

FORMAL COMPLAINT OF PROBATION OFFICER MISCONDUCT

FAX TRANSMISSION — Pursuant to the Probation and Probation Officers Act, 730 ILCS 110/

MARISA CERVANTES — Lake County Adult Probation

COMPLAINT OF PROBATION OFFICER MISCONDUCT

Submitted to the AOIC Probation Services Division (730 ILCS 110/15) and the appointing Chief Judge

TO:	Administrative Office of the Illinois Courts — Probation Services Division Attn: Dwayne Johnson, Chief Compliance Officer; Dan Hunt, Director
FAX:	(847) 984-5790 — Lake County Adult Probation (Office of the Director / forward to Chief Judge)
ADDRESS:	222 N. LaSalle St., Suite 1300A, Chicago, IL 60601 (also: 3101 Old Jacksonville Rd, Springfield, IL 62704)
COPY TO:	Hon. Daniel B. Shanes, Chief Judge, 19th Judicial Circuit, 18 N. County St., Waukegan, IL 60085 Division of Adult Probation Services, 215 W. Water St., Waukegan, IL 60085 (Fax (847) 984-5790)
FROM:	Ehab Allababidi, Complainant, Pro Se 8516 W. Winona St., Chicago, IL 60656 — (773) 920-0030 — defcon5ready@gmail.com
RESPONDENT:	Marisa Cervantes, Adult Probation Officer Lake County (19th Judicial Circuit) Division of Adult Probation Services 215 W. Water St., Waukegan, IL 60085 mcervantes@lakecountyil.gov (847) 377-3614 Supervisor: Lori Carrier
CASE:	People v. Allababidi, No. 23 CF 1146 (19th Jud. Cir., Lake County) Related Fed.: 1:26-cv-06738 (42 U.S.C. § 1983) — Respondent is a named defendant
DATE:	June 13, 2026
SUBJECT:	Six-Count Complaint — False Official Report (April 8, 2026 Memorandum); Nondisclosure of Exculpatory Adjudication; 100-Day Identity Concealment Defeating the Reporting Duty; Manufacturing a “Failure-to-Report” Default; Revocation Recommendation on Indigency-Suspended Fees; Participation in the Custodial Seizure and Post-Warrant Lure Letter
ENCLOSURES:	Verified Complaint + Exhibits A–G with exhibit cover pages
PAGES:	Pages: 39

SUMMARY OF MISCONDUCT:

Respondent placed an anonymous telephonic directive on February 19, 2026 and then concealed her identity and contact information for 100 days, manufacturing a “failure-to-report” default. On April 8, 2026 she authored an official memorandum recommending revocation that falsely stated the defendant “has not provided an updated prescription” — omitting the Cook County adjudication, months earlier, that the test was compliant — and cited a fee balance the county had already suspended for indigency. She appeared in court when the zero-bond warrant issued, then sent her first communication in 100 days the day after, urging surrender.

EXHIBITS ENCLOSED:

- Exhibit A — Cervantes's own April 8, 2026 Memorandum: the false “no updated prescription” report recommending revocation
- Exhibit B — February 19, 2026 Memorialization: the anonymous call and demand to identify the officer

VERIFIED COMPLAINT OF PROBATION OFFICER MISCONDUCT

Against Marisa Cervantes, Adult Probation Officer, Lake County (19th Judicial Circuit) Division of Adult Probation Services 215 W. Water St., Waukegan, IL 60085

Submitted under the Probation and Probation Officers Act, 730 ILCS 110/, to the AOIC Probation Services Division and the appointing Chief Judge

I. RESPONDENT OFFICER

Officer	Department	Role in This Case	Contact
Marisa Cervantes	Lake County (19th Judicial Circuit) Division of Adult Probation Services 215 W. Water St., Waukegan, IL 60085	Supervising probation officer Authored the April 8, 2026 revocation memorandum Present at the May 28, 2026 warrant hearing	mcervantes@lakecountyil.gov (847) 377-3614 Supervisor: Lori Carrier

Note on Scope. This complaint concerns only the conduct of Marisa Cervantes. The separate conduct of the prosecutor (ASA Nicholas Shepherd) and appointed defense counsel is the subject of separate ARDC complaints, and the conduct of the presiding judge is the subject of a separate complaint to the Judicial Inquiry Board. Cook County Officer Adison Weeks is not a subject of any complaint; she correctly adjudicated the drug test compliant and is the exculpatory witness.

