, and request the following as discovery from the defendant, pursuant to Supreme Court Rule 413 and under the Local Rules of the Nineteenth Judicial Circuit, Part 9.00, Sub-Part C, 9.16:

1. The names and last known addresses of persons whom the defendant intends to call as witnesses, together with their relevant written or recorded statements, including memoranda reporting or summarizing their oral statements, and any record of prior criminal convictions of said witnesses known to the defendant or counsel;
2. Any written or recorded statements, including memoranda reporting or summarizing the oral statements of any person listed by the State as potential witnesses;
3. Any books, papers, documents, photographs or tangible objects which the defendant intends to use as evidence or for impeachment at a hearing or at trial;
4. If the defendant intends to establish an alibi, specific information as to the place where the defendant maintains he/she was at the time of the alleged offense;
5. The title of any and all Affirmative Defenses that he intends to assert at a hearing or at trial.
6. Any reports or results of physical or mental examinations or of scientific tests, experiments or comparisons, or any other reports or statements of experts which defense counsel has in his possession or control, including a statement of the qualifications of such experts, except that those portions of the reports containing statements made by the defendant may be withheld if defense does not intend to use any of the material contained in the report at a hearing or trial.

WHEREFORE, the People request that the above discovery materials be tendered to the People within 14 days of this Motion.

ERIC F. RINEHART  
State's Attorney of Lake County



Assistant State's Attorney

# EXHIBIT E

## Supplemental Discovery Disclosure (DeRosa, 17 Medical Experts Added)

*DeRosa's supplemental disclosure adding 17 medical professionals to the witness list, including physicians, surgeons, an...*

**DEROSA CONDUCT SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738**

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	2024-2026
<b>Verification:</b>	Certified Court Records	<b>Prosecutor:</b>	Francis P. DeRosa, ASA
<b>Supports:</b>	Malicious Prosecution / Bad Faith		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*DeRosa's supplemental disclosure adding 17 medical professionals to the witness list, including physicians, surgeons, and specialists. None were ever called to testify.*

*Two months after the initial disclosure, DeRosa filed a Supplemental Disclosure adding 17 more witnesses—all medical professionals, identified by name: Scott Miller, MD; Mark Oquist-Cardenas, MD; David Foosaner, MD; Kristin Vercillo, MD; Stephen Amesbury, MD; Megan Stock, MD; John Brunetti, DMD; Beth Ginsburg, MD; Rami Taha, MD; Marcus Talerico, MD; Stephen Clark, MD; Holly Loud, DO; Christopher Coury, MD; David Zartaisky, MD; Shayle Patzik, MD; Shabirusain Abadin, MD; Maher Nahlawi, MD. The supplemental disclosure reserved the right to call “any other person mentioned in the reports.” Thirty-five witnesses across two disclosures. Not one of those 35 witnesses testified. The prosecution ended with a negotiated plea. The witness list was a threat, not a trial plan. This exhibit is the supplemental disclosure itself, bearing DeRosa’s signature and the court’s file stamp.*

**FILED**

~~HT 17-11 03 11 03 11~~

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF LAKE )

**Erin Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois**

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

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

GENERAL NO: 23CF1146

**SUPPLEMENTAL DISCLOSURE OF DISCOVERY**

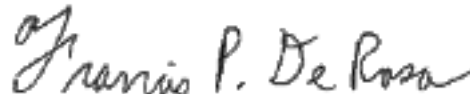
Now comes, Eric F. Rinehart, State’s Attorney for Lake County, Illinois, by and through Assistant State’s Attorney, Francis P. DeRosa, and supplement the Answer to the Defendant’s Motion for Discovery as follows:

The attached records labeled 23CF146-FPD00126-00137 through 23CF146-FPD00931-00934.

**Witnesses:**

- Scott Miller, MD
  - Mark Oquist-Cardenas, MD
  - David Foosaner, MD
  - Kristin Vercillo, MD
  - Stephen Amesbury, MD
  - Megan Stock, MD
  - John Brunetti, DMD
  - Beth Ginsburg, MD
  - Rami Taha, MD
  - Marcus Talerico, MD
  - Stephen Clark, MD
  - Holly Loud, DO
  - Christopher Coury, MD
  - David Zartaisky, MD
  - Shayle Patzik, MD
  - Shabirusain Abadin, MD
  - Maher Nahlawi, MD
- Any other person mentioned in the reports.

ERIC F. RINEHART  
STATE’S ATTORNEY FOR LAKE COUNTY



FRANCIS P. DEROSA  
ASSISTANT STATE’S ATTORNEY

# EXHIBIT F

## Court Order re: Discovery (Upon DeRosa’s Motion)

*Court Order granting DeRosa’s motion for reciprocal discovery, directing defense to disclose defenses, witnesses, and ev...*

**DEROSA CONDUCT SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738**

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	2024-2026
<b>Verification:</b>	Certified Court Records	<b>Prosecutor:</b>	Francis P. DeRosa, ASA
<b>Supports:</b>	Malicious Prosecution / Bad Faith		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*Court Order granting DeRosa’s motion for reciprocal discovery, directing defense to disclose defenses, witnesses, and evidence within 14 days.*

*The court entered this order on June 20, 2024, directing defense counsel to inform the State of any defenses Defendant intended to raise and to furnish witness lists, statements, documents, and expert reports within 14 days. It memorializes the ongoing reciprocal-discovery obligations in a prosecution that, at that point, had been pending for over a year without resolution. DeRosa had the discovery he demanded. The defense complied. And still the case continued for another fifteen months before disposition—fifteen months during which the State’s own insurer had already indemnified the parallel loss from the same collision that later formed the financial predicate of the revocation petition.*

STATE OF ILLINOIS )  
 )  
 ) SS  
COUNTY OF LAKE )

**FILED**

~~CLERK OF THE COURT~~

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

Erin Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois

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

GENERAL NO: 23CF1146

**EHAB ALLABABIDI**

**ORDER**

Upon Motion of the People of the State of Illinois, by ERIC F. RINEHART, State’s Attorney, for County of Lake, by and through, Assistant State’s Attorney,

IT IS HEREBY ORDERED that counsel for the defendant in the above-captioned cause shall inform the State of any defenses which the defendant intends to make at a hearing or trial, including affirmative defenses, non-affirmative defenses, alternate and inconsistent defenses;

IT IS FURTHER ORDERED that counsel for the defendant shall furnish the State with the following materials and information within counsel’s possession or control or within the possession or control of the defendant:

1. The names and last known addresses of persons the defendant intends to call as witnesses, together with their relevant written or recorded statements, including memoranda reporting or summarizing their oral statements and any record of prior criminal convictions of said witnesses known to the defendant or counsel;
2. Any written or recorded statements, including memoranda reporting or summarizing the oral statements of any person listed by the State as potential witnesses;
3. Any books, documents, photographs or tangible objects said defendant intends to use as evidence or for impeachment;
4. Any reports or statements of experts, made in connection with this case, including results of physical or mental examinations, and of scientific tests, experiments or comparisons, except that those portions of reports containing statements made by the defendant may be withheld if defense counsel does not intend to use any of the material contained in the report at a hearing or trial; oral reports or statements of experts shall be reduced to writing by said experts;

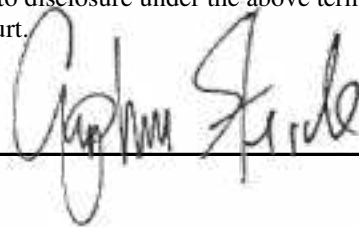
IT IS FURTHER ORDERED that if said defendant intends to establish an alibi, said defendant shall disclose to the State specific information as to the place where the defendant maintains he was located at the time of the alleged offense;

IT IS FURTHER ORDERED that counsel for the defendant shall comply with the aforesaid order **within 14 days** hereof at a time and place and in a manner mutually agreeable to said counsel and the Office of the State’s Attorney whereby said material and information may be inspected, obtained, tested, copied or photographed. If the parties cannot agree on a time, place, and manner of compliance with this order, defense counsel shall notify the State that the aforesaid material and information may be inspected, obtained, tested, copied or photographed during specified reasonable times and at places reasonably accessible to the State’s Attorney or his designated Assistant.

IT IS FURTHER ORDERED that, if subsequent to compliance with this Order, the defendant or counsel discover additional material or information which is subject to disclosure under the above terms, such information or material shall be promptly disclosed to the State and this Court.

Dated at Waukegan, Illinois, on 06/20/2024.

ENTERED: \_\_\_\_\_



# EXHIBIT G

## Order of Nolle Prosequi — Count 2 (Entered on DeRosa’s Motion)

*The September 8, 2025 court order, entered by the court on the State’s motion, nolle-prossing Count 2 (Aggravated Speedi...*

**DEROSA CONDUCT SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738**

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	2024-2026
<b>Verification:</b>	Certified Court Records	<b>Prosecutor:</b>	Francis P. DeRosa, ASA
<b>Supports:</b>	Malicious Prosecution / Bad Faith		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*The September 8, 2025 court order, entered by the court on the State’s motion, nolle-prossing Count 2 (Aggravated Speeding).*

*Count 2 (Aggravated Speeding, 625 ILCS 5/11-601.5) was charged in the June 14, 2023 indictment and resolved by nolle prosequi at the September 8, 2025 disposition — more than two years. The order was entered by the court on the State’s motion. Under *Thompson v. Clark*, 596 U.S. 36, 49 (2022), the Fourth Amendment favorable-termination element requires only that the prosecution ended without a conviction; under Illinois law a nolle prosequi is a favorable termination when it is not the product of a compromise, *Swick v. Liautaud*, 169 Ill. 2d 504, 513-14 (1996). The order is placed of record so the Court may apply the correct standard; the count carried to judgment is the one carrying the restitution obligation the State’s insurer had already paid.*



# EXHIBIT W

## SUPPLEMENTAL EVIDENTIARY SUBMISSION — BAD FAITH INSURANCE PAYOUT & DOCKET RECORD

Filed June 15, 2026 — 58 pages documenting Allstate indemnification and complete prosecution timeline

OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146

<b>Document:</b>	Federal evidentiary submission — Allababidi v. Shepherd, No. 1:26-cv-06738	<b>Filed/Dated:</b>	June 15, 2026 (CM/ECF filing in progress)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Grounds 1, 4, 7, 8, 12 — complete financial-record docket exhibits

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This 58-page evidentiary submission places of record two bodies of evidence that together defeat the financial predicate of the May 14, 2026 Petition for Revocation and document the prosecutorial conduct that sustained the underlying prosecution for 1,484 days without a trial. First, the insurance record: Allstate Fire and Casualty paid \$16,557.00 on Claim 0670868884 for the parallel property loss from the May 23, 2022 collision — three months before sentencing. The restitution order entered \$0.00 for the insured loss while ordering \$2,670.86 to O'Brien Landscape, applying the uncompensated-loss principle the State then ignored when it swore out the Petition for Revocation. Second, the docket record: all 26 appearances documented in chronological order with a dedicated index page. The exhibits authenticate the Allstate correspondence, the court orders, the probation memorandum, and the disposition records.*

### KEY CONTENTS:

- Allstate \$16,557.00 payment on Claim 0670868884 — indemnified before sentencing
- Court \$0.00 entry for insured loss — uncompensated-loss principle applied
- Complete chronological index of all 26 court appearances
- Probation memorandum omitted active Allstate coverage
- Disposition records with nolle prosequi on Count 2



**FILED**  
6/15/2026

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

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

**EHAB ALLABABIDI,**  
*Plaintiff, Pro Se,*

Case No.: **1:26-cv-06738**

v.

Judge: *Hon. Matthew F. Kennelly*  
Magistrate: *Hon. Karyn L. Bass Ehler*

**NICHOLAS SHEPHERD,** Assistant State’s  
Attorney, Lake County;

**MARISA CERVANTES,** Adult Probation  
Officer, Lake County;

**DESTINY LEE,** Adult Probation Officer,  
Cook County;

**MARGARET K. FONTANA,** Director,  
Division of Adult Probation Services,  
19th Judicial Circuit (Lake County);

**LAKE COUNTY, ILLINOIS;**  
**COOK COUNTY, ILLINOIS,**  
*Defendants.*

PLAINTIFF’S VERIFIED  
SUPPLEMENTAL EVIDENTIARY  
SUBMISSION (INSURANCE  
INDEMNIFICATION RECORD):  
SELF-AUTHENTICATING FACTUAL  
ANCHOR IN SUPPORT OF THE FOURTH  
AMENDMENT MALICIOUS  
PROSECUTION CLAIMS

**PLAINTIFF’S VERIFIED SUPPLEMENTAL EVIDENTIARY SUBMISSION  
(INSURANCE INDEMNIFICATION RECORD):  
SELF-AUTHENTICATING FACTUAL ANCHOR IN SUPPORT OF THE  
FOURTH AMENDMENT MALICIOUS PROSECUTION CLAIMS**

*Authenticating Plaintiff’s Allstate indemnification records and the Lake County restitution and disposition orders that bear on the financial predicate of the May 14, 2026 Petition for Revocation — evidence in support of the Fourth Amendment malicious-prosecution and related claims pleaded in the Verified Complaint [Doc. 1], and supplementing the Evidentiary Nexus Dossier [Doc. 9]  
(SUBMITTED FOR EVIDENTIARY PURPOSES ONLY)*

Plaintiff Ehab Allababidi, proceeding pro se, files this Verified Supplemental Evidentiary Submission in support of his Verified Complaint [Doc. 1] pursuant to Fed. R. Civ. P. 5(d), in the form prescribed by N.D. Ill. Local Rule 5.2. The attached exhibits are self-authenticating under Fed. R. Evid. 902(13)–(14) and are accompanied by Plaintiff’s declaration under 28 U.S.C. § 1746. The submission places of record the Allstate indemnification correspondence and the Lake County restitution and disposition orders bearing on the financial ground of the May 14, 2026 Petition for Revocation. It requests no relief; it perfects the documentary record on which the Fourth Amendment malicious-prosecution and related claims will be tried, and it parallels, on the financial ground, the Evidentiary Nexus Dossier [Doc. 9] already of record on the drug ground.

**I. INTRODUCTION**

The May 14, 2026 *Petition for Revocation* charges Plaintiff with the *willful* failure to satisfy a \$2,670.86 restitution obligation to O’Brien Landscape. The documents authenticated here defeat that

1 charge at its root. The property loss underlying the obligation arose from the May 23, 2022 collision for  
2 which Plaintiff’s insurer, Allstate Fire and Casualty Insurance Company, had already paid \$16,557.00  
3 under the same active policy, on the same claim, for a parallel loss from the same crash.

4 The point is not that a balance was hard to pay. It is more elemental: an active, responsive  
5 insurance policy stood behind the very loss the State enforced as a “*willful*” criminal default. A  
6 revocation ground that rests on a loss an insurer has already answered is a ground without *probable*  
7 *cause*—and the absence of probable cause is the heart of the Fourth Amendment malicious-prosecution  
8 claim pleaded in the Complaint. Under the landmark Supreme Court authority of *Bearden v. Georgia*,  
9 461 U.S. 660 (1983), the State is constitutionally barred from revoking probation for nonpayment of  
10 restitution without an inquiry into the probationer’s *ability to pay* and a finding of *willfulness*. The  
11 presence of active, responsive insurance coverage ready to cover the underlying debt satisfies the  
12 willfulness threshold and legally estops the State from converting a civil subrogation matter into a  
13 criminal revocation under the *Civil-Criminal Subrogation Estoppel Theory*. The exhibits that prove this  
14 financial premise follow.

## 14 **II. THE INDEMNIFICATION: PLAINTIFF’S INSURER PAID THE LOSS**

15 The operative fact is established by Allstate’s own written correspondence, authenticated at  
16 Exhibits L and M. In a letter Plaintiff received on or about June 3, 2025, Allstate confirmed, in terms  
17 that are *past-tense and unqualified*, that it had “paid Sentry Insurance for their subrogation for the  
18 property damage of James W Smith Printing. We paid a total of \$16,557.00 for supported damages  
19 submitted to us.” The correspondence identifies the claim number (0670868884), the date of loss (*May*  
20 *23, 2022*), Plaintiff as the insured, and the claims representative of record (Connie O’Connor,  
21 630-972-7357).

22 Three features of that record matter, and each is documentary rather than argumentative. First, the  
23 policy was *active and responsive* to this accident: Allstate did not lapse, dispute, or decline the claim; it  
24 paid it. Second, the payment was *made before sentencing*—Allstate’s written confirmation predates the  
25 September 8, 2025 sentencing by approximately three months, so the coverage was a present, knowable  
26 fact at every stage that followed. Third, the James W. Smith Printing loss and the O’Brien Landscape  
27 loss arose from the *same collision, under the same policy, on the same claim, on the same date of loss*.  
28 The record establishes that the insurer who paid the one was the insurer contractually responsible for  
the other.

## 28 **III. THE RESTITUTION RECORD AND THE UNCOMPENSATED-LOSS PRINCIPLE**

The state court's own orders, authenticated at Exhibit I, complete the picture. At sentencing the court ordered restitution of \$2,670.86 to O'Brien Landscape and **\$0.00** to James W. Smith Printing. The \$0.00 entry is significant, and it is the court's, not Plaintiff's: it reflects that the Smith Printing loss had already been satisfied by insurance and therefore was not a loss the court would order a defendant to pay a second time.

That treatment is what Illinois law requires. Under 730 ILCS 5/5-5-6, restitution reaches an actual loss *not otherwise compensated*; a loss a responsive insurer has paid is not an uncompensated loss. *People v. Mathews*, 2016 IL App (1st) 140353. The sentencing court applied that rule to Smith Printing. The O'Brien Landscape loss arose from the same accident and fell under the same Allstate policy that paid the parallel claim.

The \$2,670.86 figure traces not to any insurer-tested accounting but to the probation memorandum of April 8, 2026 (Exhibit N), which forwarded the number to the State while omitting the active Allstate coverage on the same accident. No inquiry into active coverage, insurance subrogation status, or Plaintiff's *ability to pay* was conducted prior to forwarding this figure or issuing the zero-bond bench warrant, in direct violation of the constitutional protections established under *Bearden*.

#### IV. THE FOUR-YEAR PROSECUTION: DOCKET CHRONOLOGY AND CONTINUED SEIZURE

**A. Duration.** The duration of the prosecution, computed from the native circuit-court record, is exact:

Interval	From → To	Elapsed
Date of loss to present	05/23/2022 → 06/15/2026	1,484 days (≈ 4.06 years), case still open
Indictment to present	06/14/2023 → 06/15/2026	1,097 days (exactly 3.00 years)
Date of loss to disposition	05/23/2022 → 09/08/2025	1,204 days (≈ 3.30 years)
Level 2 pretrial supervision	04/10/2024 → 09/08/2025	516 days (17 months) of continuous supervision

**B. The Native Docket of the Prosecution.** The Lake County circuit-court production (the native case files) documents the complete chronology of compelled court appearances, successive continuances, and supervision orders across the prosecution. Each entry below is a certified circuit-court record, attached at Exhibit K (and its parts). Together they show a prosecution not merely commenced but continued and actively enforced against Plaintiff for 1,484 days — sustaining a Fourth Amendment seizure through the period in which the State's own files (the Allstate indemnification and the "all negative" adjudication) undercut probable cause.

Date	Native Docket Entry	Significance	Liberty Restraint
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05/23/2022	Date of loss — multi-vehicle crash, IL Route 22 (LPD 2022-7193).	Allstate coverage active from this date.	None (pre-commencement)
06/14/2023	Grand Jury indictment, No. 23 CF 1146.	Commencement of the prosecution.	Compelled appearance
03/30/2024	First Appearance: arrested in custody; PD appointed; Level 2 Pretrial ordered (Ex. K).	Arrest and initial restraint on liberty.	Custodial arrest; pretrial supervision
04/10/2024	Level 2 pretrial supervision begins (AOIC, 19th Cir.).	Start of the 516-day supervision period.	Pretrial supervision; reporting; travel limits
05/02/2024	Status Of Attorney: PD appointed; Arraignment set (Ex. J).	Supervision conditions imposed.	Pretrial release conditions
05/14/2024	Arraignment: NG plea entered; discovery orders (Ex. K).	First substantive hearing.	Compelled appearance
06/12/2024	State's Disclosure (20 witnesses) and Motion for Discovery (Ex. K).	Formal motion practice initiated.	Compelled appearance
06/20/2024	Court Order: reciprocal discovery ordered (14 days) (Ex. K).	Discovery compliance ordered.	Compelled appearance
06/25/2024	Pre-Trial: Heard and Continued; set Jul 23 (Ex. K).	First continuance; no trial set.	Compelled appearance
07/23/2024	Pre-Trial: Heard and Continued; Motion of Defense; set Aug 20 (Ex. K).	Second continuance.	Compelled appearance
08/20/2024	Pre-Trial via video: Heard and Continued; set Sep 24 (Ex. K).	Third continuance.	Compelled appearance (video)
09/24/2024	Pre-Trial: sent to test for pretrial; set Oct 11 (Ex. J).	Compelled drug testing ordered.	Compelled drug/alcohol testing
10/11/2024	Pre-Trial: Heard and Continued; admonished re: no drugs/alcohol; set Oct 29 (Ex. K).	Fourth continuance.	Compelled appearance
10/29/2024	Pre-Trial: State's Petition to Revoke Pretrial Release WITHDRAWN; set Nov 26 (Ex. K).	State conceded lack of grounds for detention.	Compelled appearance
11/26/2024	Pre-Trial + Status (same day): Def tested negative; admonished re: conditions; set Jan 3 (Ex. K).	Defendant compliant with testing.	Compelled drug testing
01/03/2025	Pre-Trial: Heard and Continued; State motion re: medical records; set Feb 18 (Ex. K).	Fifth continuance.	Compelled appearance
02/18/2025	Pre-Trial: ordered to test at Pretrial directly after court; set Plea Mar 19 (Ex. J).	Second compelled testing ordered.	Compelled drug/alcohol testing
03/19/2025	Plea via Zoom: Heard and Continued; set Apr 30 (Ex. K).	No plea reached; continued.	Compelled appearance (Zoom)
03/25–26/2025	Defense Answer to Discovery (03/25) and Court Order (03/26) (Ex. K).	Discovery compliance; PD appointment confirmed.	Compelled appearance
04/30/2025	Plea via video: Heard and Continued; set Jun 12 (Ex. K).	No plea reached; continued.	Compelled appearance (video)
On or before 06/03/2025	Allstate pays \$16,557.00 to Sentry for Smith Printing subrogation (Ex. L & M).	Parallel loss indemnified before sentencing.	N/A (insurance indemnification)
06/12/2025	Plea: Case Called; Motion of Defense; set Pre-Trial Jul 23 (Ex. K).	No plea; sent back to Pre-Trial.	Compelled appearance
06/23/2025	Order Entered: HIPAA forms processed (Ex. K).	Administrative step.	Compelled appearance
07/23/2025	Pre-Trial: 402 conference; set Aug 12 (Ex. K).	Plea negotiations begin.	Compelled appearance
08/12/2025	Pre-Trial FINAL: set Plea Aug 26 (Ex. K).	Final pretrial.	Compelled appearance
08/26/2025	Plea FINAL: Heard and Continued; set Sep 8 (Ex. K).	Disposition scheduled.	Compelled appearance
09/08/2025	DISPOSITION: Count 1 Guilty, Count 2 Nolle Prosequi; 30 mo. IFP; restitution \$2,670.86 (Ex. I, Q).	1,204 days from loss; prosecution resolved.	Probation conditions imposed

10/06/2025	Faretta hearing: Defendant Proceeds Pro Se; motion to stay driving DENIED (Ex. K).	Defendant invokes Faretta; pro se status confirmed.	Probation conditions
12/11/2025	Motion of Defense: motion entered and continued (Ex. K).	Post-disposition litigation.	Probation conditions
01/26/2026	Status of Motion (video): Heard and Continued (Ex. K).	Appeal/motion practice ongoing.	Probation conditions
03/10/2026	Status of Motion: STRICKEN — NO SHOW (Ex. K).	Defendant did not appear.	Probation conditions
04/08/2026	Probation memorandum forwards \$2,670.86 to State, omitting Allstate coverage (Ex. N).	Provenance of the enforced figure.	Administrative — precedes revocation
05/14/2026	Petition for Revocation sworn, alleging willful nonpayment.	New prosecution on indemnified loss.	Initiation of revocation prosecution
05/28/2026	Zero-bond bench warrant issued; "PD APPOINTED" on warrant (Ex. K, warrant).	No probable-cause hearing; no Bearden inquiry.	Custodial arrest warrant (zero bond)
06/15/2026	Prosecution remains open and pending.	1,484 days from loss; still enforced.	Active warrant; continuing restraint

**C. Pretrial Supervision as a Continuing Restraint on Liberty.** For the 516 days between April 10, 2024 and the September 8, 2025 disposition, Plaintiff was subject to Level 2 pretrial supervision: mandatory reporting, travel restrictions, and drug- and alcohol-testing he was ordered to undergo at Pretrial Services immediately after hearings (Exhibit J). These are restraints on liberty, not mere administrative monitoring, and they were sustained throughout the period in which the State's own files had already answered the grounds of the prosecution. The Fourth Amendment governs deprivations of liberty effected through legal process even after its initiation. *Manuel v. City of Joliet*, 580 U.S. 357, 367 (2017); *Manuel v. City of Joliet*, 903 F.3d 667, 670 (7th Cir. 2018) (*Manuel II*). The Seventh Circuit has recognized that conditions of pretrial release may themselves implicate the Fourth Amendment given the significant restrictions on liberty they impose, while leaving the precise scope of that question open. *Mitchell v. City of Elgin*, 912 F.3d 1012, 1015–16 (7th Cir. 2019). These authenticated conditions are the factual basis on which the continued-seizure component of Plaintiff's malicious-prosecution claim will be measured.

