

# ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION

## AMENDED ATTORNEY DISCIPLINARY COMPLAINT — TRANSMISSION

FAX: (312) 565-2320 — 130 E. Randolph Dr., Suite 1500, Chicago, IL 60601

*SUPERSEDES the complaint inadvertently transmitted June 12, 2026 — please replace in full*

### AMENDED DISCIPLINARY COMPLAINT

Submitted pursuant to Ill. R.P.C. 8.3 and Commission Rule 51

<b>TO:</b>	Illinois Attorney Registration & Disciplinary Commission
<b>FAX:</b>	(312) 565-2320 [URGENT — Active Zero-Bond Warrant / Federal Proceedings]
<b>ADDRESS:</b>	130 E. Randolph Dr., Suite 1500, Chicago, IL 60601
<b>FROM:</b>	Ehab Allababidi, Complainant, Pro Se 8516 W. Winona St., Chicago, IL 60656 (773) 920-0030 — defcon5ready@gmail.com
<b>RESPONDENT:</b>	Bailey C. Russell, ARDC No. 6340962 Lake County Public Defender's Office 15 S. County St., Waukegan, IL 60085 BRussell@lakecountyil.gov
<b>CASE:</b>	23 CF 1146 — People v. Allababidi 19th Judicial Circuit, Lake County, Illinois Fed. Civil Rights: 1:26-cv-06738 (N.D. Ill.) Fed. Habeas: 1:26-cv-01077 (N.D. Ill.)
<b>DATE:</b>	June 14, 2026 (Amends and supersedes the complaint of June 12, 2026)
<b>SUBJECT:</b>	Four-Count AMENDED Disciplinary Complaint — Ill. R.P.C. 1.1, 1.3, 1.4, 8.4(d): Allstate Coverage Omission in the Restitution Order Respondent Personally Prepared; Constructive Abandonment During Probation Revocation; Non-Appearance at the Zero-Bond Warrant Hearing; and Silence in the Face of a Served Faretta/Cronic Notice While Her Indigent Client E-Filed His Own Motion to Quash His Own Arrest Warrant.
<b>ENCLOSURES:</b>	Amended complaint body + Exhibits A—H with exhibit cover pages
<b>PAGES:</b>	Pages: 49 (incl. this cover) — Amends and replaces the June 12, 2026-transmission

#### WHY THIS COMPLAINT IS URGENT — AND WHY IT WAS AMENDED:

*Respondent Bailey C. Russell (ARDC 6340962) is the court-appointed public defender whose documented failures cascade across every stage of this case. She personally **prepared and signed** the \$2,670.86 Order for Restitution (Ex. A) without investigating whether the active Allstate policy that had already paid \$16,557.00 on the very same accident also covered the payee — it does. She filed nothing in response to the May 14, 2026 Petition for Revocation. She did not appear at the May 28, 2026 hearing at which a zero-bond bench warrant issued against her client. And she did not respond to the June 8, 2026 Faretta/Cronic notice served directly on her. The abandonment is no longer an abstraction: on June 12, 2026 at 10:26:03 p.m., Complainant — indigent, pro se, and at risk of arrest — was forced to draft and personally e-file his own Findings of Fact and Proposed Order to Quash his own warrant (Ex. F, G; Lake County JTI Ref. dc5ffbe9a07e). This amended complaint corrects the exhibit set of the version inadvertently faxed on June 12, 2026 and supersedes it in full.*

# AMENDED DISCIPLINARY COMPLAINT AGAINST BAILEY C. RUSSELL

*Illinois Rules of Professional Conduct 1.1, 1.3, 1.4, and 8.4(d)*

*Submitted to the Illinois Attorney Registration and Disciplinary Commission pursuant to Ill. R.P.C. 8.3 and Commission Rule 51*

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## STATEMENT OF AMENDMENT AND SUPERSESSION

Complainant Ehab Allababidi respectfully submits this **Amended Disciplinary Complaint**, which corrects, supplements, and **supersedes in full** the complaint against Bailey C. Russell inadvertently transmitted to the Commission on June 12, 2026. The Commission is respectfully asked to disregard the prior transmission and to substitute this document in its place. This amendment is necessary for two reasons. **First**, the prior transmission omitted the single most probative document in the matter — the filed *Order for Restitution* that Respondent **personally prepared and subscribed** as defense counsel (now Exhibit A) — and is corrected here so that the documentary record matches the allegations. **Second**, the record has materially advanced: on June 12, 2026 at 10:26:03 p.m., Complainant — indigent, abandoned by counsel, and exposed to an active zero-bond arrest warrant — was forced to draft, verify, and personally electronically file his own *Findings of Fact and [Proposed] Order to Quash Warrant* through the Lake County e-filing portal, receiving an official confirmation receipt (JTI Ref. dc5ffbe9a07e). That filing, and the labor it represents, belongs in this record because it is the work Respondent was appointed, and paid by public funds, to perform. The exhibit set is accordingly conformed to the proof.

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## I. PRELIMINARY STATEMENT

This is a complaint about a lawyer who built the trap, then walked away while it closed on her own client. Bailey C. Russell did not merely fail to act. She acted once — decisively, in writing, with her name and her ARDC number on the page — when she prepared the \$2,670.86 restitution order that the State would later weaponize into a petition to revoke her client's probation and to jail him. And then, at every single moment when her client needed her to act again, she did nothing at all.

The arithmetic of her silence is not close. Between the filing of the Petition for Revocation on May 14, 2026 and the date of this complaint — a span of more than four weeks across which her client faced a positive-drug-test allegation that had already been cleared in writing, a “willful nonpayment” allegation barred by an active insurance policy, and ultimately a zero-bond warrant for his arrest — Respondent filed **zero** motions, made **zero** appearances, conducted **zero** investigation, and sent her client **zero** words. The number of documents Bailey C. Russell filed to defend Ehab Allababidi against his incarceration is the same number she filed to withdraw from his case: none.

On the night of June 12, 2026 at 10:26:03 p.m., an indigent man with no legal training, a sixth-grade-civics understanding of the rules, and an active warrant hanging over him, sat down and

drafted an eleven-page judicial order — *Findings of Fact, Conclusions of Law, and a Proposed Order to Quash Warrant and Dismiss the Petition with Prejudice*, twenty-two numbered findings in all — and filed it himself through the county's electronic portal, time-stamped at 10:26 p.m., because the attorney appointed and paid to protect his liberty had gone dark. That document (Exhibit F) and its authenticated filing receipt (Exhibit G) are the measure of Respondent's abandonment. The yardstick of an attorney's diligence is not whether the client survived; it is what the client was forced to do alone. Here, the client was forced to do everything alone.

