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2 **NOTICE OF CONSTITUTIONALLY DEFECTIVE WARRANT**

3 *Pending Federal Civil Rights Liability & Mandatory Litigation Hold*

4 *— Issued Pursuant to 42 U.S.C. § 1983, Malley v. Briggs, 475 U.S. 335 (1986), and Fed. R. Civ. P. 37(e) —*

5 June 6, 2026

6 **VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED, ELECTRONIC MAIL, AND
FACSIMILE**

7 **Chief of Police**

8 Lincolnshire Police Department
9 1 Olde Half Day Road
10 Lincolnshire, IL 60069
11 Fax: (847) 883-9909

12 **District Commander**

13 Chicago Police Department, 16th District (Jefferson Park)
14 5151 N. Milwaukee Avenue
15 Chicago, IL 60630
16 Fax: (312) 742-4421

17 **Corporation Counsel**

18 City of Chicago Department of Law
19 121 N. LaSalle Street, Room 600
20 Chicago, IL 60602
21 Fax: (312) 744-5185

22 **Village Attorney**

23 Village of Lincolnshire
24 1 Olde Half Day Road
25 Lincolnshire, IL 60069
26 Fax: (847) 883-8608

27 **RE: Active No-Bond Bench Warrant — Lake County Case No. 23 CF 1146**

28 **Subject Individual: Ehab Allababidi (DOB: 09/24/1996)**

Residence: 8516 W. Winona St., Chicago, IL 60656

Federal Action: Allababidi v. Shepherd, et al., N.D. Ill. Case No. 1:26-cv-0 ____

Issued Under: 42 U.S.C. § 1983 — Civil Rights Complaint Filed

Ladies and Gentlemen:

29 **I. NATURE AND URGENCY OF THIS NOTICE**

30 This Notice is served upon each of you in your individual and official capacities to provide actual,
31 written notice of the following jurisdictional and constitutional facts, each of which carries immediate
32 consequences for any law enforcement officer or command staff member who takes any affirmative
33 action to enforce the warrant described herein.

1 **This is not a grievance letter. This is a legal notice with binding consequences.** Failure to act upon
2 the information contained herein — specifically, the duty to flag the warrant as contested and the duty
3 to preserve all evidence — will constitute the independent and personal waiver of any claim to
4 qualified immunity by each officer who executes or authorizes the execution of the warrant after receipt
5 of this Notice, and will subject each such officer and the undersigned municipalities to liability for
6 compensatory and punitive damages under 42 U.S.C. § 1983, including but not limited to damages for
false imprisonment, malicious prosecution, and deprivation of access to the courts.

7 Physical attempts to execute this warrant have already occurred at the subject residence on June 6,
8 2026. Officers appeared at approximately 1:03 PM and again at approximately 5:51 PM. Both visits
9 were recorded on the home doorbell video camera system, providing independent, timestamped
10 audio-video evidence of the presence of law enforcement personnel attempting enforcement of the
11 constitutionally defective warrant. This Notice is being transmitted to ensure that no further such
attempt occurs without the full constitutional accountability that this document establishes.

12 **II. THE WARRANT IS CONSTITUTIONALLY DEFECTIVE AND VOID AB** 13 **INITIO**

14 The May 28, 2026 zero-bond bench warrant issued in Lake County Case No. 23 CF 1146 was procured
15 through the knowing use of fabricated evidence, in direct violation of the Due Process Clause of the
16 Fourteenth Amendment as interpreted in *Napue v. Illinois*, 360 U.S. 264, 269 (1959), and *Miller v.*
17 *Pate*, 386 U.S. 1, 6—7 (1967). The warrant is void ab initio and cannot serve as lawful authority for the
seizure of the subject individual.

18 **A. The Fabricated Drug Allegation**

19 The Petition for Revocation of Probation that served as the sole basis for the warrant alleged that the
20 subject individual tested positive for “Amphetamine (illegal substance)” on November 10, 2025. This
21 allegation is mathematically false. The Cook County Adult Probation Department, a coordinate agency
22 of the State of Illinois, received the identical laboratory result, verified the lawful Adderall prescription,
23 and formally adjudicated the test as compliant on December 10, 2025. Officer Adison Weeks
24 confirmed in writing on December 8, 2025, that the subject’s “drug test results were all negative”, and
25 on December 10, 2025, stated: “it is all negative in my eyes because I know you are still taking the
26 Adderall.” (A true and correct copy of this exculpatory correspondence is attached hereto as Exhibit 1
27 and incorporated by reference.) The prosecutor who signed the Petition for Revocation, Assistant
28 State’s Attorney Nicholas Shepherd, knew or should have known that the amphetamine allegation was
false at the time he swore to it under penalty of perjury.