## **V. THE INSURANCE RECORD IN SUPPORT OF THE MALICIOUS-PROSECUTION CLAIMS**

**A. Absence of probable cause on the financial ground (The Bearden Nexus).** The Supreme Court's landmark ruling in *Bearden v. Georgia*, 461 U.S. 660 (1983), strictly prohibits the revocation of probation for failure to pay restitution without an explicit judicial inquiry into the probationer's *ability to pay* and a specific finding of *willfulness*. Under standard subrogation principles, the active Allstate policy (Claim 0670868884) was a responsive civil indemnity pool established to absorb the property loss arising from the May 23, 2022 collision. The defense will attempt to argue that because the Sentry subrogation payment of \$16,557.00 was allocated to James W. Smith Printing and not

O'Brien Landscape, the payout did not satisfy the specific debt listed in the May 14, 2026 Petition for Revocation. This argument fails as a matter of constitutional law. The legal reality is that the presence of an active, responsive insurance carrier covering the underlying loss bears directly on whether any nonpayment could be found *willful*. The failure to route the claim to the active insurer, followed by a zero-bond bench warrant on May 28, 2026 issued without any ability-to-pay inquiry, is incompatible with the willfulness finding *Bearden* requires before liberty may be taken for nonpayment. Incarceration for nonpayment of a loss a responsive insurer stood ready to cover, without the constitutionally required inquiry, presents a due process and Fourth Amendment question — not a mere billing dispute.

**B. Malice — Two Grounds, Each Answered by the State's Own Records.** The Petition for Revocation rested on two grounds, and the State's own records answer both: the drug ground, addressed by Officer Weeks's written acknowledgment of Plaintiff's prescription adherence (Doc. 9), and the financial ground, addressed by the Allstate subrogation payment (Exhibits L and M). A sworn petition that advances two grounds the prosecuting authority's own files refute is probative of the malice and improper purpose the Complaint alleges; the convergence of two independently answered grounds in a single sworn instrument is difficult to reconcile with mere oversight.

Under ordinary subrogation principles, Allstate's \$16,557.00 payment to Sentry Insurance (Exhibit M) tendered the property loss from the collision to a responsive insurer. The April 8, 2026 probation memorandum (Exhibit N) forwarded the \$2,670.86 figure to the State without reference to that active coverage. A party that does not route a loss to the responsive insurer, and then charges the resulting balance as a willful refusal to pay, supplies the improper-purpose evidence relevant to the § 1983 malicious-prosecution claim. The omission is shown in the comparison below:

April 8, 2026 Probation Memorandum (Exhibit N)	June 3, 2025 Allstate Settlement Letter (Exhibit M)
Asserts default on the restitution obligation, claiming Plaintiff willfully failed to pay \$2,670.86 to O'Brien Landscape.	Confirms that Allstate paid a total of \$16,557.00 for supported damages submitted on Claim 0670868884 for the May 23, 2022 collision.
Omits all references to active insurance coverage, the pending insurer claims, or the parallel subrogation payout.	Explicitly identifies Allstate as the active insurer responding to the May 23, 2022 collision under Plaintiff's policy.
Frames the failure to pay as a "willful" default, recommending a zero-bond bench warrant.	Establishes a responsive civil indemnity pool, demonstrating the total absence of criminal intent or "willful" default under <i>Bearden</i> .

**C. Favorable Termination Preservation.** The disposition order (Exhibit Q) reflects that Count 2 (Aggravated Speeding) was resolved by *nolle prosequi* on September 8, 2025. This constitutes a favorable termination under the federal standard established in *Thompson v. Clark*, 596 U.S. 36 (2022). Plaintiff explicitly preempts any defense reliance on modified state-law interpretations of *nolle*

1 *prosequi* that require affirmative indications of innocence. Under *Thompson*, the federal standard  
2 requires only that the prosecution ended *without a conviction*, independent of any state-law innocence  
3 requirement. Count 2 is therefore a fully actionable basis for the malicious-prosecution claim under §  
4 1983.

5 **D. The Immunity Boundary.** To preempt the defendants' anticipated assertions of *absolute*  
6 *prosecutorial immunity* (for Assistant State's Attorneys) or *quasi-judicial immunity* (for probation  
7 officers), Plaintiff's claims are anchored specifically in *investigative* and *administrative* misconduct  
8 that occurred prior to the initiation of the judicial revocation proceeding. The absolute immunity shield  
9 only protects a prosecutor's actions as an advocate in court. By targeting the deliberate concealment of  
10 known financial coverage and the manipulation of accounting records—specifically the drafting and  
11 transmission of the April 8, 2026 probation memorandum (Exhibit N)—Plaintiff targets administrative  
12 and investigative acts. These actions are not protected by absolute immunity, but are only subject to  
13 qualified immunity. Under the Fourth Amendment, qualified immunity is defeated by showing a  
14 reckless disregard for clearly established constitutional rights, which the bad-faith omission of the  
15 active Allstate coverage and the falsified drug-testing records here manifest.

#### 15 **VI. AUTHENTICATION (FED. R. EVID. 902(4) & 901; 28 U.S.C. § 1746)**

16 The certified circuit-court records (Exhibits I, J, K, and Q) are self-authenticating as certified  
17 copies of public records under Fed. R. Evid. 902(4), and the probation memorandum (Exhibit N) is a  
18 record of a coordinate state agency. The Allstate email and settlement letter (Exhibits L and M) are  
19 authenticated by Plaintiff's declaration under 28 U.S.C. § 1746 (Fed. R. Evid. 901(b)(1)), and bear five  
20 independent indicia of reliability that further support self-authentication under Rule 902(13)–(14):  
21 Allstate's corporate letterhead; a specific claim number (0670868884); a specific date of loss (May 23,  
22 2022); the insured's exact name and address; and a specific amount (\$16,557.00) paid to a named  
23 counterparty (Sentry Insurance).

24 Plaintiff further declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that Exhibits L  
25 and M are true, correct, and unaltered copies of the Allstate email and settlement letter as he received  
26 them in connection with Allstate Claim No. 0670868884, as they appear in his email and on his device.  
27 The email (Exhibit L) was sent from claims@claims.allstate.com, dated June 3, 2025, bearing the  
28 subject line "Allstate claim: 0000670868884." The contents accurately reflect Allstate's confirmation  
of the payment of \$16,557.00 to Sentry Insurance for the property-damage subrogation of James W.  
Smith Printing arising from the May 23, 2022 accident. Plaintiff will produce the native electronic files,  
with full header metadata, upon request or in discovery.

## **VII. EVIDENCE-PRESERVATION DEMAND (FED. R. CIV. P. 37(e))**

Consistent with the Mandatory Litigation Hold already served on all Defendants (Complaint, Exhibit 8), Plaintiff supplements that hold with the following targeted demand directed to the insurance and restitution record. Defendants have a duty to preserve evidence they know or reasonably should know is relevant to this litigation. *Silvestri v. Gen. Motors Corp.*, 271 F.3d 583, 590 (4th Cir. 2001). Because the defendants proceeded to issue and execute a zero-bond bench warrant on May 28, 2026, without conducting any ability-to-pay inquiry or verification hearing, any destruction of internal emails, text messages, system logs, or personal notes regarding the decision to bypass standard verification protocols will be treated as bad-faith spoliation, and will trigger a formal request for adverse-inference jury instructions under Fed. R. Civ. P. 37(e).

<b>Category</b>	<b>Records to Preserve</b>	<b>Custodian</b>
<b>Insurance Coordination</b>	All communications between any agent of the Lake County State's Attorney's Office or Adult Probation and O'Brien Landscape regarding the \$2,670.86 restitution, including any notice (or non-notice) directing O'Brien to file with Allstate (Claim 0670868884, Loss Date 05/23/2022).	Lake County State's Attorney; Lake County Adult Probation
<b>Sentencing Disclosure</b>	All records in the Case 23 CF 1146 file bearing on knowledge or disclosure of the Allstate payment at or before the September 8, 2025 sentencing.	Lake County State's Attorney — file 23 CF 1146
<b>Restitution Figure Provenance</b>	All materials underlying the \$2,670.86 figure, including the April 8, 2026 probation memorandum and any supporting accounting or insurance inquiry.	Lake County Adult Probation

## **VIII. CONCLUSION**

The claim that Ehab Allababidi willfully defaulted on a debt his insurer had already paid is not a theory; it is a documentary record. Allstate's own letter—bearing claim number 0670868884, identifying the May 23, 2022 collision by date and the loss by name—states it in terms that admit no qualification: “We paid a total of \$16,557.00 for supported damages submitted to us.” The sentencing court entered \$0.00 for that same insured loss on the same day it ordered \$2,670.86 to O'Brien Landscape—applying the uncompensated-loss principle the State then ignored when it swore out the Petition for Revocation. The probation memorandum that forwarded that figure omitted the active Allstate coverage. The warrant that issued recited “PD APPOINTED” for a defendant this Office has said in writing it does not represent. Each document answers the charge ahead of it. The file refutes itself.

This submission requests no relief. It places in the record what the record already contains: an insurer's paid claim, a court's \$0.00 entry, a probation memorandum that omitted what it should have disclosed, and a warrant that enforces an obligation the State's own insurer answered three months before sentencing. The exhibits are authenticated and submitted in support of the Verified Complaint

1 [Doc. 1]. The Clerk is directed to file them of record.

2 Respectfully submitted,

3 /s/ Ehab Allababidi

4 **EHAB ALLABABIDI**, *Pro Se* Plaintiff

5 8516 W. Winona St., Chicago, IL 60656

6 (773) 920-0030 | defcon5ready@gmail.com

Dated: June 15, 2026

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7 **CERTIFICATE OF FILING AND SERVICE**

8 I, EHAB ALLABABIDI, certify under penalty of perjury that on June 15, 2026, I caused the foregoing *Plaintiff's*  
9 *Verified Supplemental Evidentiary Submission in Support of the Malicious-Prosecution and Related Claims: The*  
10 *Insurance-Indemnification Record* to be filed with the Clerk of the United States District Court for the Northern  
11 District of Illinois via the District's Pro Se Electronic Filing Portal in Case No. 1:26-cv-06738. This action is in its  
12 preliminary stages; no summons has issued and no Defendant has appeared. The CM/ECF system will  
13 automatically serve all counsel of record promptly upon their appearance in this action.  
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# INDEX OF AUTHENTICATED EXHIBITS

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Ex.	Document	What It Establishes
<b>I</b>	Disposition: Sentencing, Restitution & Plea Minutes (Sept. 8, 2025) <i>[Pages 11–16]</i>	Restitution of \$2,670.86 to OBrien Landscape and \$0.00 to James W. Smith Printing — the courts own application of the uncompensated-loss principle to an insured loss.
<b>J</b>	Pretrial Supervision & Mandatory Testing Records (May 2, 2024 – Feb. 18, 2025) <i>[Pages 17–20]</i>	Three certified minute records reflecting Level 2 supervision and the orders to test directly after court — the continued seizure (also within the docket at Ex. K).
<b>K</b>	Chronological Docket of Court Appearances & Continuances (Mar 2024 – May 2026) <i>[Pages 21–50]</i>	Certified minute records of the hearings, continuances, and post-disposition and revocation events across the prosecution (supervision/testing at Ex. J; disposition at Ex. I).
<b>L</b>	Allstate Claim Email (June 3, 2025) <i>[Pages 51–52]</i>	Active, responsive Allstate policy; claim number and claims-representative contact. Self-authenticating under Fed. R. Evid. 902(13)–(14).
<b>M</b>	Allstate Settlement Confirmation Letter (June 3, 2025) <i>[Pages 53–54]</i>	Written confirmation of the \$16,557.00 payment to Sentry Insurance on Claim 0670868884 (Loss Date May 23, 2022) — the core indemnification document.
<b>N</b>	Probation Restitution Memorandum (April 8, 2026) <i>[Pages 55–56]</i>	Source of the \$2,670.86 figure forwarded to the State; establishes the provenance of the number absent any insurer-tested accounting.
<b>Q</b>	Disposition Order (Sept. 8, 2025) <i>[Pages 57–58]</i>	Count 1 — Guilty; Count 2 (Aggravated Speeding) — Nolle Prosequi. Bears on the favorable-termination element of the malicious-prosecution claim under <i>Thompson v. Clark</i> , 596 U.S. 36 (2022).

Supplemental Evidence Submission — For Evidentiary Purposes Only

Filed in Support of Plaintiff's Civil Rights Complaint [Doc. 1]

Allababidi v. Shepherd, et al.

Case No. 1:26-cv-06738 | N.D. Illinois, Eastern Division

# EXHIBIT I

## Disposition: Sentencing, Restitution, and Plea Minutes (September 8, 2025)

September 8, 2025

SUPPLEMENTAL EVIDENTIARY SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	September 8, 2025
<b>Verification:</b>	Certified / Self-Authenticating	<b>Bates Range:</b>	Circuit Court Native Files
<b>Supports:</b>	Insurance Indemnification; Restitution Record		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

On September 8, 2025, the Circuit Court entered a Financial Sentencing Order, a separate Order for Restitution directing Defendant to pay \$2,670.86 to O'Brien Landscape for property damage from the May 23, 2022 collision, and recorded the plea disposition (Count 1 guilty; Count 2 nolle prosequi). The restitution order assessed \$0.00 to James W. Smith Printing because Allstate had already paid \$16,557.00 on Claim 0670868884 for that identical loss.

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

FILED

ERIN CARTWRIGHT WEINSTEIN

THE PEOPLE OF THE STATE OF ILLINOIS,  
City or Village of \_\_\_\_\_ )

vs. )

Ehab Allababidi  
\_\_\_\_\_  
(Defendant) )

General Number 23CF1146

Erin Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois

FINANCIAL SENTENCING ORDER

The Defendant has appeared before this court and  plead guilty  was found guilty of the offenses listed in paragraph 1 below.

Defendant has been admonished of his/her right to be sentenced under the law in effect at the time of the offense or the time of sentencing:

In addition to any other sentences imposed in the case, the Defendant is ordered to pay the following fines and assessments:

1. Fine(s) (705 ILCS 105/27.3b-1 and 730 ILCS 5/4-4.5-5 sets forth the minimum fine):

- a. Offense: Aggravated Reckless Driving/Great Bodily Harm \$ 75
  - b. Offense: \_\_\_\_\_ \$ \_\_\_\_\_
  - c. Offense: \_\_\_\_\_ \$ \_\_\_\_\_
- Total fine(s): \$ 75

2. Fine Credits:

- Credit for time served: \_\_\_\_\_ days x \$30.00 per day credit \$(\_\_\_\_\_)

Balance of fines less fine credit(s): \$ 75

3. Criminal Assessments (One per case. Check the highest-class offense only.)

Offense:

- \_\_\_\_\_ a.  Schedule 1: Generic Felony (705 ILCS 135/15-5) \$ 549 \$ 549
  - \_\_\_\_\_ b.  Schedule 2: Felony DUI/OUI (705 ILCS 135/15-10) \$1,709 \$ \_\_\_\_\_
  - \_\_\_\_\_ c.  Schedule 3: Felony Drug Offense (705 ILCS 135/15-15) \$2,215 \$ \_\_\_\_\_
  - \_\_\_\_\_ d.  Schedule 4: Felony Sex Offense (705 ILCS 135/15-20) \$1,314 \$ \_\_\_\_\_
  - \_\_\_\_\_ e.  Schedule 5: Generic Misdemeanor Offense (705 ILCS 135/15-25) \$ 439 \$ \_\_\_\_\_
  - \_\_\_\_\_ f.  Schedule 6: Misdemeanor DUI/OUI (705 ILCS 135/15-30) \$1,381 \$ \_\_\_\_\_
  - \_\_\_\_\_ g.  Schedule 7: Misdemeanor Drug Offense (705 ILCS 135/15-35) \$ 905 \$ \_\_\_\_\_
  - \_\_\_\_\_ h.  Schedule 8: Misdemeanor Sex Offense (705 ILCS 135/15-40) \$1,184 \$ \_\_\_\_\_
  - \_\_\_\_\_ i.  Schedule 9: Major Traffic Offense (705 ILCS 135/15-45) \$ 325 \$ \_\_\_\_\_
  - \_\_\_\_\_ j.  Schedule 10: Minor Traffic Offense (705 ILCS 135/15-50) \$ 226 \$ \_\_\_\_\_
  - \_\_\_\_\_ k.  Schedule 10.5: Truck Weight/Load Offense (705 ILCS 135/15-52) \$ 260 \$ \_\_\_\_\_
  - \_\_\_\_\_ l.  Schedule 11: Conservation Offense (705 ILCS 135/15-55) \$ 195 \$ \_\_\_\_\_
  - \_\_\_\_\_ m.  Schedule 13: Non-Traffic Violation (705 ILCS 135/15-65) \$ 100 \$ \_\_\_\_\_
- Subtotal-Criminal Assessment: \$ 549

4. Offsets of Assessments

- a.  Public/Community Service (1 hour x current Illinois minimum wage subtracted from Criminal Assessment - Section 3 – only) (705 ILCS 135/5-20(b))  
Number of Hours \_\_\_\_\_ x \$ \_\_\_\_\_ per hour \$(\_\_\_\_\_)
- b.  Substance Abuse Treatment Program Credit (subtracted from Criminal Assessment – Section 3 – only) (705 ILCS 135/5-10(c-5)) \$(\_\_\_\_\_)

Total Additional Offsets: \$(\_\_\_\_\_)

Total Balance of Criminal Assessments: \$ \_\_\_\_\_

5. Conditional Assessment(s) (Check all that apply)

Offense:

- \_\_\_\_\_ a.  Arson/Residential/Aggravated Arson (705 ILCS 135/15-70(1)) \$500 per conviction \$ \_\_\_\_\_
- \_\_\_\_\_ b.  Child Pornography (705 ILCS 135-15-70(2))  
 State Police  Other Arresting Agency \$500 per conviction \$ \_\_\_\_\_
- \_\_\_\_\_ c.  Crime lab drug analysis (705 ILCS 135/15-70(3)) \$ 100 \$ \_\_\_\_\_
- \_\_\_\_\_ d.  DNA analysis (705 ILCS 135/15-70(4)) \$ 250 \$ \_\_\_\_\_
- \_\_\_\_\_ e.  DUI analysis (705 ILCS 135/15-70(5)) \$ 150 \$ \_\_\_\_\_

_____ f.	<input type="checkbox"/>	Street Value – Drug related offense, possession/delivery (705 ILCS 135/15-70(6))	\$	_____
_____ g.	<input type="checkbox"/>	Street Value – Methamphetamine, possession/manufacture (705 ILCS 135/15-70(7))	\$	_____
_____ h.	<input type="checkbox"/>	Order of protection violation (705 ILCS 135/15-70(8))	\$200 per conviction	\$ _____
_____ i.	<input type="checkbox"/>	Order of protection violation (705 ILCS 135/15-70(9))	\$ 25 per violation	\$ _____
_____ j.	<input type="checkbox"/>	State’s Attorney petty or business offense (705 ILCS 135/15-70(10)(A))	\$ 4	\$ _____
_____ k.	<input checked="" type="checkbox"/>	State’s Attorney conservation or traffic offense (705 ILCS 135/15-70(10)(B))	\$ 2	\$ <u>2</u>
_____ l.	<input type="checkbox"/>	Speeding in a construction zone (705 ILCS 135/15-70(11))		
		<input type="checkbox"/> Interstate Highway <input type="checkbox"/> County	\$ 250	\$ _____
_____ m.	<input type="checkbox"/>	Supervision disposition under Vehicle Code (705 ILCS 135/15-70(12))	\$ 0.50	\$ _____
_____ n.	<input type="checkbox"/>	Guilty plea or no contest, specified offense against family member		
		<input type="checkbox"/> Sentencing offense is Sexual Assault (705 ILCS 135/15-70(13))	\$ 200	\$ _____
_____ o.	<input type="checkbox"/>	EMS response reimbursement, vehicle/snowmobile/boat violation (DUI/OUI) (705 ILCS 135/15-70(14))	Max. Amt. is \$1,000	\$ _____
_____ p.	<input type="checkbox"/>	EMS response reimbursement, controlled substances violation (705 ILCS 135/15-70(15))	\$1,000	\$ _____
_____ q.	<input type="checkbox"/>	EMS response reimbursement, reckless driving/aggravated reckless driving/speed in excess 26 mph violation (705 ILCS 135/15-70(16))	Max. Amt. is \$1,000	\$ _____
_____ r.	<input type="checkbox"/>	Human Trafficking, Sex Offender Registration, or Soliciting a Sexual Act Violation (705 ILCS 135/15-70(17));	Not less than \$350 for each offense sentenced	\$ _____
		This amount shall be the minimum amount of the fine, which shall be distributed pursuant to this act		
_____ s.	<input type="checkbox"/>	Weapons Violation, Trauma Center Fund (705 ILCS 135/15-70(18))	\$100 per conviction	\$ _____
_____ t.	<input type="checkbox"/>	Scott’s Law (705 ILCS 135/15-70(19)) <input type="checkbox"/> State Police <input type="checkbox"/> County	\$ 250	\$ _____
		<b>Subtotal – Conditional Assessment Amount:</b> \$ _____		
		<b>TOTAL CRIMINAL AND CONDITIONAL ASSESSMENTS:</b> \$ <u>551.00</u>		

**6. Assessment waiver (only applies to financial obligations under sections 3 and 5):**

a.  Waiver of Criminal Court Assessment granted \_\_\_\_\_ (does not apply to fines or IVC)  
 \_\_\_\_\_ (Date)  
 100%  75%  50%  25% Waiver amount: \$ (\_\_\_\_\_)
   
**Balance of assessments and conditional assessments after credits are applied:** \$ \_\_\_\_\_

**7. Other Assessments:**

a.  Restitution (See separate Restitution Order for details) \$ \_\_\_\_\_  
 b.  Probation/Supervision/Conditional Discharge Fee \$ 50/month x 30 months \$ 1500  
 c.  Public Defender assessment \$ 100  
 d.  Service Provider cost  Urinalysis Testing \$ 125  \$ 125  
 e.  Therapeutic Intensive Monitoring Fee \$ \_\_\_\_\_  
 f.  Other: \_\_\_\_\_ \$ \_\_\_\_\_  
 g.  Pretrial Bond Services Fee \$ \_\_\_\_\_  
 h.  Court Ordered Contribution: Agency & Address: \_\_\_\_\_ \$ \_\_\_\_\_  
 i.  Roadside Memorial Fund \$ 50 \$ \_\_\_\_\_

**8. Bond posted:** \_\_\_\_\_ **minus 10% bond fee** \_\_\_\_\_ **= Bond Available:** \$ \_\_\_\_\_

**SEE EXHIBIT A** **BALANCE OF ALL FINES AND ASSESSMENTS MINUS BOND:** \$ 2,251.00

I am the Defendant in the above case and I have read and understand this Financial Sentencing Order.