Authority. Probation officers are appointed by, and serve under, the Chief Judge of the circuit, and are governed by uniform standards developed, promulgated, and enforced by the Administrative Office of the Illinois Courts (AOIC) Probation Services Division under the Probation and Probation Officers Act, 730 ILCS 110/15. Each probation officer takes an oath to support the Constitution and laws of the United States and of Illinois and to faithfully perform the duties of office (730 ILCS 110/16). The conduct described below violates those duties. The Illinois Attorney General filed a Notice of Non-Involvement on April 28, 2026, declining to defend the state actors in the related federal civil-rights action — an official refusal to treat this conduct as within the scope of legitimate state employment.

II. FACTUAL BACKGROUND AND COUNTS OF MISCONDUCT

- On September 8, 2025, the defendant was sentenced to 30 months' probation in Case No. 23 CF 1146. Respondent Marisa Cervantes became his supervising Lake County probation officer.
- COUNT ONE — False and Misleading Statement in an Official Report** On April 8, 2026, Respondent authored and signed an official Memorandum to the Lake County State's Attorney (Exhibit A) recommending that a Petition for Revocation be filed. Paragraph 4

states that the defendant tested positive for amphetamines and “has not provided an updated prescription.” That statement was materially false: Cook County Adult Probation Officer Adison Weeks had already adjudicated the November 2025 test compliant with the defendant's active, on-file Adderall prescription in written adjudications dated December 8 and 10, 2025 (Exhibit C) — nearly four months before Respondent's memorandum. A probation officer's official report is relied upon by the prosecutor and the court; submitting a materially false statement in that report, which becomes the predicate for a liberty-depriving petition, is a fundamental breach of the duty of truthfulness.

3. COUNT TWO — Failure to Disclose Known Exculpatory Information Respondent's memorandum (Exhibit A) omitted the Weeks adjudication entirely. An officer who recommends revocation based on a drug result that the administering agency has formally adjudicated compliant, without disclosing that adjudication, suppresses material exculpatory information. *Brady v. Maryland*, 373 U.S. 83 (1963); *Napue v. Illinois*, 360 U.S. 264 (1959). The duty of candor applies with full force to a supervising officer acting as part of the charging chain.

4. COUNT THREE — Concealment of Identity Defeating the Reporting Duty (100 Days) On February 19, 2026 at approximately 3:00 PM, Respondent placed a telephone call refusing to provide her name, supervisory authority, or contact information (Exhibit B). She then concealed her identity for 100 consecutive days, from February 19 to May 29, 2026. A reporting obligation cannot lawfully attach to an unidentified officer. The very first “failure-to-report” date later charged — February 19, 2026 — is the same date as her anonymous call; the directive and the alleged violation arose in the same call in which she refused to identify herself. Even then, her “command” to appear was downgraded on the record to “if you are able to make it here ... I would appreciate it.”

5. COUNT FOUR — Manufacturing a “Failure-to-Report” Default In response to the February 19 call, the defendant established a Constructive Compliance Window for March 10, 2026 (12:00–4:00 PM) and made himself available for a telephonic or video check-in (Exhibit B). The State initiated zero contact during that window — no call, voicemail, email, or field contact. Respondent then relied on the resulting “missed” dates as failure-to-report violations in her memorandum. Abandoning supervisory contact and then charging the abandonment as the probationer's violation is the manufacture of a default.

6. COUNT FIVE — Recommending Revocation on Indigency-Suspended Fees Respondent's memorandum cited an outstanding balance of \$1,131.00 as a violation predicate. But Lake County's own probation system had formally suspended \$1,400.00 of the probation service fee for indigency on November 10, 2025 (Exhibit F). Recommending revocation for nonpayment that the county had itself determined the defendant could not make is contrary to *Bearden v. Georgia*, 461 U.S. 660 (1983), and *Turner v. Rogers*, 564 U.S. 431 (2011).