What follows is organized into four counts, each anchored to a documented exhibit and a specific Rule of Professional Conduct. The counts are not cumulative theories of a single lapse; they are four discrete failures at four discrete stages — sentencing, pleading, hearing, and notice — each independently sanctionable, and together describing the complete and continuing abandonment of a represented criminal defendant.

**II. RESPONDENT**

Attorney	ARDC No.	Office	Role / Contact
Bailey C. Russell	6340962	Lake County Public Defender's Office 15 S. County St., Waukegan, IL 60085	BRussell@lakecountyil.gov Court-appointed trial / sentencing counsel, Case No. 23 CF 1146 Preparer of record of the Sept. 8, 2025 Order for Restitution (Ex. A) Counsel of record through the revocation proceedings

**Note on scope and restraint.** This complaint is directed *solely* at Bailey C. Russell and her four documented individual failures. It does not seek to indict an institution, and it does not address Assistant State's Attorney Nicholas Shepherd, the assigned probation officers, or any appellate or supervisory public defender — all of whom are the subject of separate, parallel proceedings. Complainant draws this line deliberately. The conduct described below is sanctionable on its own terms, by the standard the profession applies to *every* licensed attorney, regardless of caseload, title, or the failures of others. Russell was the lawyer in the room at sentencing. Russell's name is on the restitution order. Russell remained counsel of record during the revocation. Russell was served with the Faretta notice. And Russell, alone among them, owed Ehab Allababidi the fiduciary duties of an attorney to a client.

**III. THE GOVERNING STANDARD**

The Sixth Amendment right to the effective assistance of counsel does not evaporate after the judgment of conviction. It extends fully to probation-revocation proceedings, where a defendant's physical liberty is once again directly at stake. *Gagnon v. Scarpelli*, 411 U.S. 778 (1973); *Mempa v. Rhay*, 389 U.S. 128 (1967). Ordinarily, an ineffectiveness claim requires a showing of deficient performance and resulting prejudice under *Strickland v. Washington*, 466 U.S. 668 (1984). But where counsel **entirely fails to subject the prosecution's case to meaningful adversarial testing**, prejudice is *presumed* and need not be separately proven. *United States v. Cronin*, 466 U.S. 648, 659 (1984). A constructive denial of counsel —

counsel in name on the docket, but absent in every act that matters — is a *per se* violation. This complaint does not ask the Commission to weigh degrees of strategic judgment. It describes the rarer and graver thing: an attorney who was present on paper and absent in fact at every stage where her presence was required.

#### **IV. CHRONOLOGY OF ABANDONMENT**

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The following timeline is drawn entirely from the documentary exhibits attached to this complaint. Every entry is corroborated by a filed order, an official court record, an authenticated portal document, or a transmitted email bearing Respondent's own address.

**September 8, 2025 — Sentencing; Respondent prepares the restitution order.** Bailey C. Russell appeared as appointed defense counsel for Complainant at sentencing before Hon. Christopher R. Stride, Courtroom T-611, Case No. 23 CF 1146. The Court imposed 30 months' probation. Russell personally **prepared and subscribed** the *Order for Restitution* (Ex. A), which on its face bears the legend “Prepared by: Bailey C. Russell”, her office address, and her ARDC number, 6340962. The order directs \$2,670.86 in restitution to O'Brien Landscape arising from the May 23, 2022 collision. This is not a document Russell merely witnessed; it is a document she authored.

**The active insurance Russell never checked.** At that same moment, the Allstate Fire and Casualty policy (Claim No. 0670868884, date of loss May 23, 2022) had **already paid \$16,557.00** to Sentry Insurance on the James W. Smith Printing subrogation arising from the *identical* collision. The sentencing court ordered **\$0.00** restitution to Smith Printing — confirming on the record that everyone present understood Allstate had satisfied a claim from this very accident. The same policy covers the O'Brien Landscape damage. A competent attorney preparing a restitution order on a traffic-collision case, who knows her client carried active insurance and that the insurer already paid one victim from the same crash, must investigate whether that policy covers the other payee before subscribing her client to a debt. Russell did not. She wrote the number down and signed her name.

**November 10, 2025 — indigency on the record.** The official Lake County financial docket (Ex. H) reflects that on November 10, 2025, \$1,400.00 of Complainant's probation service fee was “Payment Suspended” — a contemporaneous, court-recorded acknowledgment of his inability to pay. This is the same indigency that would later make the State's “willful nonpayment” theory legally impossible, and the same indigency Russell would never raise.

**December 8 and 10, 2025 — the drug allegation is cleared in writing.** Cook County Adult Probation Officer Adison Weeks confirmed in writing, twice, that Complainant's toxicology results were “all negative” and that any positive amphetamine indicator was the product of a lawful Adderall prescription: “it is all negative in my eyes because I know you are still taking the Adderall”. This exculpatory adjudication predated the Petition for Revocation by more than five months and was

reasonably discoverable by counsel of record. Russell never obtained it, never cited it, and never used it.

**April 8, 2026 — the violation memorandum.** Probation Officer Marisa Cervantes issued a memorandum (Ex. B) recommending that a petition be filed, reciting a positive amphetamine screen, five claimed failures to report, an unfinished public-service requirement, an incomplete victim-impact panel, and an unpaid balance. Every one of these predicates was either already disproved (the drug test), legally barred (the restitution, covered by active insurance and subject to a recorded indigency suspension), or unaddressed by counsel. As counsel of record, Russell had access to this memorandum and the docket. She raised none of it.

**May 14, 2026 — the Petition for Revocation.** Assistant State's Attorney Nicholas Shepherd filed a verified Petition for Revocation of Probation. Russell was counsel of record. She filed no response, no motion to dismiss, no motion to quash, and no demand for an ability-to-pay hearing under *Bearden v. Georgia*, 461 U.S. 660 (1983). She did not contact her client to tell him a petition to revoke his probation and jail him had been filed.

**May 28, 2026, 7:00 a.m. — the client files what his lawyer would not.** Two hours before the hearing, Complainant — acting pro se because no one from the Public Defender's Office would act for him — transmitted an *Emergency Notice of Fraud on the Court* (Ex. D), attaching the Weeks adjudications and laying out the Napue and Brady violations. It was a competent emergency filing. It was authored by the defendant, at dawn, alone.

