

# ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION

## ATTORNEY DISCIPLINARY COMPLAINT TRANSMISSION

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

### DISCIPLINARY COMPLAINT

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

<b>TO:</b>	Illinois Attorney Registration & Disciplinary Commission
<b>FAX:</b>	(312) 565-2320 [URGENT — Active Warrant / Federal Proceeding]
<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 12, 2026
<b>SUBJECT:</b>	Four-Count Disciplinary Complaint: Rules 1.1, 1.3, 1.4, 8.4(d) — Allstate Coverage Omission at Sentencing; Constructive Abandonment During Probation Revocation; Failure to Appear at Zero-Bond Warrant Hearing; Failure to Respond to Formal Faretta/Cronic Notice
<b>ENCLOSURES:</b>	Complaint body + Exhibits A–E with exhibit cover pages
<b>PAGES:</b>	Pages: 27

#### LEGAL SIGNIFICANCE — WHY THIS COMPLAINT IS URGENT:

*Respondent Bailey C. Russell (ARDC 6340962) is the sole court-appointed defense attorney whose documented failures cascade across every stage of this case: she agreed to a \$2,670.86 restitution order at sentencing without investigating whether the same active Allstate insurance policy that already paid \$16,557.00 on the identical accident also covered the payee (it does); she failed to respond to the May 14, 2026 Petition for Revocation despite remaining counsel of record; she was absent from the May 28, 2026 zero-bond bench warrant hearing, leaving Complainant to appear pro se against two documented false allegations; and she failed to respond after Complainant formally served her with a written Faretta invocation and Cronic abandonment notice on June 8, 2026. An active zero-bond warrant remains outstanding for a client whose counsel has not filed a single document in over seven weeks of revocation proceedings.*

#### EXHIBITS ENCLOSED IN THIS TRANSMISSION:

- Exhibit A — Zero-Bond Bench Warrant of Arrest (May 28, 2026): direct result of Russell's non-appearance
- Exhibit B — Emergency Notice of Fraud on the Court (May 28, 2026 email): pro se filing Russell should have made
- Exhibit C — Notice of Special Appearance and Fraud on the Court (formal document): filed pro se by Complainant
- Exhibit D — Faretta Invocation & Response to Procedural Denial (June 8, 2026): served on Russell with no response
- Exhibit E — Lake County Case Action Page: documents Russell's appearances, non-appearances, and docket history

## DISCIPLINARY COMPLAINT AGAINST BAILEY C. RUSSELL

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

### I. RESPONDENT

Attorney	ARDC No.	Office	Contact
Bailey C. Russell	6340962	Lake County Public Defender's Office 18 N. County St., Waukegan, IL 60085	BRussell@lakecountyil.gov Trial/Sentencing PD, Case No. 23 CF 1146 Entered appearance through September 8, 2025 sentencing

**Note on Scope:** This complaint is directed solely at Bailey C. Russell and her four documented individual failures. The complaint does not address Scott C. Pechter, any appellate public defender, or the Chief Public Defender. Those subjects, if any, are reserved for separate proceedings. This complaint focuses on the attorney who was present at sentencing, prepared the restitution order, remained counsel of record during the revocation proceedings, and was directly served with the Faretta/Cronic notice — and who took no action at any stage.