7. COUNT SIX — Participation in the Custodial Seizure and the Post-Warrant Lure Letter Respondent appeared in person in Courtroom T-611 on May 28, 2026 when the zero-bond warrant issued (Exhibit D), with no defense counsel present. The next day — after 100 days of silence — she sent her first and only direct communication, urging the defendant to “turn yourself in to the Lake County Jail” and revealing her identity and contact information for the first time (Exhibit E). Surfacing only to induce surrender into an already-issued custodial warrant is conduct prejudicial to the fair administration of probation.

8. Pattern and Significance. Each item above is independently improper. Together they describe an officer who concealed her identity to manufacture a default, authored a false official report that omitted the agency's own exculpatory adjudication, recommended revocation on indigency-suspended fees, and then participated in the resulting custodial seizure. This conduct is the subject of the pending federal civil-rights action (No. 1:26-cv-06738), which the Illinois Attorney General has declined to defend.

III. DUTIES VIOLATED

Duty	Source	Respondent's Conduct
Truthfulness in Official Reports	730 ILCS 110/16 (oath); AOIC uniform standards	The April 8, 2026 memorandum falsely stated the defendant “has not provided an updated prescription” when the test had been adjudicated compliant months earlier.
Disclosure of Exculpatory Information	Brady v. Maryland; Napue v. Illinois	Omitted the December 2025 Weeks compliance adjudication from a report recommending revocation.
Good-Faith, Identifiable Supervision	730 ILCS 110/15–16; due process	Placed an anonymous directive and concealed her identity for 100 days, then charged the resulting non-contact as failure-to-report violations.
No Manufacturing of Defaults	Gagnon v. Scarpelli, 411 U.S. 778 (1973)	Ignored the offered March 10 compliance window, initiated no contact, and treated the gap as a violation.
No Revocation for Indigency	Bearden v. Georgia; Turner v. Rogers	Recommended revocation citing fees the county had already suspended for indigency.

<p>Conduct Befitting the Office</p>	<p>AOIC standards; 730 ILCS 110/</p>	<p>Appeared at the warrant hearing and sent a post-warrant lure letter after 100 days of concealment, undermining confidence in probation services.</p>
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IV. RELIEF REQUESTED

Complainant respectfully requests that the AOIC Probation Services Division and the appointing Chief Judge:

1. **Open an investigation** into the conduct of Marisa Cervantes under the AOIC's authority over uniform probation standards (730 ILCS 110/15) and the Chief Judge's supervisory authority over probation officers;
2. **Obtain and preserve** her complete case notes, supervision log, call records, the April 8, 2026 memorandum and its drafts, and all communications concerning Case No. 23 CF 1146 and the November 2025 test;
3. **Require a written response** explaining: (a) why the memorandum stated no updated prescription had been provided; (b) why the Weeks adjudication was not disclosed; (c) why her identity was concealed for 100 days; (d) why no contact was made during the offered compliance window; and (e) why revocation was recommended on indigency-suspended fees;
4. **Impose appropriate corrective and disciplinary action**, up to and including termination and referral for decertification, and require retraining on the duties of truthful reporting, exculpatory disclosure, and officer identification; and
5. **Confirm a litigation hold** on all records, given the pending federal action (No. 1:26-cv-06738) in which Respondent is a named defendant.

VERIFICATION. I, Ehab Allababidi, declare under penalty of perjury under the laws of the United States (28 U.S.C. § 1746) and the State of Illinois (735 ILCS 5/1-109) that the factual statements in the foregoing Complaint are true and correct to the best of my knowledge, and that the attached Exhibits A–G are true and accurate copies of the documents they purport to be.

/s/ Ehab Allababidi

EHAB ALLABABIDI, Complainant, *Pro Se*
 8516 W. Winona St., Chicago, IL 60656
 (773) 920-0030 | defcon5ready@gmail.com
 Dated: June 13, 2026