1 Under *Franks v. Delaware*, 438 U.S. 154, 155—56 (1978), a warrant obtained through a false statement
2 knowingly and intentionally made, or with reckless disregard for the truth, must be voided and the false
3 material set aside. Because the Petition for Revocation was the sole evidentiary predicate for the
4 warrant, and because the central factual allegation in that Petition is demonstrably false, the warrant is
5 void ab initio and cannot serve as lawful authority for any seizure.

6 **B. The Warrant Was Issued Without Probable Cause**

7 The warrant was issued without a probable cause hearing, without the taking of testimony, and without
8 any adjudication of the merits of the Petition for Revocation. The state court issued the warrant despite
9 having received, two hours before the hearing, a formal Notice of Special Appearance and Emergency
10 Notice of Fraud on the Court (attached as Exhibit 2) that explicitly identified the *Napue* perjury and
11 warned that issuing the warrant would constitute participation in a federal witness tampering
12 conspiracy under 18 U.S.C. § 1512(b). The subject’s right to be free from unreasonable seizure under
13 the Fourth Amendment was violated when the warrant issued without a finding of probable cause based
14 on reliable evidence. *Gerstein v. Pugh*, 420 U.S. 103, 111—14 (1975); *County of Riverside v.*
McLaughlin, 500 U.S. 44, 52—53 (1991).

14 **C. The Prosecutor’s Communication Blockade**

15 ASA Shepherd’s signature block on the Petition for Revocation contains no phone number, no email
16 address, and no office extension — a direct violation of Illinois Supreme Court Rule 131(b). This
17 omission was a calculated communication blockade designed to prevent the subject from contacting the
18 prosecutor to present exculpatory evidence before the warrant issued. The state cannot prosecute a
19 defendant for failing to communicate while its own prosecutor has deliberately erased the contact
20 vector the defendant would use. This independently violates the Due Process Clause as interpreted in
Hicks v. Oklahoma, 447 U.S. 343, 346 (1980), and *Morrissey v. Brewer*, 408 U.S. 471, 482 (1972).

21 **III. QUALIFIED IMMUNITY IS DESTROYED FOR ANY OFFICER EXECUTING 22 THIS WARRANT AFTER RECEIPT OF THIS NOTICE**

23 This Notice serves as the legal instrument that strips qualified immunity from any officer who executes,
24 participates in, or authorizes the execution of this warrant after receipt.

25 Under *Malley v. Briggs*, 475 U.S. 335, 344—45 (1986), a law enforcement officer who applies for or
26 executes a warrant is not entitled to qualified immunity if a reasonably well-trained officer would have
27 known that the warrant was not supported by probable cause. The Supreme Court held that the shield of
28 qualified immunity is lost where “no officer of reasonable competence would have requested the
warrant.” 475 U.S. at 346—47. Once an officer is placed on actual notice that the warrant was procured
through fabricated evidence, that officer cannot claim the protection of objective reasonableness. The

warrant's facial validity is destroyed by the documentary proof attached to this Notice.

Under *Groh v. Ramirez*, 540 U.S. 551, 564—65 (2004), an officer who executes a warrant that is so facially deficient that it cannot reasonably be presumed valid forfeits qualified immunity. Here, the warrant is not merely facially deficient — it is the product of sworn perjury that has been mathematically disproven by the State's own documentary record. Receipt of this Notice, with the attached Exhibit 1, places the executing officer on actual notice that the warrant is constitutionally void.

Under *Harlow v. Fitzgerald*, 457 U.S. 800, 818 (1982), qualified immunity protects government officials only where their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known. The right to be free from arrest pursuant to a warrant procured through fabricated evidence has been clearly established since at least *Napue v. Illinois*, 360 U.S. 264 (1959), and *Franks v. Delaware*, 438 U.S. 154 (1978). No reasonable officer could believe that executing a warrant known to be procured through prosecutorial perjury is lawful.