Dated: September 8, 2025

\_\_\_\_\_  
 Defendant's Signature  
  
 \_\_\_\_\_  
 Judge Signature

Entered this date: 09/08/2025, 2025





	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	September 8, 2025 9:00 AM
v.	)	Event Type:	Plea
	)	FINAL	
PEOPLE VS ALLABABIDI	)	Clerk:	Amy B
Defendant.	)		

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Guilty  
 09/08/2025  
 Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Nolle Prosequi  
 09/08/2025

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Bailey Russell, Public Defender  
 Francis P De Rosa IV, States Attorney  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 09/08/2025.  
 Withdraw Not Guilty Plea  
 Arraignment  
 Advised of Mandatory Supervised Release  
 Advised Of Nature Of Charge Sentence  
 Advised of Right to Trial by Jury or Court  
 Trial Waived  
 Enter Negotiated Plea Of Guilty  
 Nolle Prosequi  
 - COUNT 2 ONLY  
 Effects, Consequences Explained, Persisted.  
 Unconditionally Accepted by Court  
 Waive Pre-Sentence Investigation  
 Judgment on Plea  
 Sentencing  
 Election of Financial Sentencing  
 Order Entered



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

Defendant Advised of Right to Appeal

It is hereby ordered:

**Charge(s):**

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

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

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

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

Additional Sentence Information

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

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

Additional Sentence Information

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

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

Alcohol & Drug

09/08/2025 Employment - Ordered

09/08/2025 Not Possess Illegal Drug - Ordered

Additional Sentence Information

09/08/2025 No Cannabis - Ordered

09/08/2025 No Alcohol Consumed - Ordered

09/08/2025 Nowhere Alcohol Sold - Ordered

09/08/2025 No Driving - Ordered

Do Not Drive Without Valid Driver's License

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

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

09/08/2025 Administrative Sanctions Program - Ordered

09/08/2025 Jail - 180.0 Day - Stayed

Additional Sentence Information

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

Additional Sentence Information

09/08/2025 No Contact - Ordered

Additional Sentence Information

09/08/2025 Attend Program - Ordered

03/07/2028 Victim Impact-Live

09/08/2025 Attend Program - Ordered

03/07/2028 8 Hour Defensive Driving

09/08/2025 Evaluation - Ordered

Rehab Assessment & Serv

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

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

Release

# EXHIBIT J

## Pretrial Supervision and Mandatory Testing Records (May 2, 2024 – February 18, 2025)

2024-2025

SUPPLEMENTAL EVIDENTIARY SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738

<b>Custodian:</b>	Circuit Court Clerk / Pretrial Services, Lake County	<b>Date:</b>	2024-2025
<b>Verification:</b>	Certified / Self-Authenticating	<b>Bates Range:</b>	Circuit Court Native Files
<b>Supports:</b>	Malicious Prosecution — Continued Seizure		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*Three certified circuit-court minute records documenting the conditions of pretrial supervision. The September 24, 2024 minute reflects that Defendant was sent to test for pretrial directly after the hearing; the February 18, 2025 minute reflects an order to report and test at Pretrial directly after court. These records evidence the ongoing restraints on Defendant's liberty (also reflected in the complete docket at Exhibit K).*



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	May 2, 2024 9:00 AM
v.	)	Event Type:	Status Of Attorney
	)		
PEOPLE VS ALLABABIDI	)	Clerk:	Johanna B
Defendant.	)		
_____	)		

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Francis P Derosa, States Attorney  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 05/02/2024.

Appoint Public Defender

The Court orders this matter set as follows: Arraignment on 05/14/2024 at 09:00 AM in T611

Pretrial Release Shall Continue



	)	
	)	
People	)	
	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: September 24, 2024 9:00 AM
	)	Event Type: Pre-Trial
PEOPLE VS ALLABABIDI	)	<b>MUST APPEAR IN PERSON</b>
Defendant.	)	Clerk: Johanna B

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Francis P Derosa, States Attorney  
 Justin Malec, Public Defender  
 Christopher R Stride, Judge  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 09/24/2024.

DEF SENT TO TEST FOR PRETRIAL - MUST COME BACK IF POSITIVE

The Court orders this matter set as follows: Pre-Trial on 10/11/2024 at 09:00 AM in T611

Pretrial Release Shall Continue



People )  
 )  
 Plaintiff, )  
 v. )  
 )  
 PEOPLE VS ALLABABIDI )  
 Defendant. )

---

Case No. 23CF00001146  
 Location: Courtroom 611  
 Event Date: February 18, 2025 9:00 AM  
 Event Type: Pre-Trial  
 / STAT. OF DISCOVERY OF MEDICAL  
 RECORDS  
 Clerk: Amy B

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

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

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 02/18/2025.  
 Motion of Defense

**The matter is set for Plea on 03/19/2025 at 9:00 AM in Courtroom 611. - ON ZOOM.**

Admonish  
 - DEFENDANT ORDERED TO REPORT AND TEST AT PRETRIAL DIRECTLY AFTER COURT  
 Pretrial Release Shall Continue

# EXHIBIT K

## Chronological Docket of Court Appearances and Continuances (March 30, 2024 – May 28, 2026)

March 30, 2024 – May 28, 2026

SUPPLEMENTAL EVIDENTIARY SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	March 30, 2024 – May 28, 2026
<b>Verification:</b>	Certified / Self-Authenticating	<b>Bates Range:</b>	Circuit Court Native Files
<b>Supports:</b>	Malicious Prosecution — Continuance & Duration		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*The certified circuit-court minute records of the court appearances and continuances in No. 23 CF 1146, in chronological order from the March 30, 2024 first appearance through the May 28, 2026 revocation proceeding. At each pre-disposition hearing the court continued the matter and ordered that “Pretrial Release Shall Continue,” and no trial date was set before the September 8, 2025 disposition — 817 days after indictment. The supervision and testing entries are reproduced at Exhibit J, and the sentencing and restitution orders at Exhibit I, so that no record is attached twice. See the Chronological Index on the following page.*

## EXHIBIT K — CHRONOLOGICAL INDEX OF HEARINGS & COURT EVENTS

*Case No. 23 CF 1146, 19th Judicial Circuit, Lake County, Illinois — All 26 appearances in exact chronological order*

#	Date	Event Type	Disposition / Outcome	Page
1	Mar 30, 2024	First Appearance	arrested in custody on warrant; PD appointed (Ticsay); Level 2 Pretrial ordered; set Status ...	23
2	May 14, 2024	Arraignment	NG plea entered; discovery ordered (14 days); set Pre-Trial Jun 25; Pretrial Release Shall C...	24
3	Jun 12, 2024	State's Disclosure (20 witnesses) and Motion for Discovery filed, ordering defense response within 14 days	State's Disclosure (20 witnesses) and Motion for Discovery filed, ordering defense response ...	25
4	Jun 12, 2024	State's Motion for Discovery	demands witness lists, documents, and alibi info within 14 days	27
5	Jun 20, 2024	Court Order	reciprocal discovery ordered (14 days); defense to disclose defenses and witnesses	28
6	Jun 25, 2024	Pre-Trial (Stride, J	Heard and Continued; set Pre-Trial Jul 23; Pretrial Release Shall Continue	29
7	Jul 23, 2024	Pre-Trial (Stride, J	Heard and Continued; Motion of Defense; set Pre-Trial Aug 20; Pretrial Release Shall Continue	30
8	Aug 20, 2024	Pre-Trial (Stride, J	Heard and Continued (def via video); set Pre-Trial Sep 24 MUST APPEAR IN PERSON; Pretrial Re...	31
9	Oct 11, 2024	Pre-Trial (Stride, J	Heard and Continued; admonished re: no drugs/alcohol; set Pre-Trial Oct 29; Pretrial Release...	32
10	Oct 29, 2024	Pre-Trial (Stride, J	State's Petition to Revoke Pretrial Release WITHDRAWN; set Pre-Trial Nov 26; Pretrial Releas...	33
11	Nov 26, 2024	Pre-Trial (Stride, J	Heard; Def tested negative; sent for testing; set Pre-Trial Jan 3, 2025; Pretrial Release Sh...	34
12	Nov 26, 2024	Status (Stride, J	same-day continued hearing; admonished re: conditions; Motion of Defense; set Pre-Trial Jan ...	35
13	Jan 3, 2025	Pre-Trial (Stride, J	Heard and Continued; State motion re: medical records; set Pre-Trial Feb 18; Pretrial Releas...	36
14	Mar 19, 2025	Plea (Stride, J	Heard and Continued (def via Zoom); set Plea Apr 30 IN PERSON; Pretrial Release Shall Continue	37
15	Mar 25, 2025	Defense Answer to Discovery	no criminal history, no expert testimony, no physical evidence; identifies Def and passenger...	38
16	Mar 26, 2025	Court Order	PD (Bailey C. Russell) confirmed as counsel of record; matter continued to Apr 30 Pre-Trial	39
17	Apr 30, 2025	Plea (Stride, J	Heard and Continued (def via video); set Plea Jun 12 MUST APPEAR; Pretrial Release Shall Con...	40
18	Jun 12, 2025	Plea (Stride, J	Case Called; Motion of Defense; set Pre-Trial Jul 23; Pretrial Release Shall Continue	41
19	Jun 23, 2025	Order Entered (Stride, J	HIPAA forms processed	42
20	Jul 23, 2025	Pre-Trial (Stride, J	402 conference conducted; set Pre-Trial Aug 12; Pretrial Release Shall Continue	43
21	Aug 12, 2025	Pre-Trial FINAL (Stride, J	Heard; set Plea Aug 26; Pretrial Release Shall Continue	44
22	Aug 26, 2025	Plea FINAL (Stride, J	Heard and Continued; set Plea Sep 8; Pretrial Release Shall Continue	45
23	Oct 6, 2025	Motion of Defendant (Stride, J	Faretta invoked; Defendant Proceeds Pro Se; motion to stay driving DENIED; set Terminate Mar...	46
24	Dec 11, 2025	Motion of Defense (Stride, J	motion entered and continued; set Status Jan 26, 2026	47
25	Jan 26, 2026	Status of Motion (Stride, J	Heard and Continued (def via video); set Status Mar 10 IN PERSON	48
26	Mar 10, 2026	Status of Motion (Stride, J	STRICKEN — NO SHOW; defendant did not appear	49
27	May 28, 2026	Arraignment on Petition to Revoke (Stride, J	Case Called; Issue Warrant (zero-bond, LEADS/NCIC); "PD APPOINTED" on warrant	50

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

**FILED**

~~SECRET~~

PEOPLE OF THE STATE OF ILLINOIS )  
 )  
 vs. )  
 )  
 EHAB ALLABABIDI )  
 Defendant )

CASE NO: 23CF00001146 Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois

**FIRST APPEARANCE ORDER**

This matter coming before the Court for First Appearance hearing.

THE COURT FINDS that:

1. The defendant appears before the court:

- due to an outstanding warrant
- due to a new arrest and the court finds probable cause.
- due to a new arrest and the court finds no probable cause.

2. The offense(s) charged:

- by statute is not detainable and
  - the defendant is released from custody
    - and ordered to comply with pretrial conditions. (see *Conditions of Pretrial Release order*).
    - without pretrial conditions.

by statute is detainable and

- the State has elected to not file a Petition to Detain
  - the defendant is released from custody.
    - The defendant is ordered to comply with pretrial conditions (see *Conditions of Pretrial Release order*).
    - The defendant is not ordered to comply with pretrial conditions

the State has filed a Petition to Detain on \_\_\_\_\_ at \_\_\_\_\_ and the defendant

- does not object to detention and waives the detention hearing.
- the  state  defense  both parties agree to a continuance.
- Pending the resolution of the Petition to Detain the defendant shall
  - be held in the custody of the Lake County Sheriff.
  - be released to Conditions of Pretrial Release (see *Conditions of Pretrial Release order*).

3. The matter is set on 5/2/24 at 9am in T611 for:

- arraignment  pretrial  case management  petition to revoke hearing  detention hearing
- other: Status of attorney

Entered:

Date: March 30th, 2024

Signature: \_\_\_\_\_

Judge



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	May 14, 2024 9:00 AM
v.	)	Event Type:	Arraignment
	)		
PEOPLE VS ALLABABIDI	)	Clerk:	Johanna B
Defendant.	)		

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023  
 Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Francis P Derosa, States Attorney  
 Christopher R Stride, Judge  
 ECR Specialist, Lake County Court Reporters  
 Justin Malec, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 05/14/2024.  
 Advised of Mandatory Supervised Release  
 Not Guilty Plea  
 Motion for Discovery.  
 14 DAYS  
 Reciprocal discovery ordered.  
 14 DAYS  
 Motion of Defense  
 The Court orders this matter set as follows: Pre-Trial on 06/25/2024 at 09:00 AM in T611  
 By Agreement  
 Pretrial Release Shall Continue



STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF LAKE )

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

PEOPLE OF THE STATE OF ILLINOIS )  
 )  
VS. ) GENERAL NO. **23CF1146**  
 )

**EHAB ALLABABIDI**

**LIST OF WITNESS**

The People disclose the following as a list of witnesses to be called at trial. Additionally, the people reserve the right to call as witness any persons referenced in any disclosure of materials to the defendant.

**WITNESSES**

- Gurnee Officer Murray
- Lincolnshire Detective Forkes
- Lincolnshire Officer Plotke
- Lincolnshire Officer Temple
- Lincolnshire Community Service Officer Kanter
- Lincolnshire Officer Skrobot
- Lincolnshire Detective Petrick
- Lincolnshire Officer Beale
- Lincolnshire Sergeant Zange
- Illinois State Police Trooper Nebelski
- Riverwoods Officer Durkin
- Christopher King
- Manuel Rojo
- Asad Khan
- Adam Heald
- Gary Gutierrez
- James Howard
- Condell Phlebotomist Stacy Rietschel
- Any Other Person Mentioned in the Reports

STATE OF ILLINOIS )  
 )  
COUNTY OF LAKE )

SS

**FILED**

~~06/15/26 10:03 AM~~

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

Erin Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois

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

GENERAL NO: 23CF1146

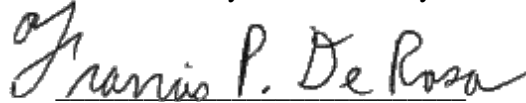
**PEOPLE'S MOTION FOR DISCOVERY**

NOW COME the People of the State of Illinois, by ERIC F. RINEHART, State's Attorney, in and for the County of Lake, State of Illinois, by and through, Assistant State's Attorney, and request the following as discovery from the defendant, pursuant to Supreme Court Rule 413 and under the Local Rules of the Nineteenth Judicial Circuit, Part 9.00, Sub-Part C, 9.16:

1. The names and last known addresses of persons whom the defendant intends to call as witnesses, together with their relevant written or recorded statements, including memoranda reporting or summarizing their oral statements, and any record of prior criminal convictions of said witnesses known to the defendant or counsel;
2. Any written or recorded statements, including memoranda reporting or summarizing the oral statements of any person listed by the State as potential witnesses;
3. Any books, papers, documents, photographs or tangible objects which the defendant intends to use as evidence or for impeachment at a hearing or at trial;
4. If the defendant intends to establish an alibi, specific information as to the place where the defendant maintains he/she was at the time of the alleged offense;
5. The title of any and all Affirmative Defenses that he intends to assert at a hearing or at trial.
6. Any reports or results of physical or mental examinations or of scientific tests, experiments or comparisons, or any other reports or statements of experts which defense counsel has in his possession or control, including a statement of the qualifications of such experts, except that those portions of the reports containing statements made by the defendant may be withheld if defense does not intend to use any of the material contained in the report at a hearing or trial.

WHEREFORE, the People request that the above discovery materials be tendered to the People within 14 days of this Motion.

ERIC F. RINEHART  
State's Attorney of Lake County



Assistant State's Attorney

STATE OF ILLINOIS )  
 )  
 ) SS  
COUNTY OF LAKE )

**FILED**

~~CLERK OF THE COURT~~

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

Erin Cartwright Weinstein  
Clerk of the Court  
Lake County, Illinois

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

GENERAL NO: 23CF1146

**EHAB ALLABABIDI**

**ORDER**

Upon Motion of the People of the State of Illinois, by ERIC F. RINEHART, State’s Attorney, for County of Lake, by and through, Assistant State’s Attorney,

IT IS HEREBY ORDERED that counsel for the defendant in the above-captioned cause shall inform the State of any defenses which the defendant intends to make at a hearing or trial, including affirmative defenses, non-affirmative defenses, alternate and inconsistent defenses;

IT IS FURTHER ORDERED that counsel for the defendant shall furnish the State with the following materials and information within counsel’s possession or control or within the possession or control of the defendant:

1. The names and last known addresses of persons the defendant intends to call as witnesses, together with their relevant written or recorded statements, including memoranda reporting or summarizing their oral statements and any record of prior criminal convictions of said witnesses known to the defendant or counsel;
2. Any written or recorded statements, including memoranda reporting or summarizing the oral statements of any person listed by the State as potential witnesses;
3. Any books, documents, photographs or tangible objects said defendant intends to use as evidence or for impeachment;
4. Any reports or statements of experts, made in connection with this case, including results of physical or mental examinations, and of scientific tests, experiments or comparisons, except that those portions of reports containing statements made by the defendant may be withheld if defense counsel does not intend to use any of the material contained in the report at a hearing or trial; oral reports or statements of experts shall be reduced to writing by said experts;

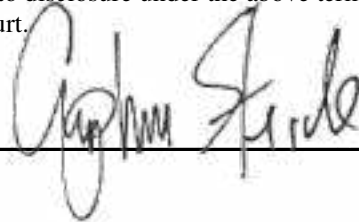
IT IS FURTHER ORDERED that if said defendant intends to establish an alibi, said defendant shall disclose to the State specific information as to the place where the defendant maintains he was located at the time of the alleged offense;

IT IS FURTHER ORDERED that counsel for the defendant shall comply with the aforesaid order **within 14 days** hereof at a time and place and in a manner mutually agreeable to said counsel and the Office of the State’s Attorney whereby said material and information may be inspected, obtained, tested, copied or photographed. If the parties cannot agree on a time, place, and manner of compliance with this order, defense counsel shall notify the State that the aforesaid material and information may be inspected, obtained, tested, copied or photographed during specified reasonable times and at places reasonably accessible to the State’s Attorney or his designated Assistant.

IT IS FURTHER ORDERED that, if subsequent to compliance with this Order, the defendant or counsel discover additional material or information which is subject to disclosure under the above terms, such information or material shall be promptly disclosed to the State and this Court.

Dated at Waukegan, Illinois, on 06/20/2024.

ENTERED: \_\_\_\_\_





People	)	
	)	
Plaintiff,	)	Case No. 23CF00001146
v.	)	Location: Courtroom 611
	)	Event Date: June 25, 2024 9:00 AM
PEOPLE VS ALLABABIDI	)	Event Type: Pre-Trial
Defendant.	)	
	)	Clerk: Amy B

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Justin Malec, Public Defender  
 ECR Specialist, Lake County Court Reporters  
 Francis P De Rosa IV, States Attorney

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 06/25/2024.  
 The Court orders this matter set as follows: Pre-Trial on 07/23/2024 at 09:00 AM in T611  
 By Agreement  
 Pretrial Release Shall Continue



People	)	
	)	
Plaintiff,	)	Case No. 23CF00001146
v.	)	Location: Courtroom 611
	)	Event Date: July 23, 2024 9:00 AM
PEOPLE VS ALLABABIDI	)	Event Type: Pre-Trial
Defendant.	)	
_____	)	Clerk: Amy B

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Francis P De Rosa IV, States Attorney  
 ECR Specialist, Lake County Court Reporters  
 Christopher R Stride, Judge  
 Justin Malec, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 07/23/2024.  
 Motion of Defense

**The matter is set for Pre-Trial on 08/20/2024 at 9:00 AM in Courtroom 611. .**

Pretrial Release Shall Continue



People	)	
	)	
Plaintiff,	)	Case No. 23CF00001146
v.	)	Location: Courtroom 611
	)	Event Date: August 20, 2024 9:00 AM
PEOPLE VS ALLABABIDI	)	Event Type: Pre-Trial
Defendant.	)	
	)	Clerk: Amy B

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

ECR Specialist, Lake County Court Reporters  
 Francis P De Rosa IV, States Attorney  
 Christopher R Stride, Judge  
 Justin Malec, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present via video

**Nature of Proceedings:**

Event Result: Heard and Continued 08/20/2024.

**The matter is set for Pre-Trial on 09/24/2024 at 9:00 AM in Courtroom 611. MUST APPEAR IN PERSON.**  
 Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	October 11, 2024 9:00 AM
v.	)	Event Type:	Pre-Trial
	)		
PEOPLE VS ALLABABIDI	)	Clerk:	Sarah P
Defendant.	)		
_____	)		

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Justin Malec, Public Defender  
Christopher R Stride, Judge  
Francis P Derosa, States Attorney  
ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 10/11/2024.

Admonish

Def not to consume or possess any alcohol or drugs - comply with pretrial conditions

The Court orders this matter set as follows: Pre-Trial on 10/29/2024 at 09:00 AM in T611

Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	October 29, 2024 9:00 AM
v.	)	Event Type:	Pre-Trial
	)		
PEOPLE VS ALLABABIDI	)	Clerk:	Amy B
Defendant.	)		

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023  
 Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Justin Malec, Public Defender  
 Christopher R Stride, Judge  
 Francis P De Rosa IV, States Attorney  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 10/29/2024.  
 Motion of State  
 Petition Withdrawn  
 - STATE'S MOTION TO WITHDRAW PETITION TO REVOKE PRETRIAL RELEASE IS GRANTED AND  
 PETITION IS WITHDRAWN  
 Motion of Defense  
 No Objection by the State

**The matter is set for Pre-Trial on 11/26/2024 at 9:00 AM in Courtroom 611. - MUST APPEAR IN PERSON.**

Pretrial Release Shall Continue



	)	
	)	
People	)	
	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: November 26, 2024 9:00 AM
	)	Event Type: Pre-Trial
PEOPLE VS ALLABABIDI	)	- MUST APPEAR IN PERSON
Defendant.	)	Clerk: Amy B

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Justin Malec, Public Defender  
 ECR Specialist, Lake County Court Reporters  
 Francis P De Rosa IV, States Attorney

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 11/26/2024.  
 Defendant Sent to Pre-Trial Services or Probation for Testing.  
 Advised of Failure to Appear  
 - THIS CASE WILL BE HEARD LATER TODAY



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: November 26, 2024 9:32 AM
	)	Event Type: Status
PEOPLE VS ALLABABIDI	)	
Defendant.	)	Clerk: Amy B
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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023  
 Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Justin Malec, Public Defender  
 ECR Specialist, Lake County Court Reporters  
 Francis P De Rosa IV, States Attorney

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 11/26/2024.  
 Defendant Tested Negative.  
 Admonish  
 - DEFENDANT MUST FOLLOW ALL CONDITIONS OF PRETRIAL SUPERVISION - MUST CHECK IN  
 AND REPORT AS DIRECTED BY PRETRIAL  
 Motion of Defense

**The matter is set for Pre-Trial on 01/03/2025 at 9:00 AM in Courtroom 611. .**  
 Pretrial Release Shall Continue



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: January 3, 2025 9:00 AM
	)	Event Type: Pre-Trial
PEOPLE VS ALLABABIDI	)	
Defendant.	)	Clerk: Amy B
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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

ECR Specialist, Lake County Court Reporters  
 Christopher R Stride, Judge  
 Francis P Derosa, States Attorney  
 Justin Malec, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 01/03/2025.  
 Motion of State

**The matter is set for Pre-Trial on 02/18/2025 at 9:00 AM in Courtroom 611. / STAT. OF DISCOVERY OF  
 MEDICAL RECORDS.**

Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	March 19, 2025 9:00 AM
v.	)	Event Type:	Plea
	)	- ON ZOOM	
PEOPLE VS ALLABABIDI	)	Clerk:	Amy B
Defendant.	)		

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

ECR Specialist, Lake County Court Reporters  
 Christopher R Stride, Judge  
 Francis P De Rosa IV, States Attorney  
 Bailey Russell, Public Defender

**Present in Court**

ALLABABIDI, EHAB, Defendant present via video

**Nature of Proceedings:**

Event Result: Heard and Continued 03/19/2025.