V. INDEX OF EXHIBITS

Exhibit	Document	Relevance
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Ex. A	Cervantes Memorandum to the State's Attorney, April 8, 2026	Respondent's own official report; contains the false "no updated prescription" statement, omits the exculpatory adjudication, and requests the revocation petition
Ex. B	Formal Memorialization email, February 19, 2026	Same-day record of the anonymous call and the demand that the officer identify herself
Ex. C	Notice of Special Appearance & Fraud on the Court (verified)	Documents and quotes the Weeks adjudication that Respondent omitted from her report
Ex. D	Court Half-Sheet / Minutes, May 28, 2026	Confirms Respondent was physically present when the zero-bond warrant issued
Ex. E	Cervantes post-warrant letter, May 29, 2026	First contact in 100 days, sent only after the warrant, urging surrender
Ex. F	Lake County Case Action Page (portal docket)	Shows the \$1,400 indigency fee suspension contradicting the nonpayment allegation
Ex. G	[Proposed] Findings of Fact & Order to Quash Warrant	Full documented record; Findings 6, 13, 20, 22 concern Respondent's conduct

EXHIBIT A

CERVANTES MEMORANDUM TO THE STATE'S ATTORNEY

April 8, 2026 — the official report recommending a Petition for Revocation

MISCONDUCT COMPLAINT — MARISA CERVANTES — CASE NO. 23 CF 1146

Document:	Official probation memorandum (Form AOC-3-36-18) — 19th Jud. Cir. Adult Probation	Filed/Dated:	April 8, 2026 — by Marisa Cervantes; approved by Lori Carrier
Case No.:	23 CF 1146 — People v. Allababidi, 19th Jud. Cir., Lake County	Relevance:	Respondent's own report containing the false statement and the revocation request

LEGAL SIGNIFICANCE — WHY THIS EXHIBIT MATTERS:

This is Respondent's own official report, on Lake County Adult Probation letterhead. In Paragraph 4 it states the defendant tested positive for Amphetamines and “has not provided an updated prescription” — a materially false statement, because Cook County Adult Probation Officer Adison Weeks had formally adjudicated the test compliant with the defendant's active, on-file Adderall prescription on December 8 and 10, 2025, months before this memorandum. The report omits that adjudication entirely, cites a fee balance the county had already suspended for indigency, lists “failure to report” dates falling within Respondent's own period of identity concealment, and recommends “REQUEST THAT PETITION BE FILED.” It is the document on which the revocation, the warrant, and the deprivation of liberty were built.

KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Para. 4: positive test + “has not provided an updated prescription” (false)
- Omits the Weeks Dec. 8 & 10, 2025 compliance adjudication entirely
- Cites \$1,131 balance though county suspended \$1,400 in fees for indigency
- Recommendation: “REQUEST THAT PETITION BE FILED”; approved by Lori Carrier

ADMINISTRATIVE OFFICE OF THE NINETEENTH JUDICIAL CIRCUIT

FILED

18 DEC 26 2019 AOC



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 B

FORMAL MEMORIALIZATION OF THE ANONYMOUS CALL

February 19, 2026 — documenting the unidentified-officer call and demand for ID

MISCONDUCT COMPLAINT — MARISA CERVANTES — CASE NO. 23 CF 1146

Document:	Email transmission to the Director and parties	Filed/Dated:	February 19, 2026, 10:59 PM
Case No.:	23 CF 1146 — People v. Allababidi, 19th Jud. Cir., Lake County	Relevance:	Establishes the anonymous call and the request that the officer be identified

LEGAL SIGNIFICANCE — WHY THIS EXHIBIT MATTERS:

On the same day as Respondent's anonymous 3:00 PM call, the defendant memorialized it in writing to the Director of Adult Probation and the parties, recording that the officer refused to identify herself, that her “command” to appear was downgraded to “if you are able to make it here ... I would appreciate it,” and that the defendant's transport was disabled by documented sabotage. It requested that the officer be identified and that all contact occur in writing. The State never identified the officer; Respondent's identity remained concealed for 100 days.

KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Documents the anonymous 3:00 PM call of February 19, 2026
- Records the directive downgraded to “if you are able to make it ... I would appreciate it”
- Requests identification of the officer and written contact
- Notes disabled transport and the offered remote compliance window



Ehab Hilfiger <defcon5ready@gmail.com>

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

1 message

Ehab Hilfiger <defcon5ready@gmail.com>

Thu, Feb 19, 2026 at 10:59 PM

To: "Matthew T. Junkin" <mjunkin@lakecountyiil.gov>, "Destiny Lee (Adult Probation)" <destiny.lee@cookcountyiil.gov>

Cc: Lake County State's Attorney <statesattorney@lakecountyiil.gov>, Circuit Clerk <circuitclerk@lakecountyiil.gov>

To Officer Junkin and the Newly Assigned Probation Officer:

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

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

(Enclosures: Federal Minute Order)

--



Ehab Allababidi

Personal Signature

Phone: 773-920-0030

Email: defcon5ready@gmail.com

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

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EXHIBIT C

NOTICE OF SPECIAL APPEARANCE / WEEKS ADJUDICATION

Verified notice quoting the December 2025 exculpatory adjudication

MISCONDUCT COMPLAINT — MARISA CERVANTES — CASE NO. 23 CF 1146

Document:	Verified notice (pro se) documenting the Weeks compliance adjudication	Filed/Dated:	Served May 27–28, 2026 (verified under penalty of perjury)
Case No.:	23 CF 1146 — People v. Allababidi, 19th Jud. Cir., Lake County	Relevance:	Documents the exculpatory adjudication Respondent failed to disclose

LEGAL SIGNIFICANCE — WHY THIS EXHIBIT MATTERS:

This verified notice sets out, and quotes, the December 8 and 10, 2025 written adjudications by Cook County Adult Probation Officer Adison Weeks confirming the November 2025 test was compliant with the defendant's Adderall prescription. It establishes that the exculpatory adjudication existed, was documented, and was knowable to Respondent before she wrote her April 8, 2026 memorandum stating the opposite.

KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Quotes the Weeks adjudication: the result “is all negative in my eyes”
- Establishes the adjudication predated the April 8 memorandum by ~4 months
- Shows the exculpatory record was documented and available
- Verified under penalty of perjury

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

PEOPLE OF THE STATE OF ILLINOIS,
Plaintiff,

v.

EHAB ALLABABIDI,
Defendant, Pro Se.

Case No.: **23 CF 1146**

Judge: *Hon. Christopher Stride*

Courtroom: *T-611*

CRIMINAL DIVISION

Probation Revocation Proceeding

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

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

DATE: May 28, 2026

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

Via: Circuit Clerk / Courts Administration Routing

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

I. PRELIMINARY STATEMENT AND NATURE OF THIS FILING

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

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

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

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

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

II. DOCUMENTED NAPUE PERJURY — THE FABRICATED AMPHETAMINE ALLEGATION

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

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

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

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

III. FORMAL NOTICE OF PENDING FEDERAL JURISDICTIONAL PROCEEDINGS

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

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

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

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

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

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

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

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

27 **V. RELIEF DEMANDED**

28 WHEREFORE, Defendant respectfully demands:

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

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

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

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

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

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

VERIFICATION UNDER PENALTY OF PERJURY

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

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

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

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

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

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

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

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

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

Executed on May 28, 2026 in Chicago, Illinois.

/s/ Ehab Allababidi

EHAB ALLABABIDI, *Pro Se* Defendant

8516 W. Winona St., Chicago, IL 60656

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

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

10 **TO:** General Courts Routing
11 **Email:** courts@lakecountyil.gov

12 **TO:** Lake County State's Attorney's Office
13 **Email:** statesattorney@lakecountyil.gov

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

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

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

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

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

/s/ Ehab Allababidi

EHAB ALLABABIDI, *Pro Se*

Defendant

Dated: May 28, 2026

EXHIBIT D

COURT HALF-SHEET / MINUTES — MAY 28, 2026

Records Respondent physically present when the warrant issued

MISCONDUCT COMPLAINT — MARISA CERVANTES — CASE NO. 23 CF 1146

Document:	Official court minutes — 19th Judicial Circuit, Courtroom T-611	Filed/Dated:	May 28, 2026, 9:00 AM
Case No.:	23 CF 1146 — People v. Allababidi, 19th Jud. Cir., Lake County	Relevance:	Confirms Respondent's presence at the warrant hearing

LEGAL SIGNIFICANCE — WHY THIS EXHIBIT MATTERS:

The official minutes list “MARISSA CERVANTES — Lake County Adult Probation Services” as present in Courtroom T-611 alongside the prosecutor when the zero-bond warrant issued, with no defense counsel present. Respondent was physically present to see the result of the report she authored.

KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- Lists Cervantes present; prosecutor present; no defense counsel
- Result: “Case Called ... Issue Warrant”
- Confirms Respondent participated in the proceeding that produced the warrant
- No ability-to-pay inquiry or preliminary hearing noted



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

People)
)
 Plaintiff,)
 v.)
)
 PEOPLE VS ALLABABIDI)
 Defendant.)
)
 _____)

Case No. 23CF00001146
Location: Courtroom 611
Event Date: May 28, 2026 9:00 AM
Event Type: Arraignment On Petition To Revoke
Clerk: Johanna B

Charge(s):

Count 1 625 ILCS 5/11-503(a)(1) AGG RECKLESS DRVG/BODILY HARM 4 Guilty
09/08/2025

Count 2 625 ILCS 5/11-601.5(b) SPEEDING 35+ MPH OVER LIMIT A Nolle Prosequi
09/08/2025

Criminal/Traffic - Minutes

Christopher R Stride, Judge
Nicholas Shepherd, States Attorney
ECR Specialist, Lake County Court Reporters

Present in Court

MARISSA CERVANTES - Lake County Adult Probation Services

Nature of Proceedings:

Event Result: Case Called 05/28/2026.
Issue Warrant

EXHIBIT E

POST-WARRANT “TURN YOURSELF IN” LETTER

May 29, 2026 — Respondent's first and only direct communication

MISCONDUCT COMPLAINT — MARISA CERVANTES — CASE NO. 23 CF 1146

Document:	Letter from Lake County Adult Probation	Filed/Dated:	May 29, 2026 (the day after the warrant issued)
Case No.:	23 CF 1146 — People v. Allababidi, 19th Jud. Cir., Lake County	Relevance:	Respondent's first contact came only after the warrant, to induce surrender

LEGAL SIGNIFICANCE — WHY THIS EXHIBIT MATTERS:

After concealing her identity and contact information for 100 days, Respondent's first and only direct written communication to the defendant came on May 29, 2026 — the day after the warrant issued — urging him to “turn yourself in to the Lake County Jail” and, for the first time, providing her name, phone, and email. The timing shows the communication was not supervision; it was an instrument of the custodial extraction.

KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- First and only direct communication — sent after the warrant issued
- Urges the defendant to “turn yourself in to the Lake County Jail”
- Reveals her identity/contact only after concealing them for 100 days
- On Lake County Adult Probation / Court Services letterhead

ADMINISTRATIVE OFFICE OF THE NINETEENTH JUDICIAL CIRCUIT



Lake County, Illinois

LAKE COUNTY COURT SERVICES

215 West Water Street
Waukegan, IL 60085-5616

Fax: 847.360.3640

May 29, 2026

People vs. ALLABABIDI

23CF00001146

Dear EHAB ALLABABIDI:

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Marisa Cervantes", with a stylized flourish at the end.

MARISA CERVANTES

PROBATION OFFICER

LAKE COUNTY ADULT PROBATION

EXHIBIT F

LAKE COUNTY CASE ACTION PAGE

Official portal docket

MISCONDUCT COMPLAINT — MARISA CERVANTES — CASE NO. 23 CF 1146

Document:	Official court record — Lake County Court Portal	Filed/Dated:	Retrieved June 2026
Case No.:	23 CF 1146 — People v. Allababidi, 19th Jud. Cir., Lake County	Relevance:	Indigency fee-suspension record

LEGAL SIGNIFICANCE — WHY THIS EXHIBIT MATTERS:

The official docket reflects the November 10, 2025 system-generated suspension of \$1,400.00 in probation service fees for indigency — the county's own contemporaneous determination that the defendant could not pay, directly contradicting Respondent's memorandum citing an unpaid balance as a basis for revocation.

KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- November 10, 2025 “Payment Suspended” entry for \$1,400.00
- Contradicts the willful-nonpayment basis of the memorandum
- Authenticated Lake County Court Portal record
- Documents the full procedural history of Case No. 23 CF 1146



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 G

[PROPOSED] FINDINGS OF FACT & ORDER TO QUASH WARRANT

The complete documented record placed before the court

MISCONDUCT COMPLAINT — MARISA CERVANTES — CASE NO. 23 CF 1146

Document:	Proposed order with 22 verified findings of fact	Filed/Dated:	Submitted via Lake County Court Portal, June 12, 2026
Case No.:	23 CF 1146 — People v. Allababidi, 19th Jud. Cir., Lake County	Relevance:	Full evidentiary context

LEGAL SIGNIFICANCE — WHY THIS EXHIBIT MATTERS:

This proposed order consolidates the complete record — 22 findings of fact with exhibits — establishing how Respondent's anonymous supervision, false memorandum, and nondisclosure fit within the larger scheme that produced the warrant.

KEY EVIDENCE CONTAINED IN THIS EXHIBIT:

- 22 numbered findings with record citations
- Findings 6, 13, 20, 22 address Respondent's conduct specifically
- Maps the conduct to Brady, Napue, Bearden, Turner, and Gagnon
- Complete record context for the counts

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

<p>THE PEOPLE OF THE STATE OF ILLINOIS, <i>Plaintiff-Respondent,</i></p> <p>v.</p> <p>EHAB ALLABABIDI, <i>Defendant-Petitioner, Pro Se.</i></p>	<p>General No.: 23 CF 1146</p> <p>Circuit Court, 19th Judicial Circuit Lake County, Illinois</p> <p>Judge: HON. CHRISTOPHER R. STRIDE Courtroom: T-611</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.⁵

⁵ **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.¹ 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).

¹ **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, 2026.³

27 ³ **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
(Director of Adult Probation Services, 19th Judicial Circuit), the Lake County State's Attorney's Office (statesattorney@lakecountyil.gov), and the
Circuit Court Clerk (Clerk Erin Cartwright Weinstein), requesting identification of the anonymous officer. Director Fontana received this email and
took no action. Cervantes's identity was not revealed until her May 29, 2026 written communication directing Defendant to surrender — sent the day
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,
establishing her as an active participant throughout the period of her identity concealment. This conduct is a subject of *Allababidi v. Shepherd, et al.*,
No. 1:26-cv-06738 (N.D. Ill.).

29 **FINDING OF FACT NO. 7:** ASA Nicholas Shepherd filed the Petition for Revocation of Probation on
30 May 14, 2026 — exactly 31 days after the April 13, 2026 federal deadline order and 175 days after the
31 November 20, 2025 drug test (Appendix H). The Petition contained two sworn allegations: (1) that
32 Defendant tested positive for “Amphetamine (illegal substance)” on November 10, 2025; and (2) that
33 Defendant willfully failed to pay financial obligations. Both allegations were false. Both were
34 disproved by documentary evidence in the State’s own records as of the date Shepherd signed the
35 Petition. Shepherd signed under oath.

36 **FINDING OF FACT NO. 8:** The Petition bore a Pitney Bowes postage meter stamp dated May 15, 2026.
37 USPS did not take physical custody until May 18, 2026 — a 72-hour gap spanning the Memorial Day
38 federal holiday weekend.⁴ 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.

⁴ **Pitney Bowes Forensic Timeline.** A Pitney Bowes postage meter stamp applies a machine-generated date and postage at the moment of metering. The Petition bears a Pitney Bowes stamp dated May 15, 2026. USPS tracking confirms USPS did not take physical custody until May 18, 2026 — three full days after metering. This gap is not explainable by normal USPS processing: a metered envelope must be presented to USPS at or near the time of metering for same-day or next-day intake. A 72-hour pre-intake hold spanning the Memorial Day federal holiday weekend is consistent with deliberate retention by the sender. The six-day total transit gap (May 15 meter to May 21 delivery) compressed the statutory 14-day response window to approximately three business days before the May 28 hearing.

FINDING OF FACT NO. 9: Illinois Supreme Court Rule 131(b) requires every pleading filed by an attorney to include the attorney’s ARDC number, office telephone number, and email address. The Petition omits ASA Shepherd’s telephone number and email address (nshepherd@lakecountyyil.gov) in direct violation of this rule.⁶ 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.