**May 28, 2026, 9:00 a.m. — the warrant issues in counsel's absence.** Not one attorney from the Lake County Public Defender's Office appeared in Courtroom T-611. Bailey C. Russell did not appear. No continuance was sought; no motion was filed; no telephonic appearance was arranged. A **zero-bond bench warrant** (Ex. C) issued for Complainant's arrest — on allegations his own counsel could have defeated with documents already in existence. The warrant designates the arresting agency and recites “PD APPOINTED” — a public defender of record who simply was not there.

**June 8, 2026, 7:08 p.m. — the Faretta/Cronic notice, served on Russell.** Complainant transmitted a written *Notice of Faretta Invocation and Constructive Abandonment* (Ex. E) directly to Russell at BRussell@lakecountyil.gov, stating in plain terms that his “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”, and demanding emergency docketing. Russell did not respond — not to communicate, not to file a withdrawal, not to seek a hearing. Nothing.

**June 12, 2026, 10:26 p.m. — the client drafts and e-files his own order to quash his own warrant.** Receiving no help, Complainant drafted an eleven-page verified *Findings of Fact and [Proposed] Order to Quash Warrant and Dismiss Petition for Revocation with Prejudice* — twenty-two numbered findings of fact, conclusions of law, and a ten-paragraph decree (Ex. F) — and personally

submitted it through the Lake County e-filing portal. The portal returned an official receipt (Ex. G): “Your filing has been received”, Case No. 23CF00001146, Filed By “ehab Allababidi”, Status “Submitted”, JTI Ref. No. dc5ffbe9a07e, time-stamped June 12, 2026 at 10:26:03 p.m.. As of the date of this complaint, the zero-bond warrant remains outstanding, and Russell remains silent.

**June 15, 2026, 11:45 PM — the Rule 1.16(d) demand with a pre-drafted motion enclosed.** Complainant sent a formal written demand (Ex. I) directly to Russell and Chief Ticsay, citing Illinois Rule of Professional Conduct 1.16(d) and Supreme Court Rule 13(c), and attaching a pre-drafted Emergency Motion for Withdrawal and Proposed Order — the complete legal instrument, ready for signature, ready for filing. The demand set a deadline of June 16, 2026 at 5:00 PM CDT. The motion was never filed. This is not a client asking his lawyer for help. This is a client handing his lawyer a completed legal instrument and saying: “Sign this. File this. Cure the injury your silence has caused.” She did not.

**June 16, 2026, 3:52 PM CT — Russell admits an ex parte hearing; confirms she filed nothing.** After the deadline passed, Russell responded (Ex. J). Her email states: “This was confirmed today in court by the Judge.” And: “The Court is motioning up your case for next week in order for you to appear.” By the Office—s own written account, Russell appeared before the presiding judge, addressed the defendant—s representation status, and a hearing was set — while the defendant was neither present nor noticed. The Office had the pre-drafted motion (Ex. I). It had the court—s attention. It filed nothing. This is not negligence; it is the *conscious selection* of a course whose consequence is a continuing constitutional deprivation.

## V. THE COUNTS

**COUNT ONE — Rule 1.1 (Competence): The Allstate omission in the order Respondent wrote.** An attorney must provide “the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.” Ill. R.P.C. 1.1. Russell prepared and subscribed a \$2,670.86 restitution order (Ex. A) on a motor-vehicle case for a client she knew carried active Allstate coverage — coverage that had *already paid* \$16,557.00 to another victim of the *same* collision under the *same* claim number. The minimum competent act was to ask one question: does this policy also cover O'Brien Landscape? It does. Russell never asked. She converted a covered insurance loss into a personal court-ordered debt against an indigent client, and memorialized it in a document bearing her own ARDC number. That is not a strategic choice entitled to deference; it is the absence of the most elementary diligence *Strickland* requires.

**The causal chain.** Count One is not a stale, harmless error. Because Russell left the \$2,670.86 balance open and unrouted to Allstate, that open balance became the State's predicate for a “willful nonpayment” allegation in the May 14 Petition — an allegation that is legally impossible, because a client whose active policy covers the debt cannot “willfully” refuse to pay as a matter of constitutional law. *Bearden v. Georgia*, 461 U.S. 660 (1983); *Turner v. Rogers*, 564 U.S. 431 (2011). The restitution order

Russell authored at sentencing is the direct ancestor of the zero-bond warrant now outstanding for her client's arrest. She did not just make a mistake; she laid the first stone of the road to his cell.

**COUNT TWO — Rule 1.3 (Diligence): Total inaction on the Petition.** An attorney “shall act with reasonable diligence and promptness.” Ill. R.P.C. 1.3. From the May 14, 2026 filing of the Petition through the date of this complaint, Russell — counsel of record — filed nothing. She did not move to dismiss the legally barred restitution allegation. She did not present the Weeks adjudication that had cleared the drug allegation five months earlier. She did not demand the ability-to-pay hearing the Constitution requires before revocation for nonpayment. The official docket (Ex. H) records no responsive filing by defense counsel at all. Diligence is not a demanding standard; it asks only that a lawyer *do something*. Russell did nothing.

**COUNT THREE — Rule 1.3 and the Cronic abandonment: Non-appearance at the warrant hearing.** On May 28, 2026, with her client's physical liberty on the line, Russell did not appear in Courtroom T-611, and neither did any other attorney from her office. The result was immediate and concrete: a zero-bond bench warrant (Ex. C) for the arrest of an unrepresented man, on allegations that *his own client-side filing* (Ex. D) had already shown to be false. This is the paradigmatic *Cronic* scenario — counsel's complete absence at a critical stage — in which prejudice is presumed because there was no adversarial testing of the State's case whatsoever. *United States v. Cronin*, 466 U.S. 648, 659 (1984); *Gagnon v. Scarpelli*, 411 U.S. 778 (1973). The warrant itself recites “PD APPOINTED” — the docket says counsel existed; the courtroom proves she was not there.

**COUNT FOUR — Rule 1.4 (Communication) and Rule 8.4(d): Silence after the Faretta notice.** An attorney must “keep the client reasonably informed” and “promptly comply with reasonable requests for information.” Ill. R.P.C. 1.4. On June 8, 2026, Complainant served Russell directly (Ex. E) with a written notice invoking *Faretta v. California*, 422 U.S. 806 (1975), documenting her constructive abandonment under *Cronic*, and demanding emergency docketing. An attorney who receives such a notice has, at the irreducible minimum, a duty to respond — to communicate, to file a withdrawal under Rule 1.16, or to seek a hearing. Russell did none of these. Her silence in the face of a documented abandonment invocation, while a zero-bond warrant ran against her own client, is conduct “prejudicial to the administration of justice” under Rule 8.4(d): it left a represented defendant to litigate his own incarceration alone, with no attorney of record willing even to say goodbye.