**The matter is set for Plea on 04/30/2025 at 9:00 AM in Courtroom 611. - IN PERSON.**  
 Pretrial Release Shall Continue



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

**FILED**

Handwritten text in Arabic script.

PEOPLE OF THE STATE OF ILLINOIS )

v. )

GEN. NO. 23CF1146 )

**Erin Cartwright Weinstein**  
**Clerk of the Court**  
**Lake County, Illinois**

EHAB ALLABABIDI )

**ORDER**

Upon motion of Bailey C. Russell, Assistant Public Defender, attorney for the above named Defendant,  
*IT IS HEREBY ORDERED THAT* the State shall, pursuant to Supreme Court Rule 412, disclose to the attorney for the Defendant the following material and information within its possession or control:

1. the names and last known addresses of persons whom the State intends to call as witnesses, together with their relevant written or recorded statements, memoranda containing substantially verbatim reports of their oral statements, and a list of memoranda reporting or summarizing their oral statements. Upon written motion of defense counsel memoranda reporting or summarizing oral statements shall be examined by the court in camera and if found to be substantially verbatim reports of oral statements shall be disclosed to defense counsel;
2. any written or recorded statements and the substance of any oral statements made by the accused or by a co-defendant, and a list of witnesses to the making and acknowledgment of such statements;
3. a transcript of those portions of grand jury minutes containing testimony of the accused and relevant testimony of persons whom the prosecuting attorney intends to call as witnesses at the hearing or trial;
4. any reports or statements of experts, made in connection with the particular case, including results of physical or mental examinations and of scientific tests, experiments, or comparisons, and a statement of qualifications of the expert;
5. any books, papers, documents, photographs or tangible objects which the prosecuting attorney intends to use in the hearing or trial or which were obtained from or belong to the accused; and
6. any record of prior criminal convictions, which may be used for impeachment, of persons whom the State intends to call as witnesses at the hearing or trial.

If the State has obtained from the Defendant pursuant to Supreme Court Rule 413(d) information regarding defenses the Defendant intends to make, it shall provide to Defendant not less than seven (7) days before the date set for the hearing or trial, or at such other time as the court may direct, the names and addresses of witnesses the state intends to call in rebuttal, together with the information required to be disclosed in connection with other witnesses by paragraphs 1, 3 and 6, above, and a specific statement as to the substance of the testimony such witnesses will give at the trial of the cause.

The State shall inform defense counsel if there has been any electronic surveillance (including wiretapping) of conversations to which the accused was a party, or of his premises.

Except as is otherwise provided in the Supreme Court Rules as to protective orders, the State shall disclose to defense counsel any material or information within its possession or control which tends to negate the guilt of the accused as to the offense charged or would tend to reduce his punishment therefor.


The State shall perform its obligations within seven (7) days.

The State may perform these obligations in any manner mutually agreeable to itself and defense counsel or by:

- (i) notifying defense counsel that material and information, described in general terms, may be inspected, obtained, tested, copied, or photographed, during specified reasonable times; and
- (ii) making available to defense counsel at the time specified such materials and information, and suitable facilities or other arrangements for inspection, testing, copying and photographing of such material and information.

The State should ensure that a flow of information is maintained between the various investigative personnel and its office sufficient to place within its possession or control all material and information relevant to the accused and the offense charged.

*IT IS FURTHER ORDERED THAT*, pursuant to Supreme Court Rule 415(b), if subsequent to compliance with the above order, the State discovers additional material or information which is subject to disclosure under the terms of this order, the State shall promptly disclose such material or information and also notify the court of its existence.

  
 \_\_\_\_\_  
 JUDGE



	)	
	)	
People	)	
	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: April 30, 2025 9:00 AM
	)	Event Type: Plea
PEOPLE VS ALLABABIDI	)	- IN PERSON
Defendant.	)	Clerk: Johanna B

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Francis P Derosa, States Attorney  
 Bailey Russell, Public Defender  
 Christopher R Stride, Judge  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present via video

**Nature of Proceedings:**

Event Result: Heard and Continued 04/30/2025.

**The matter is set for Plea on 06/12/2025 at 9:00 AM in Courtroom 611. MUST APPEAR - IN PERSON.**  
 Pretrial Release Shall Continue



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: June 12, 2025 9:00 AM
	)	Event Type: Plea
PEOPLE VS ALLABABIDI	)	MUST APPEAR - IN PERSON
Defendant.	)	Clerk: Amy B
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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Bailey Russell, Public Defender  
 Francis P De Rosa IV, States Attorney  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Case Called 06/12/2025.  
 Motion of Defense

**The matter is set for Pre-Trial on 07/23/2025 at 9:00 AM in Courtroom 611. .**

Pretrial Release Shall Continue



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: June 23, 2025 9:00 AM
	)	Event Type: Order Entered
PEOPLE VS ALLABABIDI	)	
Defendant.	)	Clerk: Johanna B
	)	

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Francis P Derosa, States Attorney

**Present in Court**

**Nature of Proceedings:**

Event Result: Heard 06/23/2025.  
 HIPPA FORMS



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: July 23, 2025 9:00 AM
	)	Event Type: Pre-Trial
PEOPLE VS ALLABABIDI	)	
Defendant.	)	Clerk: Johanna B
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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

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

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 07/23/2025.

Admonish

ADVISAL AND RIGHT TO A 402 CONFERENCE CONSET TO A 402 CONFERENCE  
 402 conference.

The Court orders this matter set as follows: Pre-Trial on 08/12/2025 at 09:00 AM in T611  
 Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	August 12, 2025 9:00 AM
v.	)	Event Type:	Pre-Trial
	)	FINAL	
PEOPLE VS ALLABABIDI	)	Clerk:	Johanna B
Defendant.	)		

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

Bailey Russell, Public Defender  
 Francis P Derosa, States Attorney  
 Christopher R Stride, Judge  
 ECR Specialist, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 08/12/2025.

The Court orders this matter set as follows: Plea on 08/26/2025 at 09:00 AM in T611

Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	August 26, 2025 9:00 AM
v.	)	Event Type:	Plea
	)	FINAL	
PEOPLE VS ALLABABIDI	)	Clerk:	Johanna B
Defendant.	)		

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**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Outstanding  
 Warrant/60+ Days 08/14/2023

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Outstanding  
 Warrant/60+ Days 08/14/2023

**Criminal/Traffic - Minutes**

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

**Present in Court**

ALLABABIDI, EHAB, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard and Continued 08/26/2025.

The Court orders this matter set as follows: Plea on 09/08/2025 at 09:00 AM in T611

Pretrial Release Shall Continue



	)		
	)		
People	)	Case No.	23CF00001146
	)	Location:	Courtroom 611
Plaintiff,	)	Event Date:	October 6, 2025 9:00 AM
v.	)	Event Type:	Motion Of Defendant
	)		
PEOPLE VS ALLABABIDI	)	Clerk:	Amy B
Defendant.	)		
_____	)		

**Charge(s):**

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

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

**Criminal/Traffic - Minutes**

Christopher R Stride, Judge  
 Bailey Russell, Public Defender  
 Francis P De Rosa IV, States Attorney  
 Scott C Pechter, Public Defender  
 Nicholas Shepherd, States Attorney  
 Mary K. Herbst, Lake County Court Reporters

**Present in Court**

ALLABABIDI, EHAB, Appellant, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 10/06/2025.  
 Defendant Proceeds Pro Se  
 Motion of Defendant  
 - TO STAY THE RESCISION OF DRIVING  
 Motion denied  
 Continue to previously set date on 03/07/2028  
 Release



People	)	
	)	
Plaintiff,	)	Case No. 23CF00001146
v.	)	Location: Courtroom 611
	)	Event Date: December 11, 2025 9:00 AM
PEOPLE VS ALLABABIDI	)	Event Type: Motion Of Defense
Defendant.	)	
	)	Clerk: Johanna B

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**Charge(s):**

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

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

**Criminal/Traffic - Minutes**

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

**Present in Court**

ALLABABIDI, EHAB, Appellant, Defendant present in person

**Nature of Proceedings:**

Event Result: Heard 12/11/2025.

**The matter is set for Status on 01/26/2026 at 9:00 AM in Courtroom 611. OF MOTION.**  
 MOTION ENTERED AND CONTINUED  
 Release



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: January 26, 2026 9:00 AM
	)	Event Type: Status
PEOPLE VS ALLABABIDI	)	OF MOTION
Defendant.	)	Clerk: Johanna B

---

**Charge(s):**

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

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

**Criminal/Traffic - Minutes**

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

**Present in Court**

ALLABABIDI, EHAB, Appellant, Defendant present via video

**Nature of Proceedings:**

Event Result: Heard and Continued 01/26/2026.

**The matter is set for Status on 03/10/2026 at 9:00 AM in Courtroom 611. OF MOTION - HEARING - IN PERSON.**

Release



People	)	
	)	
Plaintiff,	)	Case No. 23CF00001146
v.	)	Location: Courtroom 611
	)	Event Date: March 10, 2026 11:00 AM
PEOPLE VS ALLABABIDI	)	Event Type: Status
Defendant.	)	OF MOTION - HEARING - IN PERSON
	)	Clerk: Johanna B

---

**Charge(s):**

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

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

**Criminal/Traffic - Minutes**

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

**Present in Court**

**Nature of Proceedings:**

Event Result: Case Called 03/10/2026.  
 STRICKEN FROM CALL - NO SHOW



	)	
	)	
People	)	Case No. 23CF00001146
Plaintiff,	)	Location: Courtroom 611
v.	)	Event Date: May 28, 2026 9:00 AM
	)	Event Type: Arraignment On Petition To Revoke
PEOPLE VS ALLABABIDI	)	
Defendant.	)	Clerk: Johanna B
<hr/>		

**Charge(s):**

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

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

**Criminal/Traffic - Minutes**

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

**Present in Court**

MARISSA CERVANTES - Lake County Adult Probation Services

**Nature of Proceedings:**

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

# EXHIBIT L

## Allstate Claim Email (June 3, 2025)

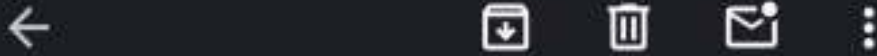
June 3, 2025

SUPPLEMENTAL EVIDENTIARY SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738

<b>Custodian:</b>	Allstate Fire and Casualty / Plaintiff	<b>Date:</b>	June 3, 2025
<b>Verification:</b>	Certified / Self-Authenticating	<b>Bates Range:</b>	Plaintiff's Insurance Records
<b>Supports:</b>	Insurance Indemnification; Active Coverage		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*Email from claims@claims.allstate.com confirming Allstate Claim 0000670868884.*



# Allstate claim: 000670868884



Inbox



claims@clai...

12:40 PM



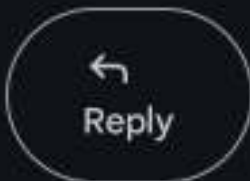
to me ▾

See attached letter

Connie Oconnor  
Phone: (630) 972-7357  
Fax: (866) 447-4293  
[claims@claims.allstate.com](mailto:claims@claims.allstate.com)  
Allstate Fire and Casualty Insurance Company

CONFIDENTIALITY/PRIVACY NOTICE: This e-mail, including any attachments, may contain personal, private and confidential information intended solely for use by the individual to whom it is addressed. If you are not the intended addressee, please be aware that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you received this message in error, please notify the sender immediately by e-mail and delete from your system.

\*\*\*\* Please do not delete your unique Conversation ID \*\*\*\*



# EXHIBIT M

## Allstate Settlement Confirmation Letter (June 3, 2025)

June 3, 2025

SUPPLEMENTAL EVIDENTIARY SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738

<b>Custodian:</b>	Allstate Fire and Casualty / Plaintiff	<b>Date:</b>	June 3, 2025
<b>Verification:</b>	Certified / Self-Authenticating	<b>Bates Range:</b>	Plaintiff's Insurance Records
<b>Supports:</b>	Insurance Indemnification (Core \$16,557 Payout)		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*Official Allstate letter confirming \$16,557.00 payment to Sentry Insurance.*



EHAB ALLABADI  
8516 W WINONA ST  
CHICAGO, IL 60656-2720

Page 1 of 1

Information as of June 03, 2025

**Claim number:** 0670868884  
**Date of loss:** May 23, 2022  
**Insured:**  
Ehab Allabadi

**Dedicated claim contact:**  
Connie Dorman  
**Direct phone:**  
630-972-7357

Visit us anytime at [MyClaim.com](https://MyClaim.com)



Go Paperless! Scan or visit  
[Allstate.com/PaperlessNow](https://Allstate.com/PaperlessNow)

### Per Your Request

Hello Ehab Allabadi,

As we discussed, we paid Sentry Insurance for their subrogation for the property damage of James W Smith Printing. We paid a total of \$16,557.00 for supported damages submitted to us.

We're here to help. If you need additional information, please visit [MyClaim.com](https://MyClaim.com) or contact us.

### State-specific communications:

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

06/03/25



# EXHIBIT N

## Probation Restitution Memorandum (April 8, 2026)

April 8, 2026

SUPPLEMENTAL EVIDENTIARY SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738

<b>Custodian:</b>	Lake County Adult Probation (M. Cervantes)	<b>Date:</b>	April 8, 2026
<b>Verification:</b>	Certified / Self-Authenticating	<b>Bates Range:</b>	State Production
<b>Supports:</b>	Provenance of the \$2,670.86 Figure		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*Memorandum from Probation Officer Marisa Cervantes forwarding the \$2,670.86 restitution figure to the State without reference to active Allstate coverage.*

FILED

Lake County, Illinois

# ADMINISTRATIVE OFFICE OF THE NINETEENTH JUDICIAL CIRCUIT

Erin Cartwright  
Clerk of the Court  
Lake County, Illinois

Division of Adult Probation Services

Lake County, Illinois

215 West Water Street  
Waukegan, IL 60085-5616  
Phone: (847) 377-4504  
Fax: (847)984-5790

## MEMORANDUM

TO: STATE'S ATTORNEY, LAKE COUNTY, IL  
ATTENTION: Ben Dillon COURT RM: T-611  
RE: EHAB ALLABABIDI  
ADDRESS: 8516 W Winona St, Chicago, IL 60656  
FROM: MARISA CERVANTES, Probation Officer  
DATE: 04/08/2026  
CASE #: 23CF00001146

THE ABOVE REFERENCED WAS PLACED ON 30 MONTHS Probation by Judge CHRISTOPHER R. STRIDE on 09/08/2025 for AGG RECKLESS DRVG/BODILY HARM IN VIOLATION OF AFORESAID ORDER, TO WIT, PARAGRAPH(S) 2, 4, 12, 19, & 23 AS FOLLOWS:

- 2. Defendant is assessed \$2,531.00 in court cost and fees. The defendant has an outstanding balance of \$1,131.00.
- 4. Defendant tested positive for Amphetamines on 11/20/25. Defendant has not provided an updated prescription.
- 12. Defendant failed to report to probation on the following dates: 02/19/26, 02/27/26, 03/10/26, 03/11/26 & 03/26/26.
- 19. Defendant failed to complete 240 public service hours.
- 23. Defendant failed to complete the victim impact panel.

RECOMMENDATION:  REQUEST THAT PETITION BE FILED  
 Request hearing to determine status of case with Court  
 Take no action  
 Other/Comments: \_\_\_

COPY: Judge  
Defense Attorney  
Probation File

OFFICER: MARISA CERVANTES PHONE: (847)377-3614

Approved By: LORI CARRIER

AOC-3-36-18-R-0399

# EXHIBIT Q

## Conviction / Disposition Record (September 8, 2025)

Sept. 8, 2025

SUPPLEMENTAL EVIDENTIARY SUBMISSION — ALLABABIDI v. SHEPHERD — CASE NO. 1:26-cv-06738

<b>Custodian:</b>	Circuit Court Clerk, Lake County	<b>Date:</b>	Sept. 8, 2025
<b>Verification:</b>	Certified / Self-Authenticating	<b>Bates Range:</b>	Circuit Court Native Files
<b>Supports:</b>	Malicious Prosecution (Favorable Termination)		

### PROVING VALUE — WHAT THIS EXHIBIT ESTABLISHES:

*Certified Disposition Order: Count 1 Guilty, Count 2 Nolle Prosequi. Under Thompson v. Clark, 596 U.S. 36 (2022), the nolle prosequi of Count 2 constitutes a favorable termination for malicious-prosecution purposes.*



People )  
 )  
 Plaintiff, )  
 v. )  
 )  
 PEOPLE VS ALLABABIDI )  
 Defendant. )

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

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Guilty  
 09/08/2025  
 Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Nolle Prosequi  
 09/08/2025

**Criminal/Traffic - Minutes**

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

**Present in Court**

MARISSA CERVANTES - Lake County Adult Probation Services

**Nature of Proceedings:**

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

# EXHIBIT X

## EMERGENCY APPLICATION TO THE SUPREME COURT OF THE UNITED STATES + APPENDIX

*Injunction Pending Appellate Review — Hon. Amy Coney Barrett, Circuit Justice — filed June 10, 2026*

**OMNIBUS PETITION FOR POST-CONVICTION RELIEF — CASE NO. 23 CF 1146**

<b>Document:</b>	Emergency Application — 28 U.S.C. § 1651; Sup. Ct. R. 22, 23 — Allababidi v. Junkin, No. 1:26-cv-01077; 7th Cir. No. 26-2212	<b>Filed/Dated:</b>	June 10, 2026 — certified copy received by the Clerk of the U.S. Supreme Court, Washington, D.C., June 15, 2026
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Sections I, III; Grounds 8, 11, 13 — the escalation the broken state forum forced

### LEGAL SIGNIFICANCE & DISPOSITIVE RELEVANCE:

*This is the actual Emergency Application for an Injunction Pending Appellate Review that Petitioner filed in the Supreme Court of the United States, addressed to the Honorable Amy Coney Barrett, Circuit Justice for the Seventh Circuit, under 28 U.S.C. § 1651 and Supreme Court Rules 22 and 23. It asks the Circuit Justice to enjoin execution of the very zero-bond warrant at issue in this Petition, on the ground that it was procured by a sworn allegation the State's own file refuted. Its existence is itself evidence: a probationer in a single Lake County case was driven to seek emergency relief from the highest court in the Nation because the ordinary state channels — the Circuit Clerk, the docket, and appointed counsel — had each sealed shut against him. It is distinct from the February 2026 certiorari packet at Exhibit U; this is the June 2026 emergency injunction application arising directly from the May 28, 2026 warrant and the docket lockout.*

### KEY CONTENTS:

- Filed in the Supreme Court of the United States — Hon. Amy Coney Barrett, Circuit Justice (7th Cir.)
- 28 U.S.C. § 1651; Sup. Ct. R. 22, 23 — injunction pending appellate review
- Seeks to enjoin the same May 28, 2026 zero-bond warrant at issue in this Petition
- Certified copy received by the U.S. Supreme Court Clerk (D.C.) — while Lake County never accepted service
- Documents the total breakdown of the state forum that forced the escalation

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**IN THE SUPREME COURT OF THE UNITED STATES**

*Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer*

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**EHAB ALLABABIDI,**

**Emergency Application No. \_\_\_\_\_**

*(To Be Assigned)*

7th Cir. No. **26-2212** (perfected appeal)

7th Cir. Nos. **26-2162 / 26-2163** (prior)

N.D. Ill. Nos. **1:26-cv-01077 / 1:25-cv-15181**

Hon. John Robert Blakey

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**EMERGENCY APPLICATION FOR AN INJUNCTION  
PENDING APPELLATE REVIEW**

*Pursuant to 28 U.S.C. § 1651 and Supreme Court Rules 22 and 23*

TO THE HONORABLE AMY CONEY BARRETT, ASSOCIATE JUSTICE  
OF THE SUPREME COURT OF THE UNITED STATES  
AND CIRCUIT JUSTICE FOR THE SEVENTH CIRCUIT:

This Application asks the Circuit Justice to enjoin, pending the filing and disposition of a petition for a writ of certiorari, the execution of a no-bond arrest warrant procured by a sworn statement that told the issuing judge half of what the State’s own file records. In a Petition for Revocation sworn on May 12, 2026, Assistant State’s Attorney Nicholas Shepherd of Lake County, Illinois, alleged—“upon information and belief”—that Applicant “tested positive for Amphetamine (illegal substance)” on or about November 10, 2025. (App. H.) Five months earlier, on December 10, 2025, the State’s own supervising officer—Cook County Adult Probation Officer Adison Weeks—had resolved that very test in a single written sentence: “Your drug test results were positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall”—a prescription the Probation Department had verified. (App. G.) The Petition swore to the first half of that sentence and omitted the second. The half it omitted is the half that makes the result legally innocent.

The warrant built on that sworn statement is not a paper threat. It is a no-bond custodial warrant, entered into LEADS/NCIC, and it is being actively executed: on June 6, 2026, police execution teams attempted forced entries at Applicant’s residence at 1:03 PM and again at 5:51 PM. If the warrant is executed before this Court can act, Applicant—a pro se litigant—will be held without bond, and the federal proceedings described below will be decided by default rather than on their merits. No later remedy can undo that.

Applicant did what comity demands: he attempted to raise these defenses in the state forum first. The state forum refused to receive them. On June 8, 2026, the Lake County Circuit Court Clerk

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declined in writing to docket Applicant’s pro se *Faretta* motion and Omnibus Filing—“the motion must be filed by your attorney” (App. L)—while the attorney in question, appointed Public Defender Bailey Russell, had been silent for ten consecutive days during active warrant execution. (App. M.) When Applicant escalated, the Clerk’s Department Chief confirmed the refusal in writing as the policy of the circuit, and the June 9 emergency call passed without any response at all. (App. N.) Applicant does not ask the Court to accept his characterization of any of these events. Every dispositive fact recited in this Application is established by a written record authored by the State itself or by a federal court and reproduced in the Appendix; the remaining facts are documented in Applicant’s verified filings in the courts below, which no Respondent has controverted in any forum.

The procedural posture is equally concrete. The District Court denied emergency injunctive relief under *Younger v. Harris* without holding an evidentiary hearing on the documented bad-faith exception. (App. C, D.) The Seventh Circuit dismissed Applicant’s first appeal as premature (App. B); Applicant cured the defect within one day by filing a perfected notice of appeal, docketed as No. 26-2212 (App. E); and on June 8, 2026, the Seventh Circuit denied Applicant’s emergency motion under Federal Rule of Appellate Procedure 8 and dismissed the perfected appeal as frivolous, without merits briefing, within twenty-four hours of docketing. (App. A.) Whatever labels those orders bear, their combined effect is undisputed: no federal judge at any level has yet passed on Appendix G or Appendix L. This Court is the first tribunal to which those documents can now be presented—and the last with the power to act before execution of the warrant moots them.

**In Forma Pauperis status and format (Rules 39, 22.2, 33.2, 29):** The District Court granted Applicant leave to proceed *in forma pauperis* under 28 U.S.C. § 1915 in both underlying actions on April 13, 2026, upon an express finding that Applicant “is impoverished.” (No. 1:26-cv-01077, Dkt. 11; No. 1:25-cv-15181, Dkt. 11; App. O, P.) Pursuant to Rule 39.1, a motion for leave to proceed in forma pauperis accompanies this Application, with copies of both orders granting leave appended. This Application and its Appendix are prepared on 8½-by-11-inch paper as Rules 22.2 and 33.2 require for applications to an individual Justice, and are filed with the Clerk in paper form as Rule 29.1 requires, by deposit of the original and two copies with the United States Postal Service for expedited delivery. Given the active execution attempts at Applicant’s residence, Applicant is also notifying the Clerk’s Office by telephone of the emergency nature of this filing, and stands ready to transmit an electronic courtesy copy immediately upon the Clerk’s direction.

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## **I. OPINIONS AND ORDERS BELOW**

Four orders are at issue, none of which is published. **First**, the order of the United States Court of Appeals for the Seventh Circuit entered June 8, 2026, in No. 26-2212, denying Applicant’s emergency motion for an injunction pending appeal under Rule 8 and summarily dismissing the appeal as frivolous under *United States v. Fortner*, 455 F.3d 752, 754 (7th Cir. 2006), in reliance on *Younger v. Harris*. (App. A.) **Second**, the order of the Seventh Circuit entered June 4, 2026, dismissing Appeal No. 26-2162 as premature and dismissing Appeal No. 26-2163 as frivolous on the ground that the order under review was an unappealable “stay” under *Sherwood v. Marquette Transportation Co.*, 587 F.3d 841 (7th Cir. 2009). (App. B.) **Third**, the minute order of the United States District Court for the Northern District of Illinois (Blakey, J.) entered May 29, 2026, denying Applicant’s emergency motion for a temporary restraining order and preliminary injunction in No. 1:26-cv-01077 on *Younger* abstention grounds. (App. C.) **Fourth**, the companion minute order entered May 28, 2026, denying emergency relief in No. 1:25-cv-15181 on the same grounds. (App. D.)