### II. FACTUAL BACKGROUND

- On September 8, 2025, Bailey C. Russell appeared as defense counsel for Complainant Ehab Allababidi at the sentencing hearing before Hon. Christopher R. Stride, Courtroom T-611, 19th Judicial Circuit, Lake County, Illinois, Case No. 23 CF 1146. The Court sentenced Complainant to 30 months' probation, terminating March 7, 2028. Russell prepared and signed the Order for Restitution as “prepared by” defense counsel, stipulating to \$2,670.86 in restitution to O'Brien Landscape (5700 Howard St., Skokie, IL 60077) arising from the May 23, 2022 collision. ASA Francis P. De Rosa IV represented the State.
- COUNT ONE — The Allstate Failure at Sentencing.** At the time of the September 8, 2025 sentencing hearing, Allstate Fire and Casualty Insurance Company (Claim No. 0670868884, Date of Loss: May 23, 2022) had already paid \$16,557.00 to Sentry Insurance for the James W. Smith Printing Company subrogation from the same collision that generated the O'Brien Landscape restitution. The sentencing court ordered \$0.00 restitution to Smith Printing — confirming that the court was aware Allstate had satisfied that claim from the identical accident. The same Allstate policy (Claim No. 0670868884) also covers the O'Brien Landscape vehicle damage from the identical collision. A competent defense attorney preparing a restitution order on a traffic accident case, who knows that the client had active

insurance and that the insurer already paid one victim from the same accident, has an obligation to investigate whether that same policy covers the other payee before agreeing to a restitution obligation. Russell did not investigate. Russell agreed to a \$2,670.86 restitution order against a client whose active insurance policy covered the obligation. *Strickland v. Washington*, 466 U.S. 668 (1984).

3. The failure at sentencing created a direct causal chain to the revocation trap. Because Russell agreed to the restitution order without routing O'Brien Landscape to Allstate, the \$2,670.86 balance remained open. ASA Shepherd used that open balance as the predicate for a “willful nonpayment” allegation in the May 14, 2026 Petition for Revocation. The restitution allegation in the Petition is legally impossible: a defendant whose active insurance policy covers the obligation cannot “willfully” refuse to pay as a matter of law under *Bearden v. Georgia*, 461 U.S. 660 (1983). Russell's sentencing failure is not merely a past error — it is the direct causal antecedent of the active zero-bond warrant.

4. **COUNT TWO — Failure to Respond to the Petition for Revocation.** On May 14, 2026, ASA Shepherd filed a Petition for Revocation of Probation in Case No. 23 CF 1146. Bailey C. Russell was counsel of record at the time of filing. The Petition alleged: (1) a positive drug test for amphetamine; (2) five failures to report; (3) failure to complete community service; (4) failure to complete a victim impact panel; and (5) failure to pay restitution. Every one of these allegations was either false or legally deficient: the drug test result had been adjudicated fully compliant by Cook County Probation Officer Adison Weeks on December 8 and 10, 2025 (written exculpatory adjudication); the restitution obligation is covered by the active Allstate policy; the financial conditions were suspended by probation on November 10, 2025 following a documented indigency finding. Russell filed no motion. Russell conducted no investigation. Russell made no contact with Complainant.

5. **COUNT THREE — Failure to Appear at the Zero-Bond Warrant Hearing.** On May 28, 2026, the case came before Hon. Christopher R. Stride in Courtroom T-611 for a hearing that resulted in a zero-bond bench warrant. Complainant, acting entirely pro se, prepared and served an Emergency Notice of Fraud on the Court at 7:00 AM on May 28 — two hours before the hearing — attaching the December 2025 exculpatory adjudication emails. 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. A zero-bond bench warrant issued against Complainant on two documented false allegations because his court-appointed counsel was absent. The right to effective assistance of counsel extends to probation revocation proceedings. *Gagnon v. Scarpelli*, 411 U.S. 778 (1973). Under *United States v. Cronic*, 466 U.S. 648, 659 (1984), prejudice is presumed where counsel entirely fails to subject the prosecution's case to meaningful adversarial testing. The abandonment was complete. Cronic prejudice is presumed.

**6. COUNT FOUR — Failure to Respond to Formal Faretta/Cronic Notice.** At 7:08 PM on June 8, 2026, Complainant transmitted a written notice to BRussell@lakecountyil.gov, among others, formally invoking his constitutional right to self-representation under *Faretta v. California*, 422 U.S. 806 (1975) and documenting Russell's constructive abandonment under *United States v. Cronic*, 466 U.S. 648 (1984). The notice demanded emergency docketing for June 9, 2026. Russell did not respond to this notice. No communication was received from Russell. No motion was filed. No appearance was entered. No Zoom or telephonic hearing was arranged. The active zero-bond warrant remains outstanding as of June 12, 2026. Counsel who is formally served with a documented abandonment invocation and who makes no response — not even to formally withdraw — fails the minimum standard of professional conduct under Ill. R.P.C. 1.4 (duty to communicate) and 8.4(d) (conduct prejudicial to the administration of justice).