## **VI. THE DISPOSITIVE PROOF: THE CLIENT DID THE LAWYER'S JOB**

If the Commission reads only one exhibit, it should be Exhibit F — and then Exhibit G, the receipt that proves who filed it and when. Exhibit F is an **eleven-page verified judicial instrument** captioned *Findings of Fact and [Proposed] Order to Quash Warrant and Dismiss Petition for Revocation with Prejudice*. It contains **twenty-two separately numbered findings of fact**, full conclusions of law, and a

**ten-paragraph decretal order**, and it marshals the governing authority with precision: *Franks v. Delaware*, 438 U.S. 154 (1978), and *Napue v. Illinois*, 360 U.S. 264 (1959), on the false toxicology predicate; *Bearden* and *Turner* on the absence of a willfulness finding; *Cronic* on the deprivation of counsel; *Malley v. Briggs*, 475 U.S. 335 (1986), on the liability of officers executing a void warrant; and *Faretta* on the right to self-representation. It quashes the warrant *ab initio* with two-hour LEADS/NCIC expungement, dismisses the Petition with prejudice on collateral-estoppel grounds, preserves the Brady/Napue record, suspends the financial conditions pending a constitutionally adequate ability-to-pay inquiry, and — in a detail no lawyer drafting for herself would think to include — even directs the Clerk to refer the matter to this very Commission. It is, in short, exactly the kind of motion a diligent public defender would have filed weeks earlier.

It was not filed by a public defender. It was filed by the defendant — an indigent man with no legal training — at **10:26 p.m.** on a Friday night, through a web portal, while a warrant for his arrest was live. Exhibit G is the portal's own confirmation: “Your filing has been received”, Filed By “ehab Allababidi”, JTI Ref. dc5ffbe9a07e. There is no more eloquent indictment of an attorney's abandonment than the spectacle of her client doing, alone and afraid, the precise work she was appointed and publicly funded to do. The docket (Ex. H) confirms a “Public Defender Fee” was assessed in this case — the public paid for a defense. It did not receive one. The defendant performed it himself.

## VII. AGGRAVATING FACTORS

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- **Liberty at stake, not money.** This was not a fee dispute or a civil matter. Russell's inaction left an active **zero-bond warrant** outstanding for her client's arrest. The harm of her abandonment is measured in the risk of his physical incarceration.
- **The defenses were free, documented, and in hand.** Russell was not asked to invent a defense. Every defense — the Weeks adjudication, the Allstate coverage, the recorded indigency suspension — already existed in writing and was reasonably available to counsel of record. She had only to use them.
- **A pattern, not a lapse.** Four discrete failures at four discrete stages — sentencing, pleading, hearing, and notice — establish a sustained course of conduct, not an isolated oversight. Each was independently avoidable.
- **Notice, then continued silence.** Russell was told, in writing and to her own email address, that her client believed she had abandoned him. A lapse compounded by a documented warning, met with continued silence, is the aggravated form of the violation.
- **The client compelled to self-help.** The clearest aggravator is Exhibit F itself: an indigent, untrained, warrant-exposed defendant forced to author and e-file his own motion to quash his own arrest. That a client had to do this is, standing alone, proof that the system of appointed counsel failed him — and the attorney who failed him has a name.

## VIII. SUMMARY OF RULE VIOLATIONS

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Rule	Requirement	Respondent's Documented Failure	Ex.
<b>Rule 1.1 (Competence)</b>	Knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.	Prepared and signed the \$2,670.86 restitution order without investigating active Allstate Claim 0670868884, which had already paid \$16,557.00 on the same accident and covered the same payee. Same insurer. Same claim. Same crash.	<b>A</b>
<b>Rule 1.3 (Diligence)</b>	Reasonable diligence and promptness in representing a client.	Filed nothing from May 14 through the date of this complaint: no response to the Petition, no motion, no ability-to-pay demand; and did not appear at the May 28 warrant hearing.	<b>B, C, H</b>
<b>Rule 1.4 (Communication)</b>	Keep the client reasonably informed; promptly respond to reasonable requests.	Zero communication about the Petition, the available defenses, the hearing, the warrant, or the served Faretta notice. The client learned of, and answered, his own case alone.	<b>D, E, F</b>
<b>Rule 8.4(d) (Prejudicial to Justice)</b>	It is misconduct to engage in conduct prejudicial to the administration of justice.	Abandoned a represented defendant to an active zero-bond warrant on documented-false allegations, with dispositive evidence unused, forcing him to draft and e-file his own motion to quash.	<b>C, F, G</b>

**IX. RELIEF REQUESTED**

Complainant respectfully requests that the Commission:

- 1. Open a formal investigation** into Bailey C. Russell (ARDC 6340962) for violations of Ill. R.P.C. 1.1, 1.3, 1.4, and 8.4(d) as documented herein and substantiated by Exhibits A through J;
- 2. Obtain the complete case record** for Case No. 23 CF 1146 from the 19th Judicial Circuit, including the September 8, 2025 sentencing and restitution documents, every filing (and the absence of any defense filing) in the revocation proceeding, the May 28, 2026 warrant transcript, and the June 12, 2026 pro se portal submission (JTI Ref. dc5ffbe9a07e);
- 3. Require a written response** from Respondent explaining, specifically: (a) why she prepared the \$2,670.86 restitution order without investigating the active Allstate coverage; (b) why she filed no response to the May 14, 2026 Petition; (c) why she did not appear at the May 28, 2026 warrant hearing; and (d) why she made no response of any kind to the June 8, 2026 Faretta/Cronic notice served on her email address;
- 4. Consider emergency interim measures** directing Respondent either to provide competent representation in the ongoing revocation proceeding or to formally withdraw under Ill. R.P.C. 1.16, so that Complainant may secure effective counsel while the zero-bond warrant remains outstanding; and
- 5. Institute formal disciplinary proceedings** if Respondent's response confirms the violations described herein, with particular attention to the complete constructive abandonment at the May 28, 2026 hearing and the unanswered Faretta invocation — conduct that compelled an indigent client to file his own motion to quash his own arrest warrant.