## **II. JURISDICTION**

The judgments of the Seventh Circuit are subject to this Court’s review under 28 U.S.C. § 1254(1). The Circuit Justice has authority to grant an injunction pending appellate review under the All Writs Act, 28 U.S.C. § 1651(a), and Supreme Court Rule 23. This Application is properly directed to the Circuit Justice for the Seventh Circuit under Rule 22.3. As Rule 23.3 requires, the relief sought here was first sought and denied in both courts below: the District Court denied emergency injunctive relief on May 28 and 29, 2026 (App. C, D), and the Seventh Circuit denied the corresponding Rule 8 motion and dismissed the perfected appeal on June 8, 2026 (App. A). Except for this Court, every avenue of federal review has been exhausted.

Two threshold objections can be anticipated, and this Court’s precedent answers both. **First**, the Seventh Circuit’s dismissal does not defeat jurisdiction under § 1254(1): a case is “in” a court of appeals once it is docketed there, and § 1254 review extends to any case so situated, whatever disposition the court of appeals later makes of it. *United States v. Nixon*, 418 U.S. 683, 690–92 (1974). **Second**, the District Court’s orders are not insulated from § 1292(a)(1) because the motions they denied were styled as seeking a “temporary restraining order and preliminary injunction.” Each order denied all injunctive relief outright, on abstention grounds, without setting a hearing or contemplating further injunction proceedings—a disposition with “serious, perhaps irreparable, consequence” that could be “effectually challenged” only by immediate appeal. *Carson v. American Brands, Inc.*, 450 U.S. 79, 84

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(1981). Form aside, an order that finally refuses to enjoin imminent custodial process is a refusal of an injunction.

### **III. STATEMENT OF THE CASE**

#### **A. The Verified Prescription and the State’s Written Adjudication of Compliance**

Applicant is on probation in Lake County, Illinois, Case No. 23 CF 1146, with supervision administered through Cook County Adult Probation. Applicant takes Adderall under a lawful prescription. On November 10, 2025, a routine drug screen returned the result one would expect from a verified Adderall prescription. On December 10, 2025, the supervising officer, Adison Weeks of Cook County Adult Probation, resolved the matter in a single written sentence: “Your drug test results were positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall.” (App. G.) That sentence records, together, the laboratory result and the verified prescription that makes it legally innocent. It was the State’s last word on the subject for five months.

#### **B. The Petition for Revocation**

ASA Shepherd then swore a Petition for Revocation of Probation, on “information and belief.” (App. H.) Its jurat is dated May 12, 2026; the accompanying Notice setting arraignment for May 28, 2026, at 9:00 AM in Courtroom T-611 is dated and sworn May 14, 2026—an internal two-day discrepancy in the State’s own papers. The Petition alleges five grounds (§§ 3.A–3.E). Paragraph 3.B alleges that Applicant “tested positive for Amphetamine (illegal substance)”—the same November 10 test Officer Weeks had resolved in writing as attributable to the verified prescription. Paragraph 3.A alleges willful nonpayment of court-ordered financial obligations; no ability-to-pay hearing was held or scheduled, although a federal court had adjudicated Applicant indigent. Paragraph 3.C alleges willful failures to report on five dates; the only documented contact concerning any of them was a single call from an officer who declined to identify herself, and no written directive, call log, or e-mail instructing Applicant to report on the remaining dates exists. Paragraphs 3.D and 3.E allege failures to complete public service hours and a victim impact panel, without alleging any deadline, scheduling directive, or communication. The principal allegations, and the state records that answer them, are set out side by side in Table 1.

**Table 1: The Sworn Charge Beside the State’s Own Record (Franks / Napue Matrix)**

Sworn State Representation to the Court	Contemporaneous State Business Record	Federal Constitutional Violation
"The defendant tested positive for Amphetamine (illegal substance) on or about 11/10/2025." <i>(Petition for Revocation ¶ 3.B, sworn "upon information and belief"; App. H)</i>	"Your drug test results were positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall." <i>(Cook County Probation Officer Adison Weeks, in writing, Dec. 10, 2025; App. G)</i>	<b>Material omission / reckless disregard.</b> The Petition swore to the first half of the State's own sentence and omitted the second—the verified lawful prescription that makes the result legally innocent. <i>Franks v. Delaware</i> ; cf. <i>Napue v. Illinois</i> ; <i>Alcorta v. Texas</i> , 355 U.S. 28 (1957) (per curiam) (false impression).
"The defendant willfully failed to pay court ordered financial obligations." <i>(Petition for Revocation ¶ 3.A; App. H)</i>	No ability-to-pay hearing was held and no financial disclosure was requested before the no-bond custodial warrant issued. Applicant holds a federal indigency adjudication (IFP, Apr. 13, 2026).	<b>Imprisonment for poverty.</b> Custodial enforcement of a financial default without the mandatory inquiry into ability to pay violates <i>Bearden v. Georgia</i> , 461 U.S. 660, 672–73 (1983).
"The defendant failed to report to Probation/Compliance on or about 02/19/2026, 02/27/2026, 03/10/2026, 03/11/2026, and 03/26/2026." <i>(Petition for Revocation ¶ 3.C; App. H)</i>	The only documented contact (02/19) was a call from an officer who declined to identify herself or leave contact information; for the remaining dates no call log, e-mail, or written directive exists, and the officer's March 10 written communication framed reporting as a non-mandatory request.	<b>Absence of fair notice.</b> Charging a "willful" failure to report on dates for which no directive issued is irreconcilable with the fair-notice requirement of the Due Process Clause of the Fourteenth Amendment.

### **C. The Mailing Chronology and the Compressed Notice Window**

The Petition's journey to Applicant is documented by physical forensics. (App. I.) The Petition's jurat is dated May 12, 2026, and the Notice May 14. The State's internal Pitney Bowes postage meter (Meter No. 0000380874) printed postage on Friday, May 15, 2026. The USPS cancellation mark shows the envelope did not enter the federal mail stream until Monday, May 18, 2026, at 4:00 PM, and it was delivered on May 21, 2026—seven days before the hearing it noticed, with the Memorial Day holiday intervening. Applicant thus had three business days from delivery to learn of the charge, attempt to secure counsel, and respond. Those dates foreclose any suggestion that Applicant slept on his rights.

### **D. May 28: The Hearing Applicant Could Not Reach, and the No-Bond Warrant**

Applicant did not appear at the May 28 arraignment, and the reason matters. The Notice reached him on May 21, three business days before the hearing. He had no lawyer: the Lake County Public Defender's office did not confirm the assignment of counsel (Bailey Russell) until May 29—the day after the warrant issued. His driver's license stood revoked, and the Waukegan courthouse is roughly thirty-five miles from his Chicago residence. What Applicant could do in that window, he did: at 7:00 AM on May 28, two hours before the hearing, he served the exculpatory Weeks record and a written objection on the prosecutor and the Circuit Clerk, asking that no warrant issue on the contradicted allegation. (See App. F.) The court issued the no-bond warrant that morning. Whatever else may be said of that sequence, it is not the record of a man dodging his court date; it is the record of a man who could not physically reach the courthouse in time and put his defense in writing instead.

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On May 28, 2026—the same day the District Court first abstained under *Younger* (App. D)—the Lake County Circuit Court issued a no-bond custodial warrant of arrest on the Petition. (App. J, K.) On June 6, 2026, police execution teams attempted forced entries at Applicant’s residence at 1:03 PM and 5:51 PM. June 6 was also the day Applicant filed a 65-page civil rights action under 42 U.S.C. § 1983 in the Northern District of Illinois against ASA Shepherd and the officers involved, assigned to Judge Kennelly as No. 1:26-cv-06738. The warrant remains active in LEADS/NCIC. Execution is not hypothetical; it has twice been attempted and may be completed at any hour.

**E. The Closure of the State Forum**

Applicant attempted to defend himself in the state court that issued the warrant. On the morning of June 8, 2026, he dispatched by USPS an Omnibus Filing, a motion for self-representation under *Faretta v. California*, 422 U.S. 806 (1975), and a Notice of Constructive Abandonment of counsel. The same day, he transmitted the same filings electronically to Lake County Circuit Court Clerk Hanna Becerra, asking that the matter be placed on the emergency call. The Clerk’s written response refused the filing:

*“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.”*

(App. L.) The attorney to whom the Clerk directed Applicant—appointed Public Defender Bailey Russell—had at that point made no contact of any kind for ten consecutive days, while the no-bond warrant was under active execution. Applicant immediately replied in writing, invoking *Faretta*, documenting counsel’s abandonment, and requesting remote-appearance credentials so he could appear and defend himself. (App. M.)

The answer came that night from above. At 8:48 PM, the Clerk’s Department Chief of Criminal, Traffic and Records, Cindy Robers, confirmed the refusal in writing—not as one employee’s judgment, but as the policy of the circuit:

*“We here in the 19th Judicial Circuit don’t accept filings via email... Since you are currently represented by the Public Defender’s Office I would suggest you reach out to them... and speak with them in regard to any motions you would like them to file on your behalf.”*

(App. N.) At 9:32 PM, Applicant replied. He thanked the Department Chief, acknowledged her administrative constraints, attached the District Court’s order directing him to raise these claims in the state court in the first instance (App. C), and asked whether any administrative mechanism existed for him to be heard at the June 9, 2026, 9:00 AM emergency call—writing that he was “simply trying to ensure the state court has the opportunity to review this matter before I am required to return to the federal docket.” (App. N.) The June 9 call came and went. No response from the Department Chief. None from the prosecutor, who was copied. None from appointed counsel, who was copied. No remote-appearance credentials. No docketing. The result, summarized in Table 2, is a closed circle confirmed at every level of the forum: the clerk will docket constitutional defenses only over the signature of an attorney; the attorney does not respond; and the official who administers the clerk’s office has stated in writing that this is the policy.

**Table 2: The Documented Closure of the State Forum (Middlesex Prong 3)**

Date & Time	Applicant’s Attempt to Access the State Forum	State Response (Written Record)	Federal Consequence
June 8, 2026 10:00 AM	<b>Physical presentation:</b> Omnibus Filing, <i>Faretta</i> self-representation motion, and Notice of Constructive Abandonment dispatched via USPS to the Lake County Circuit Court Clerk.	<b>Counsel silent:</b> Appointed Public Defender Bailey Russell had made no contact for ten consecutive days while the no-bond warrant was under active execution.	Complete absence of counsel at a critical stage. <i>United States v. Cronin</i> , 466 U.S. 648, 659 (1984).
June 8, 2026	<b>Electronic presentation:</b> Emergency submission of the <i>Faretta</i> motion and Omnibus Filing transmitted to Clerk Hanna Becerra with a request to place the matter on the emergency call. (App. M.)	<b>Filing refused in writing:</b> “Unfortunately we cannot add this case to the call because... the motion must be filed by your attorney.” (App. L.)	The state forum is closed to the constitutional defenses comity assumes it will hear. <i>Gibson v. Berryhill</i> , 411 U.S. 564, 577 (1973); <i>Middlesex</i> , prong 3.
June 8, 8:48 PM – June 9, 2026	<b>Escalation in compliance with the federal directive:</b> Applicant’s 9:32 PM reply attaches the District Court’s order (App. C) directing him to raise his claims in state court first, and asks whether any mechanism exists to be heard at the June 9, 9:00 AM call. (App. N.)	<b>Refusal confirmed as policy:</b> Department Chief Cindy Robers, in writing: “We here in the 19th Judicial Circuit don’t accept filings via email....” The June 9 call then passes with no response of any kind. (App. N.)	The closure is the forum’s stated institutional policy, confirmed by a department-level official—not an isolated administrative act. The adequacy presumption of <i>Middlesex</i> prong 3 is refuted by the forum’s own words.

## **F. The Federal Proceedings and the Decisions Below**

The underlying federal cases were not lingering on a screening docket. On April 13, 2026, the District Court completed initial review of both of Applicant’s habeas petitions under Rule 4 of the Rules Governing Section 2254 Cases—a standard requiring dismissal of any petition that “plainly” lacks merit—expressly found that Applicant “alleges cognizable claims for relief,” granted leave to proceed in forma pauperis in both actions on a finding that Applicant “is impoverished,” and ordered the State to answer by June 5, 2026. (App. O, P.)

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Applicant then sought emergency relief in those two coordinate actions before Judge Blakey, Nos. 1:26-cv-01077 and 1:25-cv-15181, presenting the Weeks adjudication and invoking the bad-faith exception to *Younger*. On May 28 and 29, 2026, the District Court denied emergency relief on *Younger* grounds without holding an evidentiary hearing on bad faith. (App. C, D.) Applicant appealed. On June 4, the Seventh Circuit dismissed Appeal No. 26-2162 as premature because the notice preceded formal entry of judgment, and dismissed Appeal No. 26-2163 as frivolous—recharacterizing the denial of an injunction against state officers as an unappealable “stay” under *Sherwood*. (App. B.) Applicant cured the prematurity defect the next day with a perfected notice of interlocutory appeal under 28 U.S.C. § 1292(a)(1), docketed as No. 26-2212. (App. E.) On June 8, 2026, within twenty-four hours of docketing and without merits briefing, the Seventh Circuit denied Applicant’s 43-page emergency Rule 8 motion (App. F) and dismissed the perfected appeal as frivolous under *Fortner*, in reliance on *Younger*. (App. A.) No court has held a hearing, taken evidence, or ruled on the authenticity or effect of Appendix G or Appendix L.

#### **IV. REASONS FOR GRANTING THE APPLICATION**

Applicant recognizes that the standard for this extraordinary relief is deliberately demanding. An injunction pending review issues only where the applicant’s right to relief is “indisputably clear,” *Ohio Citizens for Responsible Energy, Inc. v. NRC*, 479 U.S. 1312, 1313 (1986) (Scalia, J., in chambers); *Lux v. Rodrigues*, 561 U.S. 1306, 1307 (2010) (Roberts, C.J., in chambers), where there is a reasonable probability that four Justices would grant certiorari and a fair prospect of reversal, cf. *Hollingsworth v. Perry*, 558 U.S. 183, 190 (2010) (per curiam), and where the applicant demonstrates both likely success on the merits and independent certworthiness, *Does 1–3 v. Mills*, 142 S. Ct. 17, 18 (2021) (Barrett, J., concurring in denial of application). Applicant is candid about the odds: injunctions from a Circuit Justice are extraordinarily rare, and rarer still for pro se applicants. He files anyway because this is the rare posture in which the standard can be met by exhibit rather than argument: the dispositive documents are the State’s own, their authenticity is beyond dispute, and the comparison they invite requires no factfinding—only reading.

#### **A. The Question Presented Is Independently Certworthy: A Statutory Appeal of Right Was Erased**

**1. The Seventh Circuit’s jurisdictional holding conflicts with the text of 28 U.S.C. § 1292(a)(1) and with *Gulfstream*.** Congress gave litigants an appeal as of right from interlocutory orders “refusing” injunctions. 28 U.S.C. § 1292(a)(1). The orders Applicant appealed refused an

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injunction: they denied motions to enjoin named state officers from executing a custodial warrant. In its June 4 order, the Seventh Circuit nonetheless held the appeal in No. 26-2163 frivolous on the ground that the order under review was an unappealable “stay,” invoking *Sherwood v. Marquette Transportation Co.*, 587 F.3d 841 (7th Cir. 2009)—and when Applicant cured the companion prematurity defect and perfected his appeal, the June 8 order extinguished it as frivolous under *Fortner*, in reliance on *Younger*, without briefing. (App. A, B.) But *Sherwood* rests on *Gulfstream Aerospace Corp. v. Mayacamas Corp.*, 485 U.S. 271 (1988), which distinguishes a court’s management of *its own* docket—not an injunction—from an order granting or refusing relief directed at parties with respect to proceedings *elsewhere*, which is the very thing § 1292(a)(1) makes appealable. An order refusing to enjoin a separate sovereign’s officers is not docket management under any reading of *Gulfstream*. If a denial of a *Younger* injunction can be recharacterized as an unappealable case-management stay—or summarily branded frivolous because *Younger* was the ground of decision below—then every abstention denial, the category of interlocutory order most in need of appellate review because the claimed injury is consummated before final judgment, escapes § 1292(a)(1) entirely. That holding warrants this Court’s review whether or not any other circuit has yet followed it, because it furnishes a template by which any circuit may do so.

**2. The disposition below departed from the accepted and usual course of judicial proceedings.** Sup. Ct. R. 10(a). Summary dismissal under *Fortner* is reserved for appeals whose arguments are incomprehensible or completely insubstantial. 455 F.3d at 754. An appeal presenting a written state adjudication that contradicts the sworn charge (App. G), a written clerk’s refusal to docket constitutional defenses (App. L), and a pure question of appellate jurisdiction under § 1292(a)(1) is not insubstantial under any definition this Court has recognized. The incongruity is structural: the same District Judge whose orders were under review had already examined the underlying claims under Rule 4 of the Rules Governing Section 2254 Cases and expressly found that Applicant “alleges cognizable claims for relief.” (App. O, P.) A record that survives Rule 4 screening in the district court cannot coherently be “completely insubstantial” on appeal. Applicant does not ask this Court to review the Seventh Circuit’s motives; he asks it to review the result: a perfected appeal of right, extinguished without briefing, in a posture where dismissal guarantees that the dispositive exhibits will never be examined by any federal court. Where the court of appeals’ chosen procedure forecloses all merits review of a substantial constitutional record, this Court’s supervisory intervention is the only corrective that exists.

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**B. The Right to Relief Is Indisputably Clear: This Case Falls Within the Express Exceptions to *Younger***

*Younger v. Harris*, 401 U.S. 37 (1971), is a doctrine Applicant accepts on its own terms. Federal courts ordinarily must abstain from enjoining pending state criminal proceedings—because comity presumes that the State prosecutes in good faith and that its courts stand open to hear federal defenses. But *Younger* itself, and this Court’s decisions since, reserve federal intervention for “cases of proven harassment or prosecutions undertaken by state officials in bad faith without hope of obtaining a valid conviction.” *Perez v. Ledesma*, 401 U.S. 82, 85 (1971); see *Dombrowski v. Pfister*, 380 U.S. 479, 490 (1965); *Kugler v. Helfant*, 421 U.S. 117, 124–25 (1975). Both of the doctrine’s premises—good faith and an open state forum—are refuted here by the State’s own writings.

**1. The warrant was procured by a sworn statement that omitted the State’s own exculpatory record.** Applicant does not contend that the laboratory result was invented. The November 10 screen was positive for amphetamine—because amphetamine is the active compound of the Adderall the State itself had verified Applicant is lawfully prescribed. Officer Weeks’s December 10 sentence records both halves: the result, and the verification that makes it legally innocent. (App. G.) The Petition presented the issuing judge with the first half, characterized the substance as “illegal,” and omitted the second half entirely—on a verification sworn only “upon information and belief,” by an affiant whose own office’s supervisory file answered the question. (App. H.) Under *Franks v. Delaware*, 438 U.S. 154, 155–56 (1978), a warrant falls when procured by statements made with “reckless disregard for the truth,” and the doctrine condemns material omissions as fully as affirmative falsehoods. Under *Napue v. Illinois*, 360 U.S. 264, 269 (1959), *Mooney v. Holohan*, 294 U.S. 103, 112 (1935), and *Alcorta v. Texas*, 355 U.S. 28, 31 (1957) (per curiam), the State may not obtain a deprivation of liberty through evidence that—even if literally accurate—creates a false impression the State knows to be false. A charge whose only path to revocation runs through suppressing the State’s own written verification of innocence is the paradigm of a charge brought “without hope of obtaining a valid conviction.” *Perez*, 401 U.S. at 85. Table 1 sets the sworn charge beside the record that answers it.

The answers Respondents are likely to give only deepen the violation. *Respondents may say Paragraph 3.B was literally true. Alcorta* forecloses that answer: due process is violated by evidence that is accurate in isolation but creates a false impression—and “illegal substance” is not even accurate in isolation, because the substance detected was the prescribed medication the State had verified. The word “illegal”—the only word that converts an innocent laboratory artifact into a revocable offense—is

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the word the State’s own file refutes. *Respondents may say the Weeks writing was informal. Napue* does not grade the State’s records by their letterhead. The writing is a statement of the supervising officer, made in the course of supervision, resolving the precise question the Petition later swore the other way. Its informality goes nowhere; its content goes everywhere. *Respondents may say the Lake County prosecutor did not know what Cook County probation knew.* The prosecution “has a duty to learn of any favorable evidence known to the others acting on the government’s behalf,” *Kyles v. Whitley*, 514 U.S. 419, 437 (1995); see *Giglio v. United States*, 405 U.S. 150, 154 (1972)—and the Petition itself is built from the probation file, whose entries supply its reporting and payment allegations. The State cannot invoke that file’s inculpatory pages while disclaiming its exculpatory ones. *And whatever ASA Shepherd knew on May 14*, the State has known in writing since before the warrant issued: the exculpatory record was identified in a litigation-hold notice served on May 22, 2026, and served again on the prosecutor and the state court before the May 28 warrant hearing. (See App. F.) *Napue* condemns not only the solicitation of false evidence but allowing it “to go uncorrected when it appears.” 360 U.S. at 269. The State has held the correction for weeks. It is executing the warrant anyway.

Nor can the Petition’s remaining allegations supply the “hope of a valid conviction” that the drug charge cannot. *Franks* supplies the method: set the false matter to one side and ask what remains. 438 U.S. at 156. What remains is (i) a nonpayment allegation that cannot constitutionally support custody absent an ability-to-pay inquiry that was never conducted—against a litigant whom two federal orders adjudicate as “impoverished” (App. O, P), *Bearden v. Georgia*, 461 U.S. 660, 672–73 (1983); (ii) “willful” failures to report on dates for which no directive, call log, or written instruction exists—willfulness without notice; and (iii) community-service and victim-impact allegations pleaded without a date, a deadline, or a documented directive. No court issues a *no-bond custodial warrant* on that residue. Nor does the warrant’s judicial signature insulate it: *Franks* exists precisely because a judicial officer’s probable-cause determination is only as sound as the sworn statements presented to it—deceive the issuing judge, and the judicial imprimatur falls with the deception. And the exception has a second, independent branch—“proven harassment,” *Perez*, 401 U.S. at 85—which the timing record satisfies on its own: a petition sworn 31 days after the federal habeas answer deadlines were set, an arraignment placed 8 days before the State’s federal answers came due, and a mailing chronology that consumed half of the notice window while the envelope sat in state custody (App. I).

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Applicant is aware that this Court and the lower federal courts have only rarely found the bad-faith exception satisfied. The reason is evidentiary: such claims ordinarily arrive as accusation, inference, and characterization, requiring the very factfinding that an emergency posture forbids. This one arrives as the State’s own paperwork. The rarity of a record like this is not a reason to deny relief; it is what makes this case a clean vehicle to say what the exception means.

**2. The state forum is closed in writing.** Abstention’s third premise—an “adequate opportunity in the state proceedings to raise constitutional challenges,” *Middlesex County Ethics Committee v. Garden State Bar Association*, 457 U.S. 423, 432 (1982); *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69, 81 (2013)—is not a presumption Applicant asks the Court to disregard. It is a presumption the Lake County Clerk refuted in writing on June 8, 2026, when she declined to docket Applicant’s *Faretta* motion and constitutional defenses because “the motion must be filed by your attorney” (App. L)—an attorney who had been silent for ten days during active execution of a no-bond warrant, in circumstances this Court’s precedent treats as the complete denial of counsel at a critical stage. *United States v. Cronin*, 466 U.S. 648, 659 (1984). A defendant cannot file pro se because he has counsel; his counsel will not file because he does not answer; and the court will not hear the defendant until something is filed. Nor can the closure be dismissed as the act of a single employee: the Clerk’s Department Chief of Criminal, Traffic and Records confirmed the refusal in writing as the policy of the 19th Judicial Circuit, and when Applicant—expressly complying with the District Court’s directive to raise his claims in the state court in the first instance—asked whether any mechanism existed for him to be heard at the June 9 emergency call, no official answered. (App. N.) A policy of exclusion, stated in writing by the official who administers the forum, ends the adequacy inquiry. When the State itself seals every entrance to its forum, abstention in deference to that forum does not serve comity—it abandons the federal plaintiff to a proceeding in which no tribunal will hear him. *Gibson v. Berryhill*, 411 U.S. 564, 577 (1973), holds that abstention is inappropriate where the state forum is incompetent to adjudicate the federal claim. A forum that will not docket the claim is the strongest possible case.