Accordingly, any officer who effects a custodial extraction of the subject individual after the date and time of this Notice, or any command staff member who authorizes, directs, or fails to prevent such extraction, will be deemed to have acted with actual knowledge of the warrant's constitutional invalidity and will forfeit any claim to qualified immunity. Each such officer will be named individually as a defendant in an amended complaint under 42 U.S.C. § 1983 and will be subject to personal liability for compensatory and punitive damages.

Loss of Municipal Indemnification. Be advised that executing a warrant with actual knowledge of its fraudulent procurement constitutes willful and wanton misconduct. Under the Illinois Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/2-202 and 745 ILCS 10/9-102, municipalities routinely refuse to indemnify officers for judgments arising from willful and wanton deprivation of civil rights. If you execute this warrant after receipt of this Notice, you will be personally and individually liable for all compensatory and punitive damages awarded against you, and your personal assets will be subject to execution. No municipal treasury will rescue you from a judgment entered on a claim arising from a warrant you knew was procured through perjury.

IV. STAND DOWN DIRECTIVE AND IMMEDIATE ACTIONS REQUIRED

Each recipient agency is hereby directed to take the following actions immediately upon receipt of this Notice:

- (1) Formal Refusal of Execution and Notification to Originating Agency.** Immediately circulate a district-wide **Do Not Execute** directive regarding Lake County Warrant No. 23 CF 1146. You are legally required to contact the Lake County Sheriff's Office Warrants Division to formally notify the originating agency that your department declines to enforce the warrant due to documented *Franks* and *Malley* violations. The audio and CAD logs of this refusal notification must be preserved. The warrant's probable cause foundation has been mathematically disproven, as demonstrated by the attached exhibits. Continued active enforcement of a warrant known to be void constitutes false imprisonment under color of law.

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(2) **Cease All Active Execution Attempts.** Immediately suspend all physical, surveillance-based, or intelligence-driven efforts to locate and apprehend the subject individual at the Winona Street residence or elsewhere. Any further attempt to execute this warrant after receipt of this Notice will be deemed an intentional, knowing violation of clearly established constitutional law and will result in the immediate filing of a supplemental complaint naming the executing officers and their supervisors as individual defendants.

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(3) **Initiate an Internal Inquiry.** Commence an immediate internal inquiry into the circumstances under which officers of your command conducted physical presence operations at the subject residence, including the factual basis for any surveillance, the chain of command authorizing such operations, and whether any officer or dispatcher had actual or constructive knowledge of the pending federal civil rights action before such operations commenced.

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(4) **Duty to Intervene — 7th Circuit Mandate.** Under *Byrd v. Brishke*, 466 F.2d 6 (7th Cir. 1972), and its progeny, every law enforcement officer possesses an affirmative constitutional duty to intervene to prevent another officer from violating a citizen’s constitutional rights. Because the Chicago Police Department (16th District) now possesses actual knowledge that the Lake County warrant is a product of *Napue* perjury, any CPD officer who observes or assists Lincolnshire Police or Lake County deputies in executing this warrant at the Winona Street residence — and fails to actively intervene to stop the unlawful seizure — will be held equally liable under 42 U.S.C. § 1983.

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(5) **Notify Other Agencies.** Immediately notify all mutual-aid, task force, and regional law enforcement entities operating within your jurisdictional sphere that execution of this warrant has been formally refused and that enforcement has been suspended pending federal judicial review.

19 **V. MANDATORY LITIGATION HOLD AND PRESERVATION OF EVIDENCE**

20 This Notice activates an immediate, mandatory litigation hold under Fed. R. Civ. P. 37(e) and the
21 inherent authority of the federal courts to sanction spoliation of evidence. All routine document
22 retention, rotation, and destruction policies are suspended effective immediately as to the following
categories of evidence:

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25 **Dispatch Logs and Communications:** All dispatch logs, computer-aided dispatch (CAD) records, radio communications transcripts, and internal communications relating to any deployment of officers to the Winona Street residence or to any attempt to execute the warrant described herein.