**COMPLAINANT:**

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, Complainant, *Pro Se*

8516 W. Winona St., Chicago, IL 60656

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

Dated: June 14, 2026 (amending and superseding the complaint of June 12, 2026)

**DECLARATION UNDER PENALTY OF PERJURY:** I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge and belief, and that each factual assertion is corroborated by the documentary exhibits attached hereto.

/s/ Ehab Allababidi

**X. INDEX OF EXHIBITS**

Ex.	Document	Relevance to This Amended Complaint
A	Order for Restitution, filed September 8, 2025 (\$2,670.86 to O'Brien Landscape)	Bears the legend "Prepared by: Bailey C. Russell, ARDC 6340962." The instrument Respondent personally authored — the foundation of Count One and the origin of the revocation trap.
B	Probation Violation Memorandum (Cervantes), April 8, 2026	The recommendation that a petition be filed, reciting the predicates Russell never contested — drug test, failures to report, fees — each disproved, barred, or unaddressed.
C	Zero-Bond Bench Warrant of Arrest, issued May 28, 2026	The direct result of Russell's non-appearance; recites "PD APPOINTED" while no public defender stood in the courtroom. Count Three.
D	Emergency Notice of Fraud on the Court (email, May 28, 2026, 7:00 a.m., pro se)	The competent emergency filing Russell should have made, authored by the client two hours before the hearing, attaching the exculpatory Weeks adjudications.
E	Faretta Invocation & Constructive Abandonment Notice (email, June 8, 2026, served on Russell)	Served directly to BRussell@lakecountyiil.gov, stating counsel "is refusing to communicate, file motions, or provide representation." Russell did not respond. Count Four.
F	Findings of Fact and [Proposed] Order to Quash Warrant and Dismiss Petition (pro se, June 12, 2026)	The eleven-page verified judicial instrument — 22 findings of fact, conclusions of law, and a 10-paragraph decree — that the indigent client drafted himself: the precise work Respondent was appointed and publicly funded to perform. The dispositive proof of abandonment.
G	Lake County e-Filing Submission and Receipt (JTI Ref. dc5ffbe9a07e)	The portal's official confirmation that Complainant personally filed Exhibit F at June 12, 2026 at 10:26:03 p.m. — authenticating who did the lawyer's work, and when.
H	Lake County Criminal & Traffic Case Action Page (official docket)	Confirms the appointment of counsel, the recorded indigency fee suspension, the Public Defender Fee, and the absence of any defense filing throughout the revocation.
I	Rule 1.16(d) and Rule 13(c) Demand with Pre-Drafted Motion (June 15, 2026)	Complainant handed Russell the exact legal instrument that would have cured the docket lockout, setting a hard deadline. She never filed it.
J	Russell Ex Parte Communication Email (June 16, 2026)	Russell's own written admission that she appeared before the judge, confirmed non-representation, and a hearing was set in the defendant's absence and without notice. She had the motion in hand and filed nothing.

# EXHIBIT A

## ORDER FOR RESTITUTION — PREPARED BY BAILEY C. RUSSELL

Filed September 8, 2025 — \$2,670.86 to O'Brien Landscape — Case No. 23 CF 1146

AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Filed court order — 19th Judicial Circuit, Lake County	<b>Filed/Dated:</b>	Filed September 8, 2025, 9:10 a.m. — entered by Hon. Christopher R. Stride
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Bears “Prepared by: Bailey C. Russell, ARDC 6340962” — foundation of Count One

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*This is the single most probative document in the matter, and it was omitted from the complaint inadvertently faxed on June 12, 2026. On its face it bears the legend “Prepared by: Bailey C. Russell,” her office address, and her ARDC number 6340962. Respondent personally authored the \$2,670.86 restitution obligation to O'Brien Landscape arising from the May 23, 2022 collision — the very obligation covered by the active Allstate policy (Claim 0670868884) that had already paid \$16,557.00 on the same accident. Competence under Rule 1.1 required her to investigate that coverage before subscribing her indigent client to the debt. She did not. The open balance she left became the State's predicate for revocation.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Legend on the order: “Prepared by: Name: Bailey C. Russell ... ARDC: 6340962”
- Restitution of \$2,670.86 to O'Brien Landscape, Skokie, IL — May 23, 2022 collision
- Entered and signed by Hon. Christopher R. Stride; FILED 9/8/2025 by the Clerk of the Court
- Authored by Respondent — not merely witnessed — establishing Count One on its face

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.

General No. **23CF1146**

**Ehab Allababidi**

)  
)  
)  
)  
Defendant(s) )

**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:

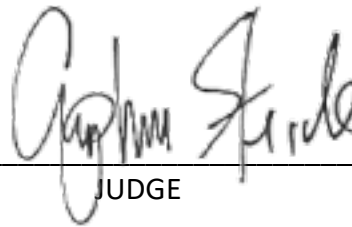
Name O'Brien Landscape  
Address 5700 Howard St.  
City, Skokie State, IL Zip 60077

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:

# EXHIBIT B

## PROBATION VIOLATION MEMORANDUM

Adult Probation Services (Cervantes) — April 8, 2026 — predicate of the Petition

AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Internal probation memorandum to the State's Attorney	<b>Filed/Dated:</b>	Dated April 8, 2026 — Officer Marisa Cervantes, approved by Lori Carrier
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Recites the violation predicates Respondent never contested

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*This memorandum is the administrative seed of the revocation. It recites a positive amphetamine screen (already cleared in writing by Cook County Officer Weeks on December 8 and 10, 2025), five claimed failures to report, an unfinished public-service requirement, an incomplete victim-impact panel, and an unpaid balance (subject to a recorded indigency suspension). As counsel of record, Respondent had access to this memorandum and the docket. She challenged none of it. Every predicate was disproved, legally barred, or unaddressed — and every one went unanswered by the attorney appointed to answer it.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Recommends “REQUEST THAT PETITION BE FILED” — the trigger for the May 14 Petition
- Recites the amphetamine allegation already cleared by Officer Weeks five months earlier
- Lists five claimed failures to report and unfinished conditions Respondent never addressed
- Demonstrates the defenses were knowable to counsel of record well before the warrant

# ADMINISTRATIVE OFFICE OF THE NINETEENTH JUDICIAL CIRCUIT

**FILED**

1 0 0 3 4 2 0 1 0 1 0 1



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 C

## ZERO-BOND BENCH WARRANT OF ARREST

Issued May 28, 2026 — Courtroom T-611 — in Respondent's absence

AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Bench warrant — 19th Judicial Circuit, Lake County	<b>Filed/Dated:</b>	Issued May 28, 2026 — Hon. Christopher R. Stride
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Direct result of Respondent's non-appearance — Count Three