The anticipated rejoinders fail on this record. *Pennzoil Co. v. Texaco, Inc.*, 481 U.S. 1, 15 (1987), directs federal courts to presume the adequacy of state procedures “when a litigant has not attempted to present his federal claims” in the state courts. The presumption has no work to do here: Applicant attempted—by mail, by electronic submission, and by escalation to the office’s department chief—and the State’s written answers are Appendices L and N. *If Respondents defend the Clerk’s rule*

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as an ordinary bar on hybrid representation, the defense misses the constitutional point: a no-hybrid rule is tolerable only while counsel functions. When the rule bars the defendant's own filings and appointed counsel files nothing and answers no one for ten days during active warrant execution, the rule and the silence together accomplish what neither could alone—total foreclosure. Cf. *Cronic*, 466 U.S. at 659. *If Respondents observe that Illinois's appellate courts remain open*, there is nothing to take to them: because the Clerk refused to docket the motions, no motion, no ruling, and no record exists to review, and any original action would have to pass through the same locked filing window or the same unresponsive counsel. *And if Respondents say Applicant may simply surrender and raise his defenses thereafter*, that answer concedes the problem rather than solving it: it makes submission to the very no-bond custody procured by the contradicted oath the price of being heard on whether that custody is lawful. Applicant did not abandon the forum—he asked, in writing, to appear remotely and defend himself, attaching the federal court's own directive to proceed there first. (App. N.) The State did not answer.

**3. Federal intervention here vindicates comity rather than offends it.** The injunction Applicant seeks does not displace Illinois's authority to supervise its probationers. Illinois remains free to proceed on truthful sworn allegations, to hold the ability-to-pay hearing *Bearden* requires, and to docket and hear Applicant's defenses. What Illinois may not do—and what no decision of this Court permits—is take a citizen into no-bond custody on a sworn statement its own records contradict, while declining to docket his defenses. *Younger* was never a warrant for that.

### **C. Irreparable Harm Is Imminent, Documented, and Beyond Later Remedy**

The harm threatened here has already been attempted twice. On June 6, 2026, police execution teams attempted forced entries at Applicant's residence at 1:03 PM and 5:51 PM. Any objection that the injury remains speculative fails on those timestamps: "One does not have to await the consummation of threatened injury to obtain preventive relief. If the injury is certainly impending, that is enough." *Pennsylvania v. West Virginia*, 262 U.S. 553, 593 (1923). The injuries that follow are concrete and cannot be repaired after the fact:

**The deprivation of liberty itself.** The warrant carries no bond, so execution means detention of indefinite duration on charging papers the State's own records contradict. That injury is complete the moment it occurs and no later order can repair it: the days in custody are not returned. Cf. *Elrod v. Burns*, 427 U.S. 347, 373 (1976) (plurality opinion) (the loss of

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constitutional freedoms “for even minimal periods of time” constitutes irreparable injury).

**Prejudice to coordinate federal litigation.** Applicant does not contend that detained litigants are categorically unable to litigate; many do. The contention is narrower and specific to this record. Applicant is the sole, pro se plaintiff in the two underlying federal actions (Nos. 1:26-cv-01077, 1:25-cv-15181), in a newly filed § 1983 damages action against ASA Shepherd and the executing officers (No. 1:26-cv-06738, Kennelly, J.), and in additional civil dockets including No. 1:25-cv-15800 and No. 1:26-cv-03204—several with imminent deadlines. The officials his damages action names as defendants are the same officials who would take and hold him. No-bond detention timed against those deadlines creates a concrete risk that the cases will be resolved by default rather than on the merits—and the timing record set out above suggests that this risk is not incidental.

**Mootness of this Court’s own review.** Execution of the warrant before disposition of the forthcoming certiorari petition would deliver the State the complete relief it seeks while review is pending, and would do so through the very custody whose lawfulness is the question presented. An injunction under § 1651(a) is “in aid of” this Court’s jurisdiction in the most literal sense: it preserves the subject of review until review can occur.

**D. The Balance of Equities Is One-Sided, and the Requested Relief Is Narrow**

Against these injuries, the State’s side of the scale holds nothing cognizable. Illinois has no legitimate interest in executing custodial process founded on a sworn statement its own records contradict, *Napue*, 360 U.S. at 269, and the injunction sought would not impair any lawful supervision: Applicant remains on probation, remains subject to every valid condition, and remains amenable to any truthfully-grounded proceeding the State chooses to bring. Consistent with *Trump v. CASA, Inc.*, 606 U.S. \_\_\_ (2025), the relief requested is strictly party-specific and conduct-specific: it runs only to the named Respondents and those acting in concert with them, only as to custodial enforcement in Lake County Case No. 23 CF 1146, and only until this Court disposes of the petition for certiorari. It does not ask this Court to halt the revocation proceeding itself; Illinois may litigate that proceeding to judgment on the merits, with Applicant at liberty and appearing. What is enjoined is custody alone—the single irreversible act. It is the narrowest order that affords complete relief to the single applicant before the Court.

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The named Respondents are the proper objects of that relief. The revocation rests on violation reports generated by the probation officials named here; the warrant enforces the supervision they administer; and warrant execution proceeds at the instance of that supervisory apparatus. An injunction directed to these Respondents and to those acting in concert with them—including the agencies executing the warrant on the supervisory apparatus’s behalf—therefore affords complete relief. That the prosecuting attorney is not a named Respondent only underscores the order’s modesty: nothing in it runs against the prosecution itself, which remains free to proceed on the merits.

Nor is there an equitable bar on Applicant’s side of the ledger. Applicant has not absconded. His residence address appears on the face of every filing in every court, including this one; the two execution attempts occurred at that very address; and his response to the warrant, at every step, has been to seek adjudication—by motion, by *Faretta* invocation, by written requests to appear remotely, and now by this Application—not to avoid it. A litigant who demands a hearing is not a fugitive from one. Cf. *Degen v. United States*, 517 U.S. 820 (1996) (disentitlement is a disfavored sanction confined to what protecting the court’s processes actually requires). What Applicant declines to do is surrender the contested liberty first and litigate its lawfulness second, from no-bond custody, in a forum whose clerk will not docket his filings. Equity does not demand that sequence; this Application exists so that an Article III judge may set the sequence right.

## **V. CONCLUSION AND PRAYER FOR RELIEF**

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The State’s own officer wrote, in one sentence, both the laboratory result and the verified prescription that makes it legally innocent. The Petition swore to the first half and omitted the second, and a no-bond warrant now rests on the omission. If the warrant is executed, no court—state or federal—will ever have examined that sentence beside that Petition, because the state clerk will not docket the comparison and the courts below declined to conduct it. The question this Application presents is whether the documents reproduced at Appendices G, H, and L may be read together by at least one Article III judge before, rather than after, Applicant is taken into no-bond custody on their strength. Applicant respectfully prays that the Circuit Justice:

(1) Enter an immediate interim (administrative) injunction barring execution of the arrest warrant issued in Lake County Case No. 23 CF 1146 while this Application is under consideration;

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(2) Enjoin Respondents Matt Junkin, Margaret K. Fontana, and the Chief Adult Probation Officer of Cook County, together with their officers, agents, and all persons acting in concert with them, from executing or enforcing the no-bond arrest warrant and from taking or holding Applicant in custody in connection with Lake County Case No. 23 CF 1146, pending the filing and final disposition of Applicant's petition for a writ of certiorari. Nothing in the requested order would prevent the revocation proceeding itself from going forward on the merits, on lawful process, with Applicant at liberty and appearing;

(3) In the alternative, refer this Application to the full Court for consideration, Sup. Ct. R. 22.5; and

(4) Grant the accompanying motion for leave to proceed in forma pauperis under Rule 39, on the District Court's orders of April 13, 2026 granting leave under 28 U.S.C. § 1915 in both underlying actions. (App. O, P.) This Application is prepared on 8½-by-11-inch paper in conformity with Rules 22.2 and 33.2.

## **APPENDIX**

The Appendix attached hereto contains the documents organized as Appendices A through P, in four parts as indexed and described on the Appendix cover and divider pages: Part I, the orders and proceedings below (App. A–F); Part II, the State's instruments and the dispositive documentary contradiction (App. G–K); Part III, the closure of the state forum (App. L–N); and Part IV, the District Court's orders granting in forma pauperis status and finding the underlying claims cognizable under Rule 4 (App. O–P). The complete Appendix is incorporated by reference pursuant to Supreme Court Rule 23.3.

**DECLARATION OF TRANSMISSION (28 U.S.C. § 1746):** I declare under penalty of perjury that the documents designated as Appendix A (Order dismissing Appeal No. 26-2212) and Appendix F (Emergency FRAP 8 Motion) are true and correct copies of the official filings in the United States Court of Appeals for the Seventh Circuit, and that the remaining Appendices are true and correct copies of the originals described therein.

Respectfully submitted,

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, *Pro Se* Applicant  
8516 W. Winona St., Chicago, IL 60656  
(773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)  
Dated: June 9, 2026

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## **CERTIFICATE OF SERVICE**

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I, EHAB ALLABABIDI, certify under penalty of perjury that on June 9, 2026, pursuant to Supreme Court Rules 22.2 and 29.1, I caused the original and two copies of the foregoing Emergency Application and its Appendix to be filed with the Clerk by depositing them with the United States Postal Service, postage prepaid, for expedited delivery addressed to: Clerk of the Court, Supreme Court of the United States, 1 First Street, NE, Washington, DC 20543. I further notified the Clerk's Office by telephone (202-479-3011) of the emergency nature of this Application.

Pursuant to my verified In Forma Pauperis status (App. O, P) and absolute indigency, I further certify that on the same date I served one copy of the foregoing upon each party listed below exclusively via electronic transmission. I lack the financial means to execute concurrent physical first-class mail service to opposing counsel. Actual notice and complete service have been accomplished by transmitting the electronic courtesy copy to each party at the following email addresses:

**Katherine M. Doersch**, Assistant Attorney General  
Office of the Illinois Attorney General  
100 W. Randolph St., 12th Floor, Chicago, IL 60601  
**Email:** [katherine.doersch@ilag.gov](mailto:katherine.doersch@ilag.gov)

**Nicholas Shepherd**, Assistant State's Attorney  
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**Civil Actions Bureau / Federal Litigation Division**  
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500 Richard J. Daley Center, Chicago, IL 60602  
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Executed under penalty of perjury pursuant to 28 U.S.C. § 1746 and Supreme Court Rule 29.

/s/ Ehab Allababidi

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**EHAB ALLABABIDI**, *Pro Se* Applicant  
Dated: June 9, 2026

**IN THE SUPREME COURT OF THE UNITED STATES**

**EHAB ALLABABIDI**, *Applicant*, v. **MATT JUNKIN**, Adult Probation Officer, Lake County; **MARGARET K. FONTANA**, Director, Division of Adult Probation Services, 19th Judicial Circuit (Lake County); and **CHIEF ADULT PROBATION OFFICER**, Cook County, *Respondents*.

Emergency Application No. \_\_\_\_\_ (To Be Assigned)

**APPENDIX TO EMERGENCY APPLICATION  
FOR AN INJUNCTION PENDING APPELLATE REVIEW**  
*Submitted Pursuant to Supreme Court Rule 23.3*

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**APPENDIX INDEX**

**PART I — ORDERS AND PROCEEDINGS BELOW**

- A** — Order of the United States Court of Appeals for the Seventh Circuit (June 8, 2026)
- B** — Order of the United States Court of Appeals for the Seventh Circuit (June 4, 2026)
- C** — Minute Order of the United States District Court for the Northern District of Illinois (May 29, 2026)
- D** — Minute Order of the United States District Court for the Northern District of Illinois (May 28, 2026)
- E** — Perfected Notice of Interlocutory Appeal & Accompanying District Court Order (June 5, 2026)
- F** — Emergency Motion for Injunction Pending Appeal (June 8, 2026)

**PART II — THE STATE’S INSTRUMENTS AND THE DISPOSITIVE CONTRADICTION**

- G** — Written Adjudication of Compliance by the State’s Probation Officer (December 10, 2025)
- H** — State’s Petition for Revocation of Probation (May 14, 2026)
- I** — Pitney Bowes Digital Meter Stamp (Envelope Forensics)
- J** — Warrant Minute Entry (May 28, 2026)
- K** — Warrant of Arrest (May 28, 2026)

**PART III — THE CLOSED STATE FORUM**

- L** — Lake County Clerk Rejection Email (June 8, 2026)
- M** — Applicant’s Formal Response Demanding Court Appearance & Zoom Access (June 8, 2026)
- N** — Department Chief’s Written Confirmation of the Filing Refusal and the Unanswered June 9 Emergency Call (June 8–9, 2026)

**PART IV — IN FORMA PAUPERIS AND RULE 4 SCREENING ORDERS**

- O** — District Court Order Granting In Forma Pauperis and Finding the Claims Cognizable Under Rule 4 — No. 1:26-cv-01077, Dkt. 11 (April 13, 2026)
- P** — District Court Order Granting In Forma Pauperis and Finding the Claims Cognizable Under Rule 4 — No. 1:25-cv-15181, Dkt. 11 (April 13, 2026)

*Full descriptions of each appendix appear on the respective divider pages within. Total pages in Appendix (including cover and divider pages): 55*

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## APPENDIX A

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### **Order of the United States Court of Appeals for the Seventh Circuit (June 8, 2026)**

*The final order under review. The Seventh Circuit denied Applicant’s Emergency FRAP 8 Motion and summarily dismissed perfected Appeal No. 26-2212 as frivolous under United States v. Fortner, in reliance on Younger v. Harris—within twenty-four hours of docketing, without merits briefing or oral argument. With this order, every avenue of federal review below this Court was exhausted.*

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Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen  
United States Courthouse  
Room 2722 - 219 S. Dearborn Street  
Chicago, Illinois 60604



Office of the Clerk  
Phone: (312) 435-5850  
www.ca7.uscourts.gov

ORDER

June 8, 2026

Before

DIANE S. SYKES, *Circuit Judge*  
THOMAS L. KIRSCH II, *Circuit Judge*  
CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 26-2212	EHAB ALLABABIDI, Petitioner - Appellant  v.  MATT JUNKIN and MARGARET K. FONTANA, Respondents - Appellees
<b>Originating Case Information:</b>	
District Court No: 1:26-cv-01077 Northern District of Illinois, Eastern Division District Judge John Robert Blakey	

Upon consideration of the **EMERGENCY MOTION FOR INJUNCTION PENDING APPEAL PURSUANT TO FED. R. APP. P. 8(a)(2)**, filed on June 8, 2026, by the pro se appellant,

**IT IS ORDERED** that the motion is **DENIED**.

**IT IS FURTHER ORDERED** that this appeal is **DISMISSED** as frivolous. Summary disposition is appropriate where any arguments an appellant could raise are “incomprehensible or completely insubstantial.” *United States v. Fortner*, 455 F.3d 752, 754 (7th Cir. 2006). The district court did not abuse its broad discretion in denying the request for injunctive relief from arrest and refusing to interfere with ongoing state-court proceedings. *See Younger v. Harris*, 401 U.S. 37, 45–46 (1971).

form name: c7\_Order\_3J (form ID: 177)

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## APPENDIX B

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### Order of the United States Court of Appeals for the Seventh Circuit (June 4, 2026)

*The first dismissals. The Seventh Circuit dismissed Appeal No. 26-2162 as premature because the notice of appeal preceded formal entry of judgment, and dismissed Appeal No. 26-2163 as frivolous on the ground—per *Sherwood v. Marquette Transportation Co.*—that the order under review was an unappealable ‘stay.’ Applicant cured the prematurity defect the next day by filing the perfected appeal docketed as No. 26-2212—which the court then dismissed as frivolous (Appendix A). No court has reached the merits at any step.*

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Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States

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Office of the Clerk  
 Phone: (312) 435-5850  
 www.ca7.uscourts.gov

**ORDER**

June 4, 2026

*Before*

DIANE S. SYKES, *Circuit Judge*  
 THOMAS L. KIRSCH II, *Circuit Judge*  
 CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 26-2162	EHAB ALLABABIDI, Petitioner - Appellant  v.  MATT JUNKIN and MARGARET K. FONTANA, Respondents - Appellees
<b>Originating Case Information:</b>	
District Court No: 1:26-cv-01077 Northern District of Illinois, Eastern Division District Judge John Robert Blakey	
No. 26-2163	EHAB ALLABABIDI, Petitioner - Appellant  v.  CHIEF ADULT PROBATION OFFICER, Respondent - Appellee
<b>Originating Case Information:</b>	
District Court No: 1:25-cv-15181 Northern District of Illinois, Eastern Division District Judge John Robert Blakey	

The following are before the court:

1. **NOTICE OF PERFECTED JURISDICTION AND EXECUTED WARRANT**, filed on June 1, 2026, in appeal no. 26-2162, by the pro se appellant.
2. **EMERGENCY MOTION FOR INJUNCTION PENDING APPEAL**, filed on June 1, 2026, in appeal no. 26-2162, by the pro se appellant.
3. **APPELLANT’S UNOPPOSED MOTION TO CONSOLIDATE APPEALS PURSUANT TO FED. R. APP. P. 3(b)(2)**, filed on June 2, 2026, by the pro se appellant.

**IT IS ORDERED** that the motion to consolidate appeal nos. 26-2162 and 26-2163 is **GRANTED** to the extent that the appeals are consolidated for purposes of disposition.

**IT IS FURTHER ORDERED** that the motion for an injunction pending appeal is **DENIED** and these appeals are **DISMISSED**.

Appeal no. 26-2162 is premature. Although 28 U.S.C. § 1292(a)(1) permits appeal from “interlocutory orders ... refusing ... injunctions,” here the district court denied appellant’s motion for a preliminary injunction on May 29, 2026. Under Rule 4(a)(2) of the Federal Rules of Appellate Procedure, a notice of appeal filed after the court announces a decision or order—but before the entry of the judgment or order—is treated as filed on the date of and after the entry. See *FirsTier Mortg. Co. v. Invs. Mortg. Ins. Co.*, 498 U.S. 269, 276 (1991). The district court had not yet announced its decision on the motion for a preliminary injunction when this notice of appeal was filed on May 27, 2026.

Appellant appears to contend that by not yet ruling on the motion for preliminary injunction he filed on May 21, 2026, the district court had in effect refused the injunction on May 27. Review is possible in the absence of an order expressly refusing an injunction “[o]nly when resort to the regular processes of litigation is unavailing, and the judge is unwilling to make a prompt decision even though delay erodes or obliterates the rights in question.” *Cnty., Mun. Employees’ Supervisors’ & Foremen’s Union Loc. 1001 (Chicago Illinois) v. Laborers’ Int’l Union of N. Am.*, 365 F.3d 576, 578 (7th Cir. 2004); accord *In re Fort Worth Chamber of Com.*, 100 F.4th 528, 535 (5th Cir. 2024) (“[W]hat counts as an effective denial is contextual—different cases require rulings on different timetables.”). This timeline does not suggest that the district court’s delay in ruling had eroded or obliterated any of appellant’s rights on May 27.

Further, appeal no. 26-2163 is frivolous. Summary disposition is appropriate where any arguments an appellant could raise are “incomprehensible or completely insubstantial.” *United States v. Fortner*, 455 F.3d 752, 754 (7th Cir. 2006). The district court did not abuse its broad discretion in denying any request for injunctive relief from arrest and refusing to interfere with ongoing state-court proceedings. See *Younger v. Harris*, 401 U.S. 37, 45–46 (1971). And the denial of a stay of litigation is not generally appealable prior to entry of final judgment. See *Sherwood v. Marquette Transp. Co., LLC*, 587 F.3d 841, 844 (7th Cir. 2009).

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## APPENDIX C

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### **Minute Order of the United States District Court for the Northern District of Illinois (May 29, 2026)**

*The principal Younger abstention order. Judge Blakey denied Applicant's Emergency TRO/Preliminary Injunction [Dkt. 25 in Case No. 1:26-cv-01077] on abstention grounds without holding an evidentiary hearing on the documented bad-faith exception—and therefore without examining the written compliance adjudication (Appendix G) that contradicts the sworn Petition (Appendix H).*

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Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.9 (rev. 1.9)  
Eastern Division**

Ehab Allababidi

Plaintiff,

v.

Case No.: 1:26–cv–01077

Honorable John Robert Blakey

Matt Junkin

Defendant.

---

**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Friday, May 29, 2026:

MINUTE entry before the Honorable John Robert Blakey: Petitioner filed an "emergency motion for temporary restraining order and preliminary injunction," [16], claiming that Lake County prosecutors are moving to revoke his supervision in retaliation for filing the instant lawsuit; he seeks an order barring the state case from proceeding and also claims he will be unable to defend his case while detained. Initially, detainees traditionally and consistently litigate their cases while in custody, and his claim of being unable to litigate his case while in jail remains frivolous. Moreover, federal courts may generally not interfere with state court proceedings, see *Younger v. Harris*, 401 U.S. 37 (1971). If Petitioner has legitimate concerns about the state case he must raise them with the state court in the first instance. The Court admonishes Plaintiff that he should refrain from filing pleadings beyond his reply in support of the habeas corpus petition without leave of Court. Additionally, the Office of the Illinois Attorney General has filed a notice of non-involvement [12] and no one from the Office of the Lake County State's Attorney has appeared. The Court, on its own motion, extends Respondent's responsive pleading deadline to 7/10/26, and directs the Clerk to mail a copy of this order to Eric F. Rinehart, State's Attorney, Lake County, 18 N. County Street, 3rd Floor, Waukegan, IL 60085. The Clerk shall also email a copy of this order to [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov). Mailed notice. (evw, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

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## APPENDIX D

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### **Minute Order of the United States District Court for the Northern District of Illinois (May 28, 2026)**

*The companion abstention order. Judge Blakey denied emergency relief in the coordinate docket [Dkt. 17 in Case No. 1:25-cv-15181] under the same Younger rationale, again without an evidentiary hearing on bad faith. This order was appealed as part of the consolidated No. 26-2163.*

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Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.9 (rev. 1.9)  
Eastern Division**

Ehab Allababidi

Plaintiff,

v.

Case No.: 1:25–cv–15181

Honorable John Robert Blakey

Chief Adult Probation Officer

Defendant.

---

**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Thursday, May 28, 2026:

MINUTE entry before the Honorable John Robert Blakey: Petitioner filed a "notice of related emergency filing and conditional motion to toll deadline in the event of state sponsored custodial interference," [16], claiming that Lake County prosecutors are moving to revoke his supervision, allegedly in retaliation for filing a lawsuit in this Court. He seeks an order barring the state case from proceeding and claims he will be unable to defend his case while detained. The Court denies the motion [16]. Initially, detainees traditionally and consistently litigate their cases while in custody, and his claim of being unable to litigate his case while in jail remains frivolous. Moreover, federal courts may generally not interfere with state court proceedings, see *Younger v. Harris*, 401 U.S. 37 (1971). If Petitioner has legitimate concerns about the state case he must raise them with the state court in the first instance. The Court admonishes Plaintiff that he should refrain from filing pleadings beyond his reply in support of the habeas corpus petition without leave of Court. Mailed notice. (evw, )

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## APPENDIX E

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### Perfecting Notice of Interlocutory Appeal & Accompanying District Court Order (June 5, 2026)

*The cured appeal. This perfected Notice of Interlocutory Appeal in Case No. 1:26-cv-01077 remedied the prematurity defect identified in Appendix B and invoked the appeal of right from injunction denials under 28 U.S.C. § 1292(a)(1). It was docketed as Seventh Circuit Appeal No. 26-2212 and dismissed the following day (Appendix A), before any briefing schedule issued.*

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Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States

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

**EHAB ALLABABIDI,**  
*Petitioner-Appellant, Pro Se,*

v.