⁶ **Illinois Supreme Court Rule 131(b).** Rule 131(b) requires that every pleading and other paper of an attorney filed in any court include the attorney’s ARDC registration number, firm name (if any), office address, telephone number, and email address. The requirement is mandatory, not directory. ASA Shepherd’s Petition omits both his telephone number and his email address. His email address (nshepherd@lakecountyyil.gov) appears on other filings in this proceeding and is therefore known and on record. The omission is not the product of ignorance. For a pro se defendant served with a zero-bond warrant petition over a federal holiday weekend with a compressed response window, the mandatory contact information is the only rapid channel through which exculpatory material can reach the filing attorney before a warrant issues. Stripping that channel is a structural deprivation of the right to be heard.

FINDING OF FACT NO. 10: On May 22, 2026, Defendant served a Notice of Mandatory Litigation Hold on all parties, directing preservation of all records, communications, electronic data, and physical evidence related to Case No. 23 CF 1146 and federal Case No. 1:26-cv-06738. The State’s Attorney’s Office, Lake County Adult Probation Services, Cook County Adult Probation, and the Lake County Public Defender’s Office were all served. The preservation obligation arose no later than the date of service.

FINDING OF FACT NO. 11: At 7:00 AM on May 28, 2026 — two hours before the 9:00 AM warrant hearing — Defendant transmitted an Emergency Special Appearance email directly to ASA Nicholas Shepherd (nshepherd@lakecountyyil.gov, his confirmed active professional email for Lake County filings), the Circuit Court Clerk (CircuitClerk@lakecountyyil.gov; courts@lakecountyyil.gov), and the Lake County State’s Attorney’s Office (statesattorney@lakecountyyil.gov), with copies to Matthew T. Junkin (Director, Lake County Adult Probation, mjunkin@lakecountyyil.gov), Cook County Probation Officer Destiny Lee (destiny.lee@cookcountyyil.gov), and the U.S. Department of Justice Public Integrity Section (pin@usdoj.gov). The email attached five exhibits: (1) the formal six-page Notice of Special Appearance and Fraud on the Court, verified under penalty of perjury, which documented that on May 27, 2026, Judge Blakey’s courtroom deputy confirmed that a federal Article III order was being drafted concerning the May 28 proceedings; (2) DKT16.pdf — the authenticated December 8 and 10, 2025 Adison Weeks email adjudications previously filed in the N.D. Ill. federal record in Case No. 1:26-cv-01077; (3) the Emergency Petition for Writ of Mandamus (May 27, 2026); (4) the Attorney General Litigation Hold Notice; and (5) the Lake County Litigation Hold Notice. Service was by email only — the Notice of Special Appearance expressly stated no physical or mailed service was made on May 28, 2026. ASA Shepherd was a direct TO: recipient of this email and its five attachments two hours before he permitted the warrant to issue. The Lake County Public Defender’s Office did not receive this email service and entered no appearance at the warrant hearing.

FINDING OF FACT NO. 12: At 9:00 AM on May 28, 2026, this Court issued a zero-bond bench warrant in Case No. 23 CF 1146 without holding any evidentiary hearing, without taking sworn testimony, without conducting any ability-to-pay inquiry required by *Turner v. Rogers*, 564 U.S. 431 (2011), and without addressing Defendant’s emergency exculpatory submission served two hours prior. Officer Marisa Cervantes was physically present in Courtroom T-611 at the time of warrant issuance. No defense counsel appeared.

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

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

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

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

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 Napue / Brady — False Sworn Statements & Suppressed Exculpatory Evidence	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 Bearden / Turner — Willfulness Element Fails as a Matter of Law	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 Gagnon / 730 ILCS 5/5-6-4 — Due Process at Revocation	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 First Amendment Retaliation	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 Malley — Qualified Immunity Forfeited for Warrant Execution	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 Cronic — Constructive Abandonment	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 The Warrant Is Void Ab Initio	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 Clerk’s Procedural Denial — Access to Courts / Faretta	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 Cervantes Identity Concealment — Failure-to-Report Charges Void Ab Initio	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**

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

1 holds an active IFP status in any pending federal proceeding. The Clerk is directed to transmit a
2 certified copy of this Order to the Lake County Circuit Court Finance Division within five (5)
3 business days.
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5
6 **DATE:**

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

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