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*This warrant issued because no attorney from the Lake County Public Defender's Office appeared in Courtroom T-611 on May 28, 2026. Complainant had appeared pro se and, two hours earlier, served an emergency notice attaching the December 2025 exculpatory adjudications. The warrant issued anyway, on documented-false allegations, because counsel of record was absent. Tellingly, the warrant recites “PD APPOINTED” — the record reflects that a public defender existed; the courtroom reflects that she was not there. This is the paradigmatic Cronic deprivation, and the warrant remains outstanding.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Zero-bond warrant: Complainant subject to immediate custodial seizure upon any encounter
- Recites “PD APPOINTED” while no public defender appeared at the hearing
- Issued on allegations the client's own pro se filing (Ex. D) had already disproved
- Respondent filed no continuance, no motion, and no appearance before or after



**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:	



# EXHIBIT D

## EMERGENCY NOTICE OF FRAUD ON THE COURT

Email served May 28, 2026, 7:00 a.m. — pro se, two hours before the hearing

AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Email transmission — emergency pro se notice to court and parties	<b>Filed/Dated:</b>	May 28, 2026, 7:00 a.m. — from defcon5ready@gmail.com
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	The competent filing Respondent should have made — authored by the client

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*This emergency notice is the filing Russell did not make. Authored by the defendant himself two hours before the 9:00 a.m. hearing, it attaches the written December 8 and 10, 2025 adjudications of Cook County Officer Adison Weeks (“positive for amphetamine, but it is all negative in my eyes because I know you are still taking the Adderall”) and lays out the Napue and Brady violations infecting the Petition. It is a competent emergency filing — and it was produced entirely without the assistance of the attorneys assigned to represent him. The defense was documented, available, and dispositive. Respondent never filed it.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Attaches the December 2025 Weeks adjudications clearing the toxicology allegation
- Invokes Napue v. Illinois, 360 U.S. 264 (1959) and Brady v. Maryland, 373 U.S. 83 (1963)
- Served on the Circuit Clerk, the State's Attorney, and ASA Shepherd
- Authored by the client — the pro se proof that the defense was in hand and unused



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:

- 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)

--

**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 E

## FARETTA INVOCATION & CONSTRUCTIVE ABANDONMENT NOTICE

Email served June 8, 2026, 7:08 p.m., directly to BRussell@lakecountyil.gov — no response

AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Email transmission — written Faretta/Cronic notice served on Respondent	<b>Filed/Dated:</b>	June 8, 2026, 7:08 p.m. — Russell among the named recipients
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Served on Respondent; she did not respond — Count Four

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*This email was transmitted with Bailey C. Russell among the named recipients at her confirmed professional address, BRussell@lakecountyil.gov. It states, in the client's own words, that his "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," formally invokes Faretta v. California, documents Cronic abandonment, and demands emergency docketing for June 9, 2026. Russell made no response of any kind — not a communication, not a withdrawal, not a request for a hearing. An attorney served with a documented abandonment invocation who answers with silence fails Rule 1.4 and Rule 8.4(d) as a matter of law.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Russell named as a recipient at BRussell@lakecountyil.gov (her confirmed active address)
- States counsel "is refusing to communicate, file motions, or provide representation"
- Formally invokes Faretta v. California, 422 U.S. 806 (1975) and documents Cronic abandonment
- Zero response from Respondent — not even to withdraw — as of the date of this complaint



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.

# EXHIBIT F

## FINDINGS OF FACT AND [PROPOSED] ORDER TO QUASH WARRANT

Eleven-page verified order — 22 findings of fact, a 10-paragraph decree — e-filed pro se, June 12, 2026

AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Proposed judicial order (11 pp.) — drafted and verified pro se by Ehab Allababidi	<b>Filed/Dated:</b>	Submitted June 12, 2026, 10:26 p.m. — Lake County Court Portal, Proposed Order upload
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	The dispositive proof of abandonment — the client did the lawyer's job, in full

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*This is the centerpiece of the amended complaint, and it is no skeletal form. It is an eleven-page verified judicial instrument — captioned “Findings of Fact and [Proposed] Order to Quash Warrant and Dismiss Petition for Revocation with Prejudice,” comprising twenty-two separately numbered findings of fact, full conclusions of law, and a ten-paragraph decretal order — that an indigent man with no legal training drafted himself because his appointed counsel would not. It marshals Franks v. Delaware, Napue v. Illinois, Bearden v. Georgia, Turner v. Rogers, United States v. Cronin, Malley v. Briggs, and Faretta v. California with precision; it expunges the warrant from LEADS/NCIC, dismisses the Petition with prejudice on collateral-estoppel grounds, preserves the Brady/Napue record, and even directs an ARDC referral. It is, in substance and form, exactly the motion a diligent public defender would have filed weeks earlier. That the client had to write all eleven pages himself, at night, under threat of arrest, is the most eloquent possible measure of Respondent's abandonment.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Eleven pages: 22 numbered findings of fact, conclusions of law, and a 10-paragraph decretal order
- Cites Franks, Napue, Bearden, Turner, Cronin, Malley v. Briggs, and Faretta — the controlling law
- Quashes the warrant void ab initio (LEADS/NCIC expungement) and dismisses the Petition with prejudice
- Authored, verified, and e-filed by the client — the precise, publicly funded work Respondent omitted

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

<p><b>THE PEOPLE OF THE STATE OF ILLINOIS,</b> <i>Plaintiff-Respondent,</i></p> <p>v.</p> <p><b>EHAB ALLABABIDI,</b> <i>Defendant-Petitioner, Pro Se.</i></p>	<p>General No.: <b>23 CF 1146</b></p> <p>Circuit Court, 19th Judicial Circuit Lake County, Illinois</p> <p>Judge: <b>HON. CHRISTOPHER R. STRIDE</b> Courtroom: <b>T-611</b></p>
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**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

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@lakecountyil.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@lakecountyil.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@lakecountyil.gov, his confirmed active professional email for Lake County filings), the Circuit Court Clerk (CircuitClerk@lakecountyil.gov; courts@lakecountyil.gov), and the Lake County State’s Attorney’s Office (statesattorney@lakecountyil.gov), with copies to Matthew T. Junkin (Director, Lake County Adult Probation, mjunkin@lakecountyil.gov), Cook County Probation Officer Destiny Lee (destiny.lee@cookcountyil.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  
5 Marisa Cervantes was physically present in Courtroom T-611 at the time of warrant issuance. No  
6 defense counsel appeared.