**III. RULE VIOLATIONS — BAILEY C. RUSSELL**

Rule	Requirement	Russell's Failure
<b>Rule 1.1 (Competence)</b>	Provide competent representation requiring the skill, thoroughness, and preparation reasonably necessary for the representation.	Agreed to \$2,670.86 restitution order without investigating whether active Allstate Claim 0670868884 (which had already paid \$16,557 on the same accident) also covered O'Brien Landscape. Same insurer. Same claim. Same accident. A competent attorney investigates before stipulating.
<b>Rule 1.3 (Diligence)</b>	Act with reasonable diligence and promptness in representing a client.	No response to May 14, 2026 Petition for Revocation despite remaining counsel of record. No investigation. No contact with client. No appearance at May 28 warrant hearing. No motion filed in the entire revocation proceeding spanning May 14 – June 12, 2026.
<b>Rule 1.4 (Communication)</b>	Keep the client reasonably informed about the status of the matter and promptly respond to reasonable requests for information.	Zero communication to Complainant about the Petition (May 14), the available defenses (Weeks adjudication; Allstate coverage), the May 28 hearing, the warrant outcome, or the June 8 Faretta notice. Complainant was forced to litigate pro se with no coordination.

<b>Rule 8.4(d) (Prejudicial to Justice)</b>	It is misconduct to engage in conduct prejudicial to the administration of justice.	Abandoning a client to an active zero-bond warrant on two documented false allegations, while the client simultaneously litigates a federal civil rights case pro se — with preserved, available, dispositive exculpatory evidence that was never presented to the court because no attorney appeared — undermines the right to counsel and the integrity of the criminal justice system.
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#### **IV. RELIEF REQUESTED**

Complainant respectfully requests that the ARDC:

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;
2. **Obtain the complete case record** for Case No. 23 CF 1146 from the 19th Judicial Circuit, confirming attorney appearances, all filings in the revocation proceeding, and the May 28, 2026 bench warrant transcript;
3. **Request a written response** from Russell explaining: (a) why the Allstate coverage was not investigated before agreeing to the restitution order; (b) why no response was filed to the May 14, 2026 Petition; (c) why no attorney appeared at the May 28, 2026 warrant hearing; (d) why no response was made to the June 8, 2026 Faretta/Cronic notice;
4. **Consider emergency supervisory measures** requiring Russell to either provide Complainant with competent representation in the ongoing revocation proceedings or formally withdraw under Ill. R.P.C. 1.16, so that Complainant may seek independent counsel while the zero-bond warrant remains outstanding; and
5. **Initiate formal disciplinary proceedings** if Russell's response confirms the violations described herein, with particular attention to the complete constructive abandonment at the May 28, 2026 warrant hearing and the failure to respond to a formal Faretta invocation served by certified notice.

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#### **COMPLAINANT:**

/s/ Ehab Allababidi

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

/s/ Ehab Allababidi

## V. INDEX OF EXHIBITS

Exhibit	Document	Relevance to This Complaint
Ex. A	Zero-Bond Bench Warrant of Arrest, issued May 28, 2026	Direct result of Russell's non-appearance at the warrant hearing; Complainant incurs ongoing custodial jeopardy because his counsel did not appear
Ex. B	Complainant's Emergency Notice of Fraud on the Court (email, May 28, 2026)	The pro se notice Complainant was forced to prepare and serve two hours before the hearing because Russell made no filing; proves the defense was documented and available
Ex. C	Notice of Special Appearance and Fraud on the Court (formal document)	Formal pro se invocation of Faretta rights and documentation of Chronic abandonment — filed because no attorney from the Public Defender's Office appeared
Ex. D	Faretta Invocation & Response to Procedural Denial (email, June 8, 2026)	Written notice served directly to BRussell@lakecountyil.gov formally invoking self-representation and documenting constructive abandonment; Russell did not respond
Ex. E	Lake County Case Action Page (official portal record, June 12, 2026)	Docket showing Russell's entry of appearance, the May 28 hearing with no PD entry, the bench warrant, and the ongoing status of Case No. 23 CF 1146