**MATT JUNKIN,** Adult Probation Officer, Lake  
County;

**MARGARET K. FONTANA,** Director,  
Division of Adult Probation Services,  
19th Judicial Circuit (Lake County);  
*Respondents-Appellees.*

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

Judge: *Hon. John Robert Blakey*  
7th Cir. No.: *(To Be Assigned)*

**INTERLOCUTORY APPEAL UNDER  
28 U.S.C. § 1292(a)(1)**

**NOTICE OF INTERLOCUTORY APPEAL PURSUANT TO  
28 U.S.C. § 1292(a)(1)**

**NOTICE IS HEREBY GIVEN**

Notice is hereby given that Petitioner-Appellant Ehab Allababidi appeals to the United States Court of Appeals for the Seventh Circuit from the District Court's May 29, 2026 Minute Order [Dkt. 25 in N.D. Ill. Case No. 1:26-cv-01077] denying Petitioner's Emergency Motion for Temporary Restraining Order and Preliminary Injunction [Dkt. 16 in N.D. Ill. Case No. 1:26-cv-01077].

**JURISDICTIONAL STATEMENT AND PROCEDURAL CURE**

This Court possesses jurisdiction over this interlocutory appeal as of right pursuant to 28 U.S.C. § 1292(a)(1), which expressly grants appellate jurisdiction over interlocutory orders refusing injunctions.

This Notice of Appeal is timely filed pursuant to Fed. R. App. P. 4(a)(1)(A). On June 4, 2026, the Seventh Circuit Court of Appeals dismissed a prior, protective Notice of Appeal (Appeal No. 26-2162, previously docketed from N.D. Ill. Case No. 1:26-cv-01077) strictly as premature under Fed. R. App. P. 4(a)(2), noting that the Notice of Appeal was filed on May 27, 2026, prior to the District Court's formal entry of judgment. The District Court subsequently entered its formal denial on the docket on May 29, 2026 [Dkt. 25 in N.D. Ill. Case No. 1:26-cv-01077].

The filing of this instant Notice cures the procedural defect identified by the Seventh Circuit. It is filed within 30 days of the May 29, 2026 formal entry, perfecting appellate jurisdiction over the District Court's refusal to enjoin a state revocation proceeding that is operating in documented bad faith, infected by *Napue* perjury, and mathematically timed to force a jurisdictional default of this federal habeas docket.

1  
2 A true and correct copy of the May 29, 2026 Minute Order [Dkt. 25 in N.D. Ill. Case No.  
3 1:26-cv-01077] is attached hereto as Exhibit A and incorporated by reference.

4 **IN FORMA PAUPERIS STATUS (FED. R. APP. P. 24(a)(3))**

5 Petitioner-Appellant was granted leave to proceed In Forma Pauperis by the District Court on April 13,  
6 2026 (N.D. Ill. Case No. 1:26-cv-01077, Dkt. 11). Pursuant to Federal Rule of Appellate Procedure  
7 24(a)(3), Petitioner-Appellant's pauper status automatically continues on appeal without further  
8 authorization.

9 Respectfully submitted,

10 /s/ Ehab Allababidi

11 **EHAB ALLABABIDI**, *Pro Se* Petitioner-Appellant

12 8516 W. Winona St., Chicago, IL 60656

(773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)

Dated: June 5, 2026

13 **CERTIFICATE OF SERVICE**

14 I, EHAB ALLABABIDI, certify under penalty of perjury that on this date, I caused this Notice of  
15 Interlocutory Appeal to be filed with the Clerk of the United States District Court for the Northern  
16 District of Illinois via the Pro Se filing portal, which transmits electronic notice to all parties of record.

17 Copies were also served via email upon:

18 **Katherine M. Doersch**, Assistant Attorney General

Criminal Appeals Division / Federal Habeas

Office of the Illinois Attorney General

100 W. Randolph St., 12th Floor, Chicago, IL 60601

19 **Email:** [katherine.doersch@ilag.gov](mailto:katherine.doersch@ilag.gov)

20 **Nicholas Shepherd**, Assistant State's Attorney

Lake County State's Attorney's Office

18 N. County Street, Waukegan, IL 60085

21 **Email:** [nshepherd@lakecountyil.gov](mailto:nshepherd@lakecountyil.gov)

22 Executed under Fed. R. App. P. 3 and Fed. R. Civ. P. 5(b)(2)(E).

23  
24 /s/ Ehab Allababidi

25 **EHAB ALLABABIDI**, *Pro Se* Petitioner-Appellant

26 Dated: June 5, 2026

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.9 (rev. 1.9)  
Eastern Division**

Ehab Allababidi

Plaintiff,

v.

Case No.: 1:26-cv-01077

Honorable John Robert Blakey

Matt Junkin

Defendant.

---

**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Friday, May 29, 2026:

MINUTE entry before the Honorable John Robert Blakey: Petitioner filed an "emergency motion for temporary restraining order and preliminary injunction," [16], claiming that Lake County prosecutors are moving to revoke his supervision in retaliation for filing the instant lawsuit; he seeks an order barring the state case from proceeding and also claims he will be unable to defend his case while detained. Initially, detainees traditionally and consistently litigate their cases while in custody, and his claim of being unable to litigate his case while in jail remains frivolous. Moreover, federal courts may generally not interfere with state court proceedings, see *Younger v. Harris*, 401 U.S. 37 (1971). If Petitioner has legitimate concerns about the state case he must raise them with the state court in the first instance. The Court admonishes Plaintiff that he should refrain from filing pleadings beyond his reply in support of the habeas corpus petition without leave of Court. Additionally, the Office of the Illinois Attorney General has filed a notice of non-involvement [12] and no one from the Office of the Lake County State's Attorney has appeared. The Court, on its own motion, extends Respondent's responsive pleading deadline to 7/10/26, and directs the Clerk to mail a copy of this order to Eric F. Rinehart, State's Attorney, Lake County, 18 N. County Street, 3rd Floor, Waukegan, IL 60085. The Clerk shall also email a copy of this order to [statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov). Mailed notice. (evw, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

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## APPENDIX F

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### **Emergency Motion for Injunction Pending Appeal (June 8, 2026)**

*Applicant's 43-page Emergency FRAP 8 Motion filed in Seventh Circuit No. 26-2212, presenting the timestamped record of the attempted warrant executions, the Napue contradiction between the sworn Petition and the State's own compliance adjudication, the documented closure of the state forum, and the irreparable harm to coordinate federal dockets. It was denied within twenty-four hours, without merits briefing.*

---

Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States

UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT

No. 26-2212

IN RE: EHAB ALLABABIDI,

Originating N.D. Ill. Case No. 1:26-cv-01077  
Hon. John Robert Blakey

EMERGENCY MOTION FOR INJUNCTION PENDING APPEAL  
PURSUANT TO FED. R. APP. P. 8(a)(2)

**EXPEDITED CONSIDERATION REQUESTED — ACTIVE CUSTODIAL WARRANT EXECUTED**

**I. JURISDICTIONAL PERFECTION AND EXHAUSTION OF LOWER COURT  
REMEDIES**

Petitioner-Appellant Ehab Allababidi moves this Court pursuant to Fed. R. App. P. 8(a)(2) and Seventh Circuit Rule 8 for an emergency injunction pending appeal.

**Procedural Cure of Prior Dismissal:** On June 4, 2026, this Court dismissed a prior, protective interlocutory appeal (Appeal No. 26-2162) strictly as premature under Fed. R. App. P. 4(a)(2), noting the Notice of Appeal was filed on May 27, 2026, prior to the District Court’s formal entry of judgment. The District Court subsequently entered its formal denial on the docket on May 29, 2026 [Dkt. 25 in N.D. Ill. Case No. 1:26-cv-01077]. Petitioner has filed a timely, perfected Notice of Appeal from that finalized May 29 order, curing the procedural defect and establishing absolute appellate jurisdiction under 28 U.S.C. § 1292(a)(1).

**Exhaustion Satisfied:** The District Court’s May 29, 2026 formal denial of injunctive relief [Dkt. 25] completely satisfies the district court exhaustion requirement of Fed. R. App. P. 8(a)(1). Further motion practice in the District Court is legally exhausted and functionally impossible.

**Substantive Distinction from Appeal No. 26-2163:** This motion strictly targets the District Court’s refusal to enjoin the Lake County State’s Attorney from executing a retaliatory arrest warrant. This is a direct appeal of a denied preliminary injunction under § 1292(a)(1), structurally distinct from the collateral Cook County stay request that this Court previously classified as unappealable under *Sherwood v. Marquette Transp. Co.*

**II. FACTUAL IMPERATIVE: THE MAY 28 EXECUTED WARRANT**

The threat of irreparable harm is no longer prospective. On May 28, 2026, the Lake County Circuit Court executed a no-bond arrest warrant against Petitioner in Case No. 23 CF 1146. This Court noted in

its June 4, 2026 order that the District Court’s delay had not “eroded or obliterated any of appellant’s rights on May 27.” That calculus is now obsolete. The warrant was issued on May 28, targeting Petitioner for immediate physical extraction based on a mathematically engineered, retaliatory proceeding.

### **III. LIKELIHOOD OF SUCCESS ON THE MERITS**

The District Court erred by invoking a blanket *Younger v. Harris* abstention without conducting the mandatory evidentiary inquiry into the well-established bad-faith exception. Federal courts must intervene when a state proceeding is brought in bad faith or for purposes of harassment. *Dombrowski v. Pfister*, 380 U.S. 479, 490 (1965). The state proceeding is a verifiable sham, engineered to moot this coordinate federal habeas docket:

#### **The Napue Perjury**

The state’s May 14, 2026 Petition for Revocation is built upon a knowingly false allegation of a “positive amphetamine (illegal substance)” test. The coordinate Cook County Adult Probation Department formally adjudicated this exact test as compliant on December 10, 2025, confirming the result was attributable to a lawfully prescribed Adderall medication. Filing a sworn charging instrument containing a fabricated illegal substance allegation constitutes prosecutorial perjury in direct violation of *Napue v. Illinois*, 360 U.S. 264 (1959).

#### **The Forensic Envelope: Pitney Bowes Metadata Proves Intentional Temporal Sabotage**

The State’s bad faith is mathematically codified by the physical encryption and metadata stamped upon the service envelope of the Petition for Revocation (Appendix H). The chronology of the mailing envelope admits no innocent or administrative interpretation:

**The Signing and Notarization (May 14, 2026):** The face of the Petition and Summons confirms it was completed, signed by ASA Shepherd, and notarized by the state’s agent on Thursday, May 14, 2026.

**The Pitney Bowes Batch Hold (May 15, 2026):** The internal government Pitney Bowes postage meter (Meter No. 0000380874) printed postage on Friday, May 15, 2026. This metadata confirms that the physical instrument was fully prepared and within the exclusive custody of the state enforcement apparatus prior to the weekend.

**The Carol Stream Injection Delay (May 18, 2026):** The official United States Postal Service cancellation mark confirms the envelope did not enter the USPS Carol Stream processing facility until Monday, May 18, 2026, at 4:00 PM.

**The Forensic Squeeze Deconstructed:** In a fixed 14-day procedural interval between the drafting of the revocation charge (May 14) and the mandatory custodial extraction date (May 28), the state apparatus intentionally withheld the physical instrument for exactly four days—consuming 50% of the entire notice timeline in a state-controlled custody loop before dropping it into the mail stream. This calculation was intentionally combined with the Memorial Day federal holiday block (Monday, May 25, 2026), systematically compressing Applicant’s operational window to discover the charge, download the encrypted files, draft federal constitutional defenses, and navigate the N.D. Ill. Pro Se portal to exactly three business days (May 22, May 26, May 27).

This forensic metadata establishes that the state did not utilize routine administrative processes; they engineered a localized “Holiday Compression Trap” designed to ensure Applicant would remain completely unaware of the impending custodial extraction until federal emergency intervention windows had effectively expired. This is affirmative, documented proof of a bad-faith enforcement campaign designed exclusively to guarantee a default under *Dombrowski v. Pfister*.

**Structural Impossibility**

The State deliberately manufactured the “failure to report” defaults by utilizing an anonymous probation officer who refused to identify her supervising authority, subsequently downgrading reporting directives from commands to discretionary requests, and executing a complete prosecutorial communications blockade in violation of Illinois Supreme Court Rule 131(b).

**III-A. THE PREDICTED APPELLATE EVASION VECTOR: MIDDLESEX PRONG 3 — PREEMPTIVELY DISMANTLED**

Petitioner anticipates that this Court may attempt to bypass the *Napue* violation by invoking the third prong of the *Younger* abstention doctrine, derived from *Middlesex County Ethics Comm. v. Garden State Bar Ass’n*, 457 U.S. 423, 432 (1982). The predicted logic would be: acknowledge the “fabricated amphetamine test” allegation, assert that state courts are presumed competent to adjudicate federal constitutional defenses, and rule that Petitioner has an “adequate opportunity” to raise the *Napue* perjury defense before Judge Stride in the Lake County Circuit Court during the revocation proceedings. Such a ruling would be legally erroneous for three independently dispositive reasons:

**1. The Lake County Circuit Court Lacks Subject-Matter Jurisdiction Over the Federal Claims at Issue**

The third prong of *Middlesex* is mathematically unsatisfied. The Lake County Circuit Court hearing a probation violation possesses zero subject-matter jurisdiction to enforce a Fed. R. Civ. P. 37(e)

1 preservation hold or to manage the encrypted digital infrastructure underpinning Petitioner’s coordinate  
2 federal Civil RICO docket (N.D. Ill. Case No. 1:25-cv-15800). A state court cannot enjoin a federal  
3 prosecutor from appearing before it. A state court cannot adjudicate an 18 U.S.C. § 1512(b) federal  
4 witness tampering charge against its own prosecutor. Directing Petitioner to litigate federal evidence  
5 destruction in a tribunal structurally incapable of granting relief is a violation of *Ex parte Young*, 209  
6 U.S. 123 (1908). This Court cannot discharge its Article III duty by directing a litigant to a state  
7 tribunal that possesses no power to adjudicate the federal rights at issue.

## 8 **2. The Custodial Extraction Executes the Harm Before Any State Hearing Can Occur**

9 Raising the *Napue* defense at the revocation arraignment is structurally too late. The 9:00 AM custodial  
10 extraction itself executes the spoliation of Petitioner’s digital infrastructure. The harm occurs the  
11 moment the warrant is executed — permanently severing access to the encrypted evidence  
12 underpinning the federal RICO action and mooted the federal habeas response deadline. A state court  
13 cannot cure a jurisdictional blackout after the physical extraction has already destroyed the federal ESI  
14 access. "Extraordinary circumstances" justifying federal intervention exist where the state proceeding is  
15 "conducted in bad faith or for the purpose of harassment." *Kugler v. Helfant*, 421 U.S. 117, 126 n.6  
(1975). The bad faith is not alleged; it is mathematically proven.

## 16 **3. Dombrowski Mandates Federal Intervention Where the State Proceeding Is Itself the Weapon**

17 Under *Dombrowski v. Pfister*, 380 U.S. 479, 490 (1965), where a state proceeding is brought in bad  
18 faith or for harassment, the federal court is mandated to intervene. The bad-faith exception overrides  
19 the presumption of state court competence because the proceeding itself is the weapon. The Petition for  
20 Revocation is not a legitimate exercise of state police power; it is a retaliatory mechanism designed to  
21 moot a coordinate federal habeas docket. The state tribunal cannot be an "adequate forum" for  
22 adjudicating a perjury charge against its own prosecutor when the prosecutor’s sole purpose in  
committing the perjury was to bypass that very tribunal’s federal obligations.

23 This Court should reject any attempt to invoke the third prong of *Middlesex* as a basis for abstention.  
24 The state forum is not adequate as a matter of law. Abstention would constitute reversible error.

## 25 **IV. IRREPARABLE HARM**

26 Without immediate appellate intervention, the execution of the May 28, 2026 arrest warrant will trigger  
27 a catastrophic, irreversible sequence of constitutional and statutory deprivations:  
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**18 U.S.C. § 1512(b) Witness Tampering & ESI Spoliation:** The 9:00 AM custodial extraction is a weaponized evidence-destruction mechanism. Incarceration permanently severs Petitioner’s physical access to the highly encrypted digital infrastructure utilized to litigate the coordinate federal Civil RICO action (Case No. 1:25-cv-15800).

**Jurisdictional Nullification:** Physical detention strips Petitioner of computer access, electronic filing capability, and telephonic appearance capacity. The State will leverage this forced communications blackout to secure an uncontested default in the underlying federal habeas proceedings, permanently mooting this Court’s appellate jurisdiction before a merits review can occur.

**Irreparable Harm: State-Engineered Spoliation of Federal Cyber-Intrusion Forensics:** The state’s custodial extraction mathematically guarantees the permanent physical spoliation of cryptographic evidence in a coordinate, high-stakes federal cyber-intrusion docket, *Allababidi v. Tencent Cloud LLC, et al.* (N.D. Ill. Case No. 1:26-cv-03204).

**Destruction of the FRE 902(14) Chain of Custody:** Applicant is the Principal Investigator of a registered U.S. Defense Contractor (CAGE Code: 16QC7) currently prosecuting civil Computer Fraud and Abuse Act (CFAA) and Defend Trade Secrets Act (DTSA) claims against Tencent Cloud LLC. The evidence in that federal docket consists of raw, machine-readable forensic logs (e.g., BGP routing tables, Hyper-V virtual switch events, and DNS cache captures) stored on specific physical endpoints—a Patriot M.2 P300 NVMe workstation drive, a Samsung Galaxy S25 Ultra, and an iPhone 16 Pro Max. This evidence is permanently anchored via SHA-256 cryptographic hashes. The state’s execution of a custodial warrant will result in the physical seizure, mishandling, or forced abandonment of these devices. This state-engineered physical separation instantaneously and permanently destroys the strict chain of custody required for Federal Rule of Evidence 902(14) authentication.

**Immunizing a Designated Foreign Adversary:** The primary defendant in the coordinate federal action, Tencent Holdings Limited, was formally designated by the U.S. Department of Defense on January 6, 2025, as a Section 1260H Chinese Military Company. The federal courts will be structurally stripped of their capacity to adjudicate these CFAA and DTSA claims because the state probation apparatus is executing a 9:00 AM physical extraction that permanently severs Applicant’s access to the encrypted audit packages necessary to prove the cyberattack.

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**The Exacerbation of 18 U.S.C. § 1512(b):** The state’s action does not merely default a habeas proceeding; it operates as an overt act of evidence spoliation under Fed. R. Civ. P. 37(e) and witness tampering under 18 U.S.C. § 1512(b). American federal courts will possess zero capacity to enforce cybersecurity accountability against Tencent Cloud LLC if local state actors are permitted to weaponize fabricated probation violations to physically incapacitate the federal plaintiff and spoliage the digital evidence.

## **V. BALANCE OF EQUITIES AND PUBLIC INTEREST**

The State of Illinois suffers zero cognizable prejudice from a temporary injunction maintaining the status quo pending appellate review. The State retains all legal arguments regarding the revocation petition if this Court ultimately affirms the District Court. Conversely, the Petitioner faces the permanent destruction of his federal civil rights and the spoliation of evidence in coordinate federal dockets. The public interest strictly favors the protection of federal jurisdiction from state-engineered retaliation and the enforcement of the *Younger* bad-faith exception.

## **VI. RELIEF SOUGHT**

Petitioner-Appellant respectfully demands that this Court:

- (1) Issue an immediate administrative stay pursuant to Fed. R. App. P. 8(a)(2) enjoining the State of Illinois, the Lake County State’s Attorney’s Office, and all coordinate law enforcement agencies from executing the arrest warrant in Lake County Case No. 23 CF 1146 pending this Court’s resolution of the perfected 28 U.S.C. § 1292(a)(1) appeal;
- (2) Direct the Appellees to show cause why the preliminary injunction should not be granted on the merits of the *Napue* perjury and bad-faith *Younger* exception.

Respectfully submitted,

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, *Pro Se* Petitioner-Appellant

8516 W. Winona St., Chicago, IL 60656

(773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)

Dated: June 5, 2026

## **CERTIFICATE OF SERVICE**

I, EHAB ALLABABIDI, certify under penalty of perjury that on this date, I caused this Emergency Motion for Injunction Pending Appeal to be filed with the Clerk of the United States Court of Appeals

1  
2 for the Seventh Circuit via direct electronic mail to [USCA7\\_Clerk@ca7.uscourts.gov](mailto:USCA7_Clerk@ca7.uscourts.gov) pending the  
3 generation of the appellate docket number. Copies were also served via email upon:

4 **Katherine M. Doersch**, Assistant Attorney General  
5 Office of the Illinois Attorney General  
6 100 W. Randolph St., 12th Floor, Chicago, IL 60601  
7 **Email:** [katherine.doersch@ilag.gov](mailto:katherine.doersch@ilag.gov)

8 **Nicholas Shepherd**, Assistant State's Attorney  
9 Lake County State's Attorney's Office  
10 18 N. County Street, Waukegan, IL 60085  
11 **Email:** [nshepherd@lakecountyil.gov](mailto:nshepherd@lakecountyil.gov)

12 Executed under Fed. R. App. P. 25(d) and Fed. R. Civ. P. 5(b)(2)(E).

13 /s/ Ehab Allababidi

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29 **EHAB ALLABABIDI**, *Pro Se* Petitioner-Appellant

30 Dated: June 5, 2026

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## APPENDIX G

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### Written Adjudication of Compliance by the State's Probation Officer (December 10, 2025)

*The dispositive exhibit. In this December 10, 2025 written communication, Cook County Adult Probation Officer Adison Weeks records, in a single sentence, both the laboratory result and the verified prescription that makes it legally innocent: 'Your drug test results were positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall.' Five months later, the State's Petition swore to the first half of that sentence, characterized the substance as 'illegal,' and omitted the second half (Appendix H). The omitted half is the half that defeats the charge.*



Ehab Hilfiger <defcon5ready@gmail.com>

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**Re: Prescription Verification & Compliance Letter**

1 message

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**Adison Weeks (Adult Probation)** <Adison.Weeks@cookcountyil.gov>

Wed, Dec 10, 2025 at 10:32 PM

To: Ehab Hilfiger <defcon5ready@gmail.com>

Thanks so much!!