7 **FINDING OF FACT NO. 13:** On May 29, 2026 — one day after the warrant issued and 100 days after her  
8 anonymous February 19 call — Officer Cervantes sent her first written communication to Defendant,  
9 directing him to “turn yourself in.” This instruction, sent without disclosure of the exculpatory  
10 evidence in the State’s own records, confirms that Cervantes was aware of the revocation proceedings  
11 throughout the period of her identity concealment.

12 **FINDING OF FACT NO. 14:** The federal habeas response deadline in *Allababidi v. Junkin*,  
13 No. 1:26-cv-01077, expired on June 5, 2026, while Defendant remained subject to an active zero-bond  
14 bench warrant. The warrant’s scheduling (May 28 hearing, eight days before the federal deadline) and  
15 the six-day manufactured mail delay confirm a timeline calibrated to incapacitate Defendant before  
16 his federal deadlines expired.

17 **FINDING OF FACT NO. 15:** On June 6, 2026 — one day after the June 5, 2026 federal deadline had  
18 passed — law enforcement executed two physical warrant extraction attempts at Defendant’s  
19 residential address: the first at 1:03 PM and the second at 5:51 PM. The timing of these attempts,  
20 occurring within 24 hours of the federal deadline’s expiration, is consistent with a coordinated  
21 strategy to incapacitate Defendant during and immediately after his federal litigation window and is  
22 inconsistent with any routine enforcement timeline given the 185-day gap between the alleged  
23 violation and the Petition.

24 **FINDING OF FACT NO. 16:** No probable cause hearing was conducted prior to or at the May 28, 2026  
25 warrant hearing, as required by 730 ILCS 5/5-6-4 and *Gagnon v. Scarpelli*, 411 U.S. 778 (1973). The  
26 Court did not receive or consider Defendant’s exculpatory submission. No testimony was taken. No  
27 evidence was weighed. The warrant issued on the face of a Petition whose sworn allegations were  
28 negated in writing by the State’s own agency five months prior.

**FINDING OF FACT NO. 17:** The December 8 and 10, 2025 Weeks adjudications were entered on the  
Cook County Adult Probation Department’s official digital platform, a unified database accessible to  
supervising prosecutors handling cross-jurisdictional probation matters. ASA Shepherd had actual or  
constructive access to these records before signing the Petition. A supervising prosecutor who files a  
revocation petition based on a drug test result that the administering agency has formally adjudicated  
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.

**FINDING OF FACT NO. 18:** Following the May 28, 2026 warrant issuance, Defendant attempted to file  
the within Omnibus Verified Motion with the Circuit Court Clerk. Clerk’s office representative Ms.  
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.  
4

5  
6 DATE: \_\_\_\_\_

7  
8 **HON. CHRISTOPHER R. STRIDE**  
9 Circuit Court Judge, Courtroom T-611  
10 19th Judicial Circuit, Lake County, Illinois

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Submitted by: Ehab Allababidi, Defendant-Petitioner, Pro Se | 8516 W. Winona St., Chicago, IL 60656 | (773) 920-0030 |  
defcon5ready@gmail.com | Dated: June 12, 2026

# EXHIBIT G

## LAKE COUNTY e-FILING SUBMISSION AND RECEIPT

Portal submission + official receipt — JTI Ref. dc5ffbe9a07e — June 12, 2026

AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Official Lake County Portal records — submission page and filing receipt	<b>Filed/Dated:</b>	Filed June 12, 2026, 10:26:03 p.m. — Status: Submitted
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Authenticates who filed Exhibit F, and when — the client, not counsel

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*These two authenticated portal records prove the provenance of Exhibit F. The “Add Proposed Order” submission page shows Complainant tendering the proposed order under Case No. 23CF00001146; the Receipt confirms: “Your filing has been received,” Filing Title “File\_1,” Status “Submitted,” Filed By “ehab Allababidi,” JTI Ref. No. dc5ffbe9a07e, time-stamped June 12, 2026 at 10:26:03 p.m.. This is the documentary answer to the only question that matters: who did the work the public defender was appointed to do? The client did. The receipt has his name on it, not hers.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- “Add Proposed Order” portal page tendering the order under Case No. 23CF00001146
- Official Receipt: “Your filing has been received” — Status “Submitted”
- Filed By “ehab Allababidi” — the client, not counsel of record
- JTI Ref. No. dc5ffbe9a07e — time-stamped June 12, 2026 at 10:26:03 p.m.



# Circuit Court of the Nineteenth Judicial Circuit

Lake County, Illinois

## Add Proposed Order

### Add Proposed Order

▼ 🔍 ✕

23CF00001146

Document Name or Number\*  🔍 ✕

Additional Info

Filed By\*  ▼

File\*  No file selected.

Associated Document(s) (if applicable)

 Proceed



# 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 H

## LAKE COUNTY CRIMINAL & TRAFFIC CASE ACTION PAGE

*Official portal docket — appointment of counsel, fee suspension, no defense filing*

**AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962**

<b>Document:</b>	Official court record — Lake County Portal, Case No. 23CF00001146	<b>Filed/Dated:</b>	Retrieved June 12, 2026 from the Lake County Court Portal
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Corroborates appointment, indigency, and the absence of any defense filing

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*The official Lake County docket authenticates the structural facts of the abandonment: that a public defender was appointed (a “Public Defender Fee” is assessed); that Complainant’s indigency was recorded on the docket (a \$1,400.00 probation-fee “Payment Suspended” entry on November 10, 2025); and that the revocation proceeded without any responsive filing by defense counsel. The public paid for a defense. The docket shows none was provided.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Reflects a “Public Defender Fee” — a public defender was appointed and funded
- Records the November 10, 2025 “Payment Suspended” (\$1,400.00) — documented indigency
- Shows the revocation advancing with no responsive defense filing of record
- Authenticated official record retrieved from the Lake County Portal



# 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 I

## RULE 1.16(d) AND RULE 13(c) DEMAND WITH PRE-DRAFTED MOTION

Email, June 15, 2026, 11:45 PM — sent to Russell and Ticsay, cc: ARDC, HR, Clerk

AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Email transmission — demand to cure with pre-drafted filing enclosed	<b>Filed/Dated:</b>	June 15, 2026, 11:45 PM — sent to BRussell@lakecountyil.gov, GTicsay@lakecountyil.gov
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Russell had a ready-to-file motion in hand and still filed nothing