# EXHIBIT A

## ZERO-BOND BENCH WARRANT OF ARREST

Issued May 28, 2026 — Courtroom T-611 — Case No. 23 CF 1146

ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Bench Warrant — Lake County Circuit Court, 19th Judicial Circuit	<b>Filed/Dated:</b>	Issued May 28, 2026 — by 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 Russell's non-appearance at the warrant hearing

### 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, served an Emergency Notice two hours before the hearing, and attached December 2025 exculpatory adjudications disproving the drug allegation. The warrant issued on two documented false allegations because Bailey C. Russell — counsel of record — was absent. An active zero-bond warrant remains outstanding as of June 12, 2026.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Zero-bond warrant: Complainant subject to immediate custodial extraction upon encounter
- No attorney present at hearing despite Russell remaining counsel of record
- Exculpatory evidence was available, documented, and served by Complainant pro se
- Russell made no appearance, no filing, no motion before or after the hearing



**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 B

## EMERGENCY NOTICE OF FRAUD ON THE COURT

Email served May 28, 2026 — Pro Se filing two hours before warrant hearing

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 (transmitted prior to 9:00 AM hearing)
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	The filing Russell should have made — prepared pro se by Complainant

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

*This emergency notice documents the exact defense that Russell failed to assert: that the drug test allegation was disproved by Cook County Probation Officer Adison Weeks's written December 8 and 10, 2025 adjudications. Complainant prepared and served this notice entirely without assistance from the attorneys assigned to represent him. It was filed two hours before the hearing at which Russell was absent. The defense was documented, available, and dispositive. Russell never filed it.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Attaches December 2025 Weeks adjudications: drug test formally adjudicated 'all negative'
- Invokes Brady v. Maryland, 373 U.S. 83 (1963) and Napue v. Illinois, 360 U.S. 264 (1959)
- Served on ASA Shepherd, Circuit Court Clerk, and other parties
- Russell was not the author — this was a pro se filing by the client Russell abandoned



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

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

1 message

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

Thu, May 28, 2026 at 7:00 AM

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

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

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

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

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

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

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

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

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

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

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

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**Ehab Allababidi**

Personal Signature

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

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

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

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

44K

**DKT16.pdf**

20139K

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

55K

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

76K

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

58K

# EXHIBIT C

## NOTICE OF SPECIAL APPEARANCE AND FRAUD ON THE COURT

*Formal pro se invocation of Faretta rights and Cronic abandonment record*

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

<b>Document:</b>	Formal legal document — pro se filing by Ehab Allababidi	<b>Filed/Dated:</b>	Prepared June 2026 — submitted pro se
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Formal Faretta invocation and Cronic abandonment documentation

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

*This formal document constitutes Complainant's written invocation of his Sixth Amendment right to self-representation under Faretta v. California, 422 U.S. 806 (1975), and his formal documentation that Bailey C. Russell constructively abandoned him within the meaning of United States v. Cronin, 466 U.S. 648 (1984). The document was prepared pro se because Russell was absent. Its existence is itself proof of the abandonment: a represented defendant does not need to file his own special appearance.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Formal invocation of Faretta v. California, 422 U.S. 806 (1975) self-representation right
- Documents constructive abandonment under United States v. Cronin, 466 U.S. 648 (1984)
- Filed pro se — Russell filed nothing; Complainant was forced to appear in her place
- Preserved on the record as Complainant's formal pro se appearance

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

**PEOPLE OF THE STATE OF ILLINOIS,**  
*Plaintiff,*

v.