Adison Weeks, Officer  
Cook County Adult Probation Department

[2121 Euclid Ave](#)

Rolling Meadows, Illinois 60008

Office: (847)818-2360

[adison.weeks@cookcountyil.gov](mailto:adison.weeks@cookcountyil.gov)

*adison b. weeks*



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**From:** Ehab Hilfiger <defcon5ready@gmail.com>

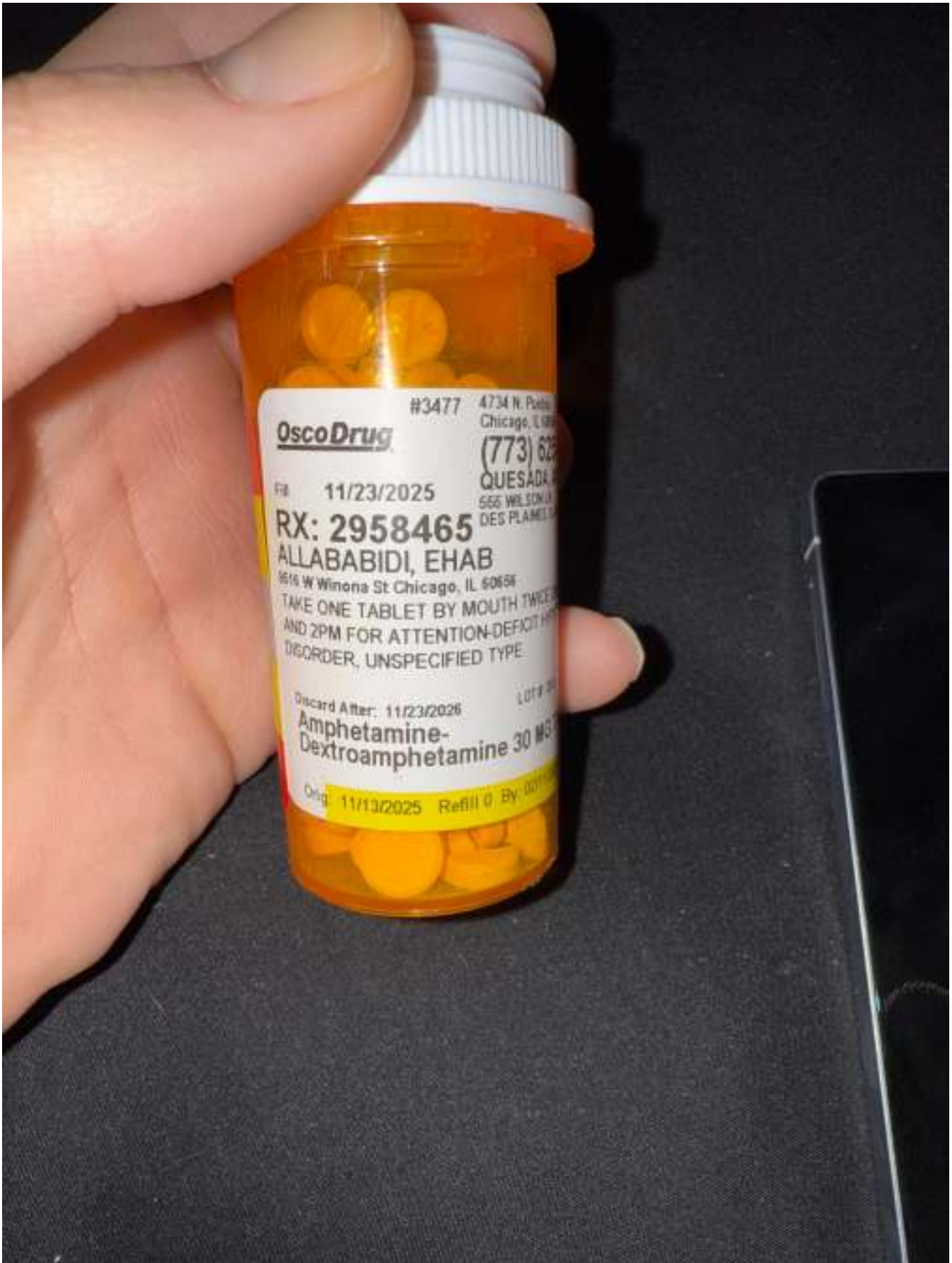
**Sent:** Wednesday, December 10, 2025 1:40 PM

**To:** Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)>

**Subject:** Re: Prescription Verification & Compliance Letter

**External Message Disclaimer**

This message originated from an external source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.



Hi! Here you go ms Adison.

On Wed, Dec 10, 2025 at 12:37 PM Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)> wrote:

Hey Ehab,

Do you mind still please sending me a picture of your updated Adderall prescription? I know you are still being prescribed it, but I just want to avoid anyone giving you a hard time for taking it. Your drug test results were positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall. I just want to avoid anyone who sees this result though giving you a hard time for future reference.

Thank you!

Best Regards,

Adison Weeks, Standard Caseload Officer

Cook County Adult Probation Department

2121 Euclid Ave

Rolling Meadows, Illinois 60008

Office: (847)818-2360

[adison.weeks@cookcountyil.gov](mailto:adison.weeks@cookcountyil.gov)

*adison b. weeks*



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**From:** Ehab Hilfiger <[defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)>

**Sent:** Monday, December 8, 2025 5:04 PM

**To:** Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)>

**Subject:** Re: Prescription Verification & Compliance Letter

**External Message Disclaimer**

This message originated from an external source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Re: Prescription Verification & Compliance Letter

Hi Adison,

Thank you so much for handling everything so quickly, I really appreciate it. I'll be there on Tuesday, December 23rd at 9 AM in person without fail.

I'll also keep you updated on the Lake matter.

Thanks again for all your help and communication.

Best regards,

Ehab Allababidi

On Mon, Dec 8, 2025 at 12:14 PM Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)> wrote:

Hi Ehab,

Great! I was literally just about to send you an email just going over what I sent you in the voicemail just now—I know Dr. Quesada also writes and adds the current verified prescriptions you are taking in his updated letters for your case as well—I greatly appreciate you getting back to me so quickly though Ehab, thank you for following up with me!

Good luck in court, please keep me updated and in the loop of things on what they say in Lake.

**Just a reminder as well, your next report will be on Tuesday, December 23<sup>rd</sup> @ 9 AM in person.** You will NOT have to drug test this time, since your drug test results were all negative. Once your Cook case terminates on 12/16 as well, we will discuss moving forward and you being assigned a different officer.

In the meantime, I hope you have a good week now, and I appreciate it once again you getting back to me so fast.

Best Regards,

Adison Weeks, Standard Caseload Officer

Cook County Adult Probation Department

[2121 Euclid Ave](#)

[Rolling Meadows, Illinois 60008](#)

Office: (847)818-2360

[adison.weeks@cookcountyil.gov](mailto:adison.weeks@cookcountyil.gov)

*adison b. weeks*



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**From:** Ehab Hilfiger <[defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)>

**Sent:** Monday, December 8, 2025 12:02 PM

**To:** Adison Weeks (Adult Probation) <[Adison.Weeks@cookcountyil.gov](mailto:Adison.Weeks@cookcountyil.gov)>

**Subject:** Prescription Verification & Compliance Letter

**External Message Disclaimer**

This message originated from an external source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Officer Weeks,

I'm sorry I couldn't answer your call - I am currently at the lake county courthouse. I received your voicemail. I'll send you a photo of my updated prescription today, and I've emailed my doctor to send you a standard letter of compliance as soon as possible.

Please let me know if you need anything else.

Sincerely,

Ehab Allababidi

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## APPENDIX H

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### State’s Petition for Revocation of Probation (May 14, 2026)

*The sworn charging instrument. This Petition for Revocation, sworn by Assistant State’s Attorney Nicholas Shepherd ‘upon information and belief’ (jurat dated May 12, 2026; the accompanying Notice is dated and sworn May 14), alleges five grounds (§§ 3.A–3.E), including that Applicant tested positive for an ‘illegal substance’—while omitting the State’s own written verification of the lawful prescription (Appendix G). It further alleges willful nonpayment without any ability-to-pay inquiry, failures to report on five dates for which no directive record exists, and public-service and victim-impact-panel defaults pleaded without any deadline or directive.*



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

PEOPLE OF THE STATE OF ILLINOIS

vs.

**EHAB ALLABABIDI**

GEN. NO. 23CF00001146

**PETITION FOR REVOCATION**

NOW COMES the People of the State of Illinois by Eric F. Rinehart, Lake County State's Attorney, by and through, Nicholas Shepherd, Assistant State's Attorney, and petitions this Honorable Court to revoke the defendant's probation, pursuant to 730 ILCS 5/5-6-4. In support of this petition, the People of the State of Illinois state the following, upon information and belief:

1. That on or about September 8, 2025, the defendant was placed on 30 months of probation, for the offense of AGG RECKLESS DRVG/BODILY HARM, a Class 4 Felony.
2. That the defendant's probation, includes the following condition(s):
  - A. The defendant shall pay all fines, fees, court costs, assessments, and restitution.
  - B. The defendant shall not use any illegal substance.
  - C. The defendant shall report to Probation as directed.
  - D. The defendant shall perform 240 hours of public service at a minimum rate of 20 hours per month.
  - E. The defendant shall comply with a Live Victim Impact Panel.
3. The defendant failed to comply with the terms of their probation, and in support of this allegation, the People state the defendant violated the terms of their probation in the following manner:
  - A. The defendant willfully failed to pay court ordered financial obligations.
  - B. The defendant tested positive for Amphetamine (illegal substance) on or about 11/10/2025.
  - C. The defendant failed to report to Probation/Compliance on or about 02/19/2026, 02/27/2026, 03/10/2026, 03/11/2026, and 03/26/2026.
  - D. The defendant failed to provide proof of completion of 240 hours of public service.
  - E. The defendant failed to provide proof of completion of the Live Victim Impact Panel

WHEREFORE, The People of the State of Illinois pray this Honorable Court revoke the Defendant's probation of the said named defendant for failure to perform the conditions of the sentence heretofore entered, and further moves this Honorable Court to lift the stay on any jail sentence previously imposed or issue a warrant for the arrest and apprehension of the said named defendant, who shall be brought immediately to court for the purpose of setting a date of hearing on said petition or to order a summons to the offender to appear.

The undersigned, having been first duly sworn, states she is informed and believes the allegations of the above petition are true and correct.

ERIC F. RINEHART

LAKE COUNTY STATE'S ATTORNEY



Nicholas Shepherd  
Assistant State's Attorney

SUBSCRIBED and SWORN to before me  
12th day of May, 2026



NOTARY PUBLIC



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## APPENDIX I

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### **Pitney Bowes Digital Meter Stamp (Envelope Forensics)**

*The mailing chronology, in the State’s own postage forensics. The Pitney Bowes meter stamp (Meter No. 0000380874) shows the Petition for Revocation was signed and metered May 14–15, 2026, yet the USPS cancellation mark shows the envelope did not enter the mail stream until May 18, 2026 at 4:00 PM—half of the 14-day notice window consumed in state custody. With the Memorial Day holiday, Applicant was left three business days to discover and respond to the charge before the warrant issued.*



LAKE COUNTY STATE'S ATTORNEY'S OFFICE  
**ERIC F. RINEHART**  
 STATE'S ATTORNEY  
 18 N. COUNTY STREET  
 WAUKEGAN, ILLINOIS 60085

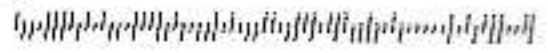
CAROL STREAM IL 60014  
 18 MAY 2026 PM 4



US POSTAGE —PITNEY BOWES  
  
 ZIP 60085 \$ 000.74<sup>0</sup>  
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Ehab Allababidi  
 8516 W. Winona St  
 Chicago, IL 60656

60656-272016



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## APPENDIX J

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### **Warrant Minute Entry (May 28, 2026)**

*The state court's warrant minute entry in Case No. 23 CF 1146, issued the same day the federal district court first abstained (Appendix D). The chronology is established by the documents themselves: federal relief was denied, and the custodial warrant issued, on the same date.*

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Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States



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

People )  
 )  
 Plaintiff, )  
 v. )  
 )  
 PEOPLE VS ALLABABIDI )  
 Defendant. )  
\_\_\_\_\_ )

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

**Charge(s):**

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Guilty  
09/08/2025  
Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Nolle Prosequi  
09/08/2025

**Criminal/Traffic - Minutes**

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

**Present in Court**

MARISSA CERVANTES - Lake County Adult Probation Services

**Nature of Proceedings:**

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

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## APPENDIX K

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### Warrant of Arrest (May 28, 2026)

*The instrument this Application seeks to enjoin. This formal no-bond Warrant of Arrest commands peace officers to take Applicant into custody without bond, on a Petition whose central drug allegation the State's own probation officer had adjudicated compliant in writing five months earlier (Appendix G). Police execution teams attempted forced entries at Applicant's residence twice on June 6, 2026.*

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Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States



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

THE PEOPLE OF THE STATE OF ILLINOIS

CASE  
NUMBER(S)

23CF00001146

VS.

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

**WARRANT OF ARREST - VIOLATION**

To all Peace Officers of the State of Illinois:

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

AGG RECKLESS DRVG/BODILY HARMSPEEDING 35+ MPH OVER LIMIT

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

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



JUDGE

PD APPOINTED  
ARRESTING  
AGENCY:  
Lincolnshire



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



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## APPENDIX L

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### Lake County Clerk Rejection Email (June 8, 2026)

*The written closure of the state forum. Clerk Hanna Becerra's email declines to docket Applicant's pro se Omnibus Filing and Faretta motion: 'the motion must be filed by your attorney.' The attorney in question had made no contact for ten consecutive days during active execution of the no-bond warrant. This document answers, in the State's own words, whether the state forum affords an adequate opportunity to raise constitutional defenses (Middlesex prong 3; Gibson v. Berryhill).*

---

Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

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**Motion**

2 messages

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**CC No Reply** <CCNoReply@lakecountyil.gov>

Mon, Jun 8, 2026 at 6:48 PM

To: "defcon5ready@gmail.com" &lt;defcon5ready@gmail.com&gt;

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

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**Ehab Hilfiger** <defcon5ready@gmail.com>

Mon, Jun 8, 2026 at 7:09 PM

Draft To: CC No Reply &lt;CCNoReply@lakecountyil.gov&gt;

[Quoted text hidden]

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## APPENDIX M

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### **Applicant's Formal Response Demanding Court Appearance & Zoom Access (June 8, 2026)**

*Applicant's documented attempt to be heard. This email response formally invokes self-representation under Faretta v. California, records the constructive abandonment by appointed Public Defender Bailey Russell, asks that the matter be placed on the emergency call, and requests remote-appearance credentials so Applicant can appear and defend himself. No response was received: no Zoom details, no docketing, no recognition of the Faretta invocation.*

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Allababidi v. Junkin, Fontana, and Chief Adult Probation Officer  
Emergency Application No. \_\_\_\_\_ | Supreme Court of the United States



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

---

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

1 message

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**Ehab Hilfiger** <defcon5ready@gmail.com>

Mon, Jun 8, 2026 at 7:08 PM

To: Circuit Clerk &lt;CircuitClerk@lakecountyil.gov&gt;, courts@lakecountyil.gov

Cc: "nshepherd@lakecountyil.gov" &lt;nshepherd@lakecountyil.gov&gt;, Lake County State's Attorney

&lt;statesattorney@lakecountyil.gov&gt;, Bailey Russell &lt;BRussell@lakecountyil.gov&gt;

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](mailto: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](mailto:defcon5ready@gmail.com)

--

**Ehab Allababidi**

Personal Signature

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

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## APPENDIX N

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### **Department Chief’s Written Confirmation of the Filing Refusal and the Unanswered June 9 Emergency Call (June 8–9, 2026)**

*The closure of the state forum, confirmed at the policy level. At 8:48 PM on June 8, 2026, Cindy Robers, Department Chief of Criminal, Traffic and Records for the Office of the Circuit Clerk, confirmed the refusal in writing: ‘We here in the 19th Judicial Circuit don’t accept filings via email... Since you are currently represented by the Public Defender’s Office I would suggest you reach out to them.’ Applicant’s 9:32 PM reply—attaching the District Court’s order directing him to raise these claims in the state court in the first instance, and asking whether any administrative mechanism existed to be heard at the June 9, 9:00 AM emergency call—received no response. The call passed on June 9 with no answer from the Department Chief, the copied prosecutor, or appointed counsel. The refusal is not an isolated administrative act; it is the forum’s stated policy, in the words of the official who administers it.*



Ehab Hilfiger &lt;defcon5ready@gmail.com&gt;

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

1 message

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**Ehab Hilfiger** <defcon5ready@gmail.com>

Mon, Jun 8, 2026 at 9:32 PM

To: Cindy Robers &lt;CRobers@lakecountyil.gov&gt;

Cc: "nshepherd@lakecountyil.gov" &lt;nshepherd@lakecountyil.gov&gt;, Bailey Russell &lt;BRussell@lakecountyil.gov&gt;

SUBJECT: Emergency Filing Coordination (Case 23 CF 1146) - Federal Exhaustion Mandate

Ms. Robers,

Thank you for your prompt reply and for taking the time to explain the 19th Judicial Circuit's policies. I completely understand your administrative constraints regarding pro se email filings, and I appreciate your guidance.

Regarding your recommendation to coordinate with the Public Defender's Office, I completely agree that is the proper channel. I transmitted the entire 82-page Omnibus Filing to my appointed counsel, Bailey Russell, via confirmed facsimile yesterday, Sunday, June 8. Unfortunately, due to the extreme time-sensitivity of the active warrant and my inability to secure a response from counsel thus far, I am currently caught in a procedural gap.

The reason for the urgency is that I am actively trying to comply with a directive from United States District Court Judge John Robert Blakey. I have attached his Minute Order (Case 1:26-cv-01077, Dkt. 25), which explicitly instructs me to raise these specific concerns with the state court in the first instance. I am reaching out to your office to fulfill that exact federal mandate.

Because the physical USPS package (Tracking: 9402 6118 9876 5528 9340 61) is currently in transit to your office, and to ensure I am complying with Judge Blakey's order to use the state forum first, is there any administrative mechanism or exception that would allow this emergency motion to be placed on tomorrow morning's 9:00 AM call pending the arrival of the physical mail?

I am simply trying to ensure the state court has the opportunity to review this matter before I am required to return to the federal docket. I appreciate your time and any guidance your office can provide in navigating this unique overlap of state procedure and federal directives.

Respectfully,

Ehab Allababidi Defendant 8516 W. Winona St., Chicago, IL 60656 (773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)

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On Mon, Jun 8, 2026 at 8:48 PM Cindy Robers <CRobers@lakecountyil.gov> wrote:**Mr. Allababidi,**

**Your email has been forwarded to me by one of my employees in an effort to resolve this matter. We here in the 19<sup>th</sup> Judicial Circuit don't accept filings via email, while I understand that you have mailed these documents, we have not received them. Since you are currently represented by the Public Defender's Office I would suggest you reach out to them at (847) 377-3360 to find out who your assigned attorney is and speak with them in regard to any motions you would like them to file on your behalf. I appreciate your understanding. Please reach out to me with any questions, my contact information is below. Thank you.**

Cindy Robers  
 Department Chief of Criminal, Traffic and Records  
 Office of the Circuit Clerk Erin Cartwright Weinstein  
 18 N. County St.  
 Waukegan, IL 60085  
 (847) 377-3289  
[crobers@lakecountyil.gov](mailto:crobers@lakecountyil.gov)

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**From:** Ehab Hilfiger <[defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)>  
**Sent:** Monday, June 8, 2026 2:08 PM  
**To:** Circuit Clerk <[CircuitClerk@lakecountyil.gov](mailto:CircuitClerk@lakecountyil.gov)>; Courts <[courts@lakecountyil.gov](mailto:courts@lakecountyil.gov)>  
**Cc:** Nicholas Shepherd <[nshepherd@lakecountyil.gov](mailto:nshepherd@lakecountyil.gov)>; Lake County State's Attorney <[statesattorney@lakecountyil.gov](mailto:statesattorney@lakecountyil.gov)>; Bailey Russell <[BRussell@lakecountyil.gov](mailto:BRussell@lakecountyil.gov)>  
**Subject:** RESPONSE TO PROCEDURAL DENIAL (Case 23 CF 1146); NOTICE OF FARETTA INVOCATION & CONSTRUCTIVE ABANDONMENT

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:

- |   |   |   |
|---|---|---|
| <p>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.</p> | <p>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.</p> | <p>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.</p> |
|---|---|---|

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](mailto: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](mailto:defcon5ready@gmail.com)

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**Ehab Allababidi**

Personal Signature

**Phone:** 773-920-0030 (CAGE 16QC7)

**Email:** [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)

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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.

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**Ehab Allababidi**

Personal Signature

**Phone:** 773-920-0030 (CAGE 16QC7)

**Email:** [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)

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## APPENDIX O

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### **District Court Order Granting In Forma Pauperis and Finding the Claims Cognizable Under Rule 4 — No. 1:26-cv-01077, Dkt. 11 (April 13, 2026)**

*Appended pursuant to Supreme Court Rule 39.1 as an order granting leave to proceed in forma pauperis below.*

*Judge Blakey granted IFP under 28 U.S.C. § 1915 upon an express finding that Applicant ‘is impoverished,’ completed initial review under Rule 4 of the Rules Governing Section 2254 Cases, found that Applicant ‘alleges a cognizable claim for relief,’ and ordered the State to answer by June 5, 2026—the deadline that precedes, by the documented intervals, the State’s May 14, 2026 Petition for Revocation and May 28, 2026 arraignment setting.*

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.5)  
Eastern Division**

Ehab Allababidi

Plaintiff,

v.

Case No.: 1:26-cv-01077

Honorable John Robert Blakey

Matt Junkin

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Monday, April 13, 2026:

MINUTE entry before the Honorable John Robert Blakey: Petitioner Ehab Allababidi, an individual serving a term of probation living in Chicago, Illinois, brings a pro se 28 U.S.C. § 2254 habeas corpus petition challenging his reckless driving conviction the Nineteenth Judicial Circuit Court, Lake County, Illinois. He has moved for leave to proceed in forma pauperis [4] and, because Petitioner has demonstrated that he is impoverished, the Court grants the motion. Turning to the initial review of the habeas corpus petition under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, Rule 4 requires this Court to examine the petition and supporting exhibits and dismiss a petition if it "plainly appears" that Petitioner is not entitled to relief. "Dismissal under Rule 4 should be rare and is reserved for petitions that, when taken together with any attached exhibits, seem 'extremely unlikely' on their face to have merit." *Sanders v. Radtke*, 48 F.4th 502, 509 (7th Cir. 2022) (quoting *Dellenbach v. Hanks*, 76 F.3d 820, 823 (7th Cir. 1996)). The Court may dismiss the petition at this initial stage if it fails to state a claim or is factually frivolous. *Sanders*, 48 F.4th at 509 (citing *Small v. Endicott*, 998 F.2d 411, 414 (7th Cir. 1993)). If the petition is not dismissed, the Court then orders respondent to answer or otherwise respond to the petition. *Id.* Under this standard, Petitioner alleges a cognizable claim for relief, and the Court thus orders Respondent to answer or otherwise respond to the habeas corpus petition [1] by 6/5/26. Respondent remains free to investigate and raise any available affirmative defenses. Petitioner shall file all future papers concerning this action with the Clerk of Court in care of the Prisoner Correspondent. Any paper that is sent directly to the Judge or otherwise fails to comply with these instructions may be disregarded by the Court or returned to the Petitioner. Mailed notice. (evw, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please

refer to it for additional information.

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## APPENDIX P

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### **District Court Order Granting In Forma Pauperis and Finding the Claims Cognizable Under Rule 4 — No. 1:25-cv-15181, Dkt. 11 (April 13, 2026)**

*The companion order, likewise appended pursuant to Supreme Court Rule 39.1. In the coordinate habeas action, Judge Blakey granted IFP under 28 U.S.C. § 1915 on the same finding of impoverishment, found under Rule 4 that Applicant ‘alleges cognizable claims for relief,’ and ordered the State to answer by June 5, 2026. Together with Appendix O, this order establishes that the claims the Seventh Circuit dismissed as frivolous had already survived Rule 4 screening before the District Judge whose orders were on appeal.*

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.5)  
Eastern Division**

Ehab Allababidi

Plaintiff,

v.

Case No.: 1:25-cv-15181

Honorable John Robert Blakey

Chief Adult Probation Officer

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Monday, April 13, 2026:

MINUTE entry before the Honorable John Robert Blakey: Petitioner Ehab Allababidi, an individual serving a term of probation living in Chicago, Illinois, brings a pro se 28 U.S.C. § 2254 habeas corpus petition challenging his aggravated battery conviction from the Circuit Court of Cook County. He has moved for leave to proceed in forma pauperis [4] and also moved to lift a stay [6]. The Court grants the IFP motion [4] because Petitioner has demonstrated that he is impoverished. The Court denies as moot Petitioner's motion to lift the stay [6] because no stay has been entered in this case. Turning to the initial review of the habeas corpus petition under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, Rule 4 requires this Court to examine the petition and supporting exhibits and dismiss a petition if it "plainly appears" that Petitioner is not entitled to relief. "Dismissal under Rule 4 should be rare and is reserved for petitions that, when taken together with any attached exhibits, seem 'extremely unlikely' on their face to have merit." *Sanders v. Radtke*, 48 F.4th 502, 509 (7th Cir. 2022) (quoting *Dellenbach v. Hanks*, 76 F.3d 820, 823 (7th Cir. 1996)). The Court may dismiss the petition at this initial stage if it fails to state a claim or is factually frivolous. *Sanders*, 48 F.4th at 509 (citing *Small v. Endicott*, 998 F.2d 411, 414 (7th Cir. 1993)). If the petition is not dismissed, the Court then orders respondent to answer or otherwise respond to the petition. *Id.* Under this standard, Petitioner alleges cognizable claims for relief, and the Court thus orders Respondent to answer or otherwise respond to the habeas corpus petition by 6/5/26. Respondent remains free to investigate and raise any available affirmative defenses. The answer shall identify Petitioner's current custodian for purposes of being substituted as Respondent. Petitioner shall file all future papers concerning this action with the Clerk of Court in care of the Prisoner Correspondent. Any paper that is sent directly to the Judge or otherwise fails to comply with these instructions may be disregarded by the Court or returned to the Petitioner. Mailed notice. (evw, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was

generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

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