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28 **Doorbell Camera and Residential Surveillance Footage:** All front doorbell camera footage, residential surveillance system recordings, and any other video or audio records capturing law enforcement presence at or near 8516 W. Winona St., Chicago, IL on June 6, 2026. This specifically includes footage recorded at approximately 1:03 PM and 5:51 PM, which documents

1 the exact times of law enforcement presence and any associated communications. Any deletion,
2 overwrite, or loss of this footage will be prosecuted as intentional spoliation under Fed. R. Civ.
3 P. 37(e)(2).

4 **Body-Worn Camera Footage:** All body-worn camera (BWC) footage, in-car camera footage, and
5 any other video or audio recordings made by any officer or surveillance device in connection
6 with any contact or attempted contact with the subject individual at any location. **This**
7 **preservation demand applies strictly and immediately to all dispatch logs, ALPR hits, and**
8 **BWC footage generated during physical presence at 8516 W. Winona St., Chicago, IL on**
9 **the following dates and approximate times:**

- **June 6, 2026, at approximately 1:03 PM**
- **June 6, 2026, at approximately 5:51 PM**

10 Any overwrite of the BWC server architecture covering these specific dates and time windows
11 will be prosecuted as intentional spoliation under Fed. R. Civ. P. 37(e)(2).

12 **Automatic License Plate Reader (ALPR) Data:** All ALPR hits, GIS tracking data, and
13 surveillance logs relating to the subject individual's vehicle (2011 Mercedes-Benz GL450
14 4MATIC, IL Plate: [REDACTED]) or any vehicle registered to the Winona Street address.

15 **Supervisory Authorizations:** All written or electronic authorizations, chain-of-command approvals,
16 briefing notes, and operational plans relating to the execution of the warrant.

17 **LEADS/NCIC Query Logs:** All query logs, search histories, and metadata documenting any law
18 enforcement database inquiry into the subject individual or the warrant at any time.

19 **Spoliation Warning: Any deletion, destruction, alteration, or loss of evidence within the categories**
20 **identified above will be documented as spoliation and submitted to the United States District Court in**
21 **support of motions for adverse inference instructions under Fed. R. Civ. P. 37(e)(2) and for monetary**
22 **sanctions payable personally by the responsible custodians and their supervisors. See *Zubulake v. UBS***
23 ***Warburg LLC*, 220 F.R.D. 212, 216—18 (S.D.N.Y. 2003).**

24 **VI. PENDING FEDERAL CIVIL RIGHTS ACTION**

25 On June 6, 2026, the subject individual filed a Civil Rights Complaint under 42 U.S.C. § 1983 in the
26 United States District Court for the Northern District of Illinois, Eastern Division, captioned *Allababidi*
27 *v. Shepherd, Cervantes, Lee, Fontana, Lake County, and Cook County*, Case No. 1:26-cv-0____. The
28 Complaint alleges, among other things, that the May 14, 2026 Petition for Revocation and the May 28,
2026 warrant were procured through a multi-agency retaliatory conspiracy that included prosecutorial
fabrication of evidence, identity concealment by probation officers, forensic spoliation of the subject's
response time via deliberate mail delays, and the knowing submission of false sworn testimony. A true
and correct copy of the Complaint is attached as Exhibit 3 and incorporated by reference.

1 The federal court has subject-matter jurisdiction over the action under 28 U.S.C. § 1331 and 28 U.S.C.
2 § 1343(a)(3). The Anti-Injunction Act does not bar this Court from enjoining the enforcement of the
3 state court warrant because 42 U.S.C. § 1983 is an Act of Congress expressly authorizing federal courts
4 to enjoin unconstitutional proceedings in state courts. *Mitchum v. Foster*, 407 U.S. 225, 243 (1972).
5 The *Younger* abstention doctrine is inapplicable because the state proceeding was brought in bad faith,
6 as demonstrated by the attached exhibits. *Dombrowski v. Pfister*, 380 U.S. 479, 490 (1965); *Huffman v.*
Pursue, Ltd., 420 U.S. 592, 611 (1975).