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*This is the Rule 1.16(d) and Supreme Court Rule 13(c) demand that Complainant sent directly to Russell and Chief Ticsay on June 15, 2026. It states in plain language: “Under Illinois Rule of Professional Conduct 1.16(d) and Supreme Court Rule 13(c), you have an affirmative, non-delegable duty to correct the record you abandoned.” It attaches the pre-drafted Emergency Motion for Withdrawal and Proposed Order — the exact instrument that would have cured the docket lockout with a single signature and filing. It sets a deadline of June 16, 2026 at 5:00 PM CDT. The motion was never filed. This exhibit proves that Russell had a completed, ready-to-sign legal instrument in her hands — prepared by the client — and chose not to use it.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Sent to Russell and Ticsay on June 15, 2026 at 11:45 PM
- States the Office—s affirmative, non-delegable duty under Rule 1.16(d) and Rule 13(c)
- Attaches the pre-drafted Emergency Motion for Withdrawal and Proposed Order
- Deadline passed. Motion never filed. The pre-drafted instrument was never used.



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

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**RULE 13(c) & RULE 1.16(d) DEMAND TO CURE DOCKET LOCKOUT (Case No. 23 CF 1146)**

1 message

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

Mon, Jun 15, 2026 at 11:45 PM

To: Bailey Russell &lt;BRussell@lakecountyil.gov&gt;, "Gregory C. Ticsay" &lt;GTicsay@lakecountyil.gov&gt;

Cc: humanresources@lakecountyil.gov, judicialhr@lakecountyil.gov, information@iadc.org, Circuit Clerk

&lt;CircuitClerk@lakecountyil.gov&gt;

**ATTN:** Hanna Becerra (Criminal/Traffic Court Services) & Erin Cartwright-Weinstein (Clerk of the Circuit Court)

Ms. Russell,

After ignoring my urgent request for assistance on May 29, 2026, for seventeen days while an active zero-bond warrant executed against my liberty, your June 15 email stating that you do not represent me and that the Clerk is "incorrect" is an administrative admission of a docket error.

However, internal correspondence does not alter the tribunal's operative record. The Clerk (copied here) continues to enforce a docket lockout—refusing my *pro se* filings on the sole basis of your office's lingering designation as counsel of record. While you debate the Clerk's accuracy, a zero-bond warrant reciting "PD APPOINTED" remains outstanding.

Under Illinois Rule of Professional Conduct 1.16(d) and Supreme Court Rule 13(c), you have an affirmative, non-delegable duty to correct the record you abandoned. Pointing at the Clerk does not discharge this duty. Only a docketed motion to withdraw can break this closed loop.

To eliminate any administrative burden, I have drafted the required Rule 13(c) Emergency Motion for Withdrawal and the [Proposed] Order. It contains only the facts you have already conceded in writing. It is attached to this transmission.

You and Chief Ticsay are directed to sign and file this motion no later than 5:00 p.m. CDT on Tuesday, June 16, 2026. This demand has been concurrently executed via facsimile to both your office and the Clerk; transmission receipts are attached.

Failure to execute this single ministerial act transitions your posture from administrative neglect to the willful facilitation of a constitutional deprivation, which will be immediately joined to the pending Chancery mandamus and federal § 1983 litigation.

Govern yourselves accordingly.

Ehab Allababidi Defendant, *Pro Se*

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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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**LEGAL NOTICE & CONFIDENTIALITY**

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**RULE\_116\_DEMAND\_RUSSELL.pdf**

385K

# EXHIBIT J

## RUSSELL CONFIRMS NON-REPRESENTATION AND EX PARTE HEARING COMMUNICATION

Email, June 16, 2026, 3:52 PM CT [7:52 PM ET header; VPN timezone] — ex parte

AMENDED ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Email transmission — admission of ex parte communication	<b>Filed/Dated:</b>	June 16, 2026, 3:52 PM CT [7:52 PM ET header; VPN timezone]
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Definitive proof: Russell admits the docket is wrong, confirms it ex parte with the judge, and still files nothing

### LEGAL SIGNIFICANCE — WHY THIS EXHIBIT IS DISPOSITIVE:

*This is Russell's response after the June 16, 5:00 PM deadline passed. Russell writes: "We are correct in our assertion that you have not been represented by the Lake County Public Defender's office since October 6, 2025. This was confirmed today in court by the Judge." This is an admission of an ex parte hearing communication. An attorney appeared before the presiding judge without the defendant present, without notice to the defendant, and discussed the defendant's representation status on the record. The judge confirmed the Office does not represent the defendant. The attorney then emailed the defendant to inform him of what transpired in his absence. That is an ex parte judicial communication about the substance of a pending criminal case. And critically, despite having the pre-drafted motion in hand (Ex. I), Russell still filed nothing.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Russell admits "This was confirmed today in court by the Judge" — ex parte hearing
- Confirms non-representation since October 6, 2025, yet files no motion to correct the docket
- Informs client "The Court is motioning up your case for next week" — ex parte scheduling
- Had the pre-drafted motion (Ex. I) in hand; chose not to file it



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

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**Re: Response to Request for Assistance**

1 message

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**Bailey Russell** <BRussell@lakecountyiil.gov>  
To: "defcon5ready@gmail.com" <defcon5ready@gmail.com>  
Cc: "Gregory C. Ticsay" <GTicsay@lakecountyiil.gov>

Tue, Jun 16, 2026 at 7:52 PM

Dear Ehab,

We are correct in our assertion that you have not been represented by the Lake County Public Defender's office since October 6, 2025. This was confirmed today in court by the Judge.

The Court is motioning up your case for next week in order for you to appear. If you wish to ask for the appointment of the Public Defender at that time, you may do so, however, we do not currently represent you.

Sincerely,

Bailey C. Russell

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**From:** Bailey Russell <BRussell@lakecountyiil.gov>  
**Sent:** Monday, June 15, 2026 2:24 PM  
**To:** defcon5ready@gmail.com <defcon5ready@gmail.com>  
**Cc:** Gregory C. Ticsay <GTicsay@lakecountyiil.gov>  
**Subject:** Response to Request for Assistance

Dear Ehab,

We have reviewed our records that show that you proceeded pro se on October 6, 2025.

Since that date our office has not been reappointed to represent you. This is the reason we have not responded. We do not represent you at this time.

Regarding the clerk refusing to accept your pleadings, the clerk is incorrect in believing that we are the attorney of record at this time.

Sincerely,

Bailey C. Russell