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

Case No.: **23 CF 1146**

Judge: *Hon. Christopher Stride*

Courtroom: *T-611*

**CRIMINAL DIVISION**

*Probation Revocation Proceeding*

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

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

**DATE:** May 28, 2026

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 28 **V. RELIEF DEMANDED**

WHEREFORE, Defendant respectfully demands:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Executed on May 28, 2026 in Chicago, Illinois.

/s/ Ehab Allababidi

**EHAB ALLABABIDI**, *Pro Se* Defendant  
8516 W. Winona St., Chicago, IL 60656  
(773) 920-0030 | [defcon5ready@gmail.com](mailto:defcon5ready@gmail.com)  
Dated: May 28, 2026

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2 **CERTIFICATE OF SERVICE**

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

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

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

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

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

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

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

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

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

/s/ Ehab Allababidi

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EHAB ALLABABIDI, *Pro Se*

Defendant

Dated: May 28, 2026

# EXHIBIT D

## FARETTA INVOCATION & RESPONSE TO PROCEDURAL DENIAL

Email served June 8, 2026 directly to BRussell@lakecountyil.gov — no response received

ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Email transmission — written Faretta/Cronic notice served on Russell	<b>Filed/Dated:</b>	June 8, 2026 at 7:08 PM — served to BRussell@lakecountyil.gov
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Formal written notice served on Russell; she did not respond

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

*This email was served directly to Bailey C. Russell at her confirmed professional email address (BRussell@lakecountyil.gov) on June 8, 2026, formally invoking Complainant's constitutional right to self-representation under Faretta v. California and documenting her constructive abandonment under United States v. Cronic. The notice demanded emergency docketing for June 9, 2026. Russell made no response. An attorney who is formally served with a Faretta invocation and takes no action — not even to communicate, file a withdrawal, or seek a continuance — fails Rule 1.4 (communication) and Rule 8.4(d) (prejudicial to justice) as a matter of professional responsibility.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Addressed directly to BRussell@lakecountyil.gov (Russell's confirmed active email)
- Formally invokes Faretta v. California, 422 U.S. 806 (1975)
- Documents Cronic constructive abandonment and demands emergency docketing
- Zero response from Russell as of June 12, 2026 — four days after service



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

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

1 message

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

Mon, Jun 8, 2026 at 7:08 PM

To: Circuit Clerk &lt;CircuitClerk@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)

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**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 E

## LAKE COUNTY CASE ACTION PAGE

Official portal docket record — documents appearances, non-appearances, warrant

ARDC COMPLAINT — BAILEY C. RUSSELL, ARDC 6340962

<b>Document:</b>	Official court record — Lake County Portal, Case No. 23 CF 1146	<b>Filed/Dated:</b>	Retrieved June 12, 2026 from Lake County Court Portal
<b>Case No.:</b>	23 CF 1146 — People v. Allababidi, 19th Jud. Circuit, Lake County	<b>Relevance:</b>	Docket confirms Russell's entry of appearance and non-appearance on May 28

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

*The official Lake County docket for Case No. 23 CF 1146 documents: Bailey C. Russell's entry of appearance as defense counsel; the May 28, 2026 warrant hearing at which no defense attorney appeared; the issuance of the zero-bond bench warrant on that date; and the charges underlying the Petition for Revocation. The docket is the official court record and is authenticated by the Lake County Court Portal. It confirms that Russell was counsel of record on May 28, 2026, that no defense attorney appeared, and that the warrant issued in her absence.*

### KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Confirms Russell's entry of appearance as defense counsel in Case No. 23 CF 1146
- Records May 28, 2026 hearing date and zero-bond bench warrant issuance
- Documents all charges in the Petition for Revocation: drug test, failure to report (x5), fees
- Official authenticated court record retrieved from Lake County Portal June 12, 2026



# 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