7 **VII. REQUIRED CERTIFICATION OF COMPLIANCE**

8 Each recipient is directed to provide a written certification of compliance, under penalty of perjury,
9 within **seven (7) calendar days** of service of this Notice. The certification must:

- 10 • Identify by name and badge number the individual(s) responsible for implementing the stand-down
11 directive and litigation hold;
- 12 • Confirm the exact date and time the formal refusal of execution was communicated to the Lake
13 County Sheriff’s Office Warrants Division, and the identity of the officer who placed the notification
14 call, along with the CAD incident number;
- 15 • Describe the specific steps taken to preserve each category of evidence identified in the Litigation
16 Hold;
- 17 • Identify any records within the scope of this Hold that have been deleted, destroyed, altered, or
18 otherwise made unavailable since May 28, 2026, and explain the circumstances of such loss;
- 19 • Confirm that all officers under your command have been notified of the litigation hold and the
20 stand-down directive.

21 Certifications should be directed to the undersigned at the contact information provided below. Failure
22 to provide a timely certification will be treated as a concession that no preservation steps were taken
23 and that spoliation has occurred.

24 **CLOSING**

25 This Notice is issued with the full understanding that the duty to preserve evidence is self-executing.
26 No court order is required to activate a litigation hold once litigation is reasonably anticipated.
27 *Zubulake v. UBS Warburg LLC*, 229 F.R.D. 422, 432 (S.D.N.Y. 2004). Litigation was reasonably
28 anticipated no later than May 22, 2026, when a Notice of Mandatory Litigation Hold was served on the
Lake County State’s Attorney’s Office. This Notice supplements and expands that hold to cover the law

1 enforcement agencies whose officers are attempting to execute the constitutionally defective warrant.

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3 Any argument that this Notice should have been formally served by the Court rather than by the subject
4 individual is a concession of willful ignorance of established federal preservation law. The duty to
5 preserve and the duty to refrain from executing a warrant known to be void do not depend upon the
6 form in which notice is given; they depend upon the content of the information disclosed. This
7 document discloses, with mathematical certainty, that the warrant you have been directed to enforce is
8 constitutionally void. You act on that knowledge at your own personal and professional peril.

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10 The undersigned reserves all rights to seek emergency injunctive relief from the United States District
11 Court, to file an amended complaint naming individual officers and command staff, and to pursue
12 sanctions for any spoliation of evidence that occurs after the date of this Notice.

13 Respectfully,

14 /s/ Ehab Allababidi

15 **EHAB ALLABABIDI**

16 8516 W. Winona St., Chicago, IL 60656

17 (773) 920-0030 | defcon5ready@gmail.com

18 *Plaintiff, Pro Se*

19 *Allababidi v. Shepherd, et al.*

20 N.D. Ill. Case No. 1:26-cv-0____

21 Dated: June 6, 2026

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CERTIFICATE OF SERVICE

3 I, EHAB ALLABABIDI, certify under penalty of perjury that on the date set forth above, I caused the
4 foregoing NOTICE OF CONSTITUTIONALLY DEFECTIVE WARRANT, IMPENDING FEDERAL
5 CIVIL RIGHTS LIABILITY, AND MANDATORY LITIGATION HOLD to be served on the
6 following recipients via certified mail, return receipt requested, electronic mail, and facsimile
7 transmission. Printed fax confirmation receipts, which are self-authenticating business records under
8 Fed. R. Evid. 803(6) and lock the exact minute of service for each recipient, are retained in the
9 undersigned's records:

Chief of Police

7 Lincolnshire Police Department
1 Olde Half Day Road, Lincolnshire, IL 60069
8 Fax: (847) 883-9909
9 Email: [chief@lincolnshireil.gov]

District Commander

10 Chicago Police Department, 16th District
11 5151 N. Milwaukee Avenue, Chicago, IL 60630
12 Fax: (312) 742-4421
13 Email: [district16@chicagopolice.org]

Corporation Counsel

13 City of Chicago Department of Law
14 121 N. LaSalle Street, Room 600, Chicago, IL 60602
15 Fax: (312) 744-5185
16 Email: [corp counsel@cityofchicago.org]

Village Attorney

16 Village of Lincolnshire
17 1 Olde Half Day Road, Lincolnshire, IL 60069
18 Fax: (847) 883-8608
19 Email: [villageattorney@lincolnshireil.gov]

20 A copy has also been served upon the Lake County State's Attorney's Office and ASA Nicholas
21 Shepherd.

22 Executed under Fed. R. Civ. P. 5(b)(2)(E) and Illinois Supreme Court Rule 11.

23 /s/ Ehab Allababidi

24 _____
25 EHAB ALLABABIDI

26 Dated: June 6, 2026
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