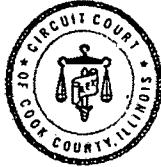


DOROTHY BROWN
CLERK OF THE CIRCUIT COURT



Criminal Division
2650 South California Avenue
Room 526
Chicago, Illinois 60608
(773) 674-3147
FAX (773) 674-4444
www.cookcountyclerkofcourt.org

OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

September 13, 2016

APPENDIX "B"

Anthony Allen B43715
P.O. Box 1000
Menard, IL 62259

Dear Anthony Allen:

RE: Case Number 91CR1092602

Please be advised that on 09/09/16, the Honorable Judge Thomas Hennelly denied your motion for Writ of Habeas Corpus Relief without merit.

If you have additional questions regarding this ruling, please contact your attorney, or the public defender.

Office of the Public Defender, Cook County
2650 South California Avenue
7th Floor
Chicago, IL 60608
(773) 869-3222

Sincerely,
Dorothy Brown
Clerk of the Circuit Court of Cook County, Illinois

By: 
CCCR EF 7/12/08. Motion Denied Letter.

Deputy Clerk



NOTICE
The text of this order may
be changed or corrected
prior to the time for filing of
a Petition for Rehearing or
the disposition of the same.

APPENDIX "B"

No. 1-16-2797

Order filed January 24, 2019

Fourth Division

IN THE
APPELLATE COURT OF ILLINOIS
FIRST DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,

) Appeal from the
) Circuit Court of
) Cook County.

Plaintiff-Appellee,

)
)
) No. 91 CR 10926

v.
ANTHONY ALLEN,

)
) Honorable
) Thomas J. Hennelly,
) Judge, presiding.

Defendant-Appellant.

JUSTICE GORDON delivered the judgment of the court.
Justices Reyes and Burke concurred in the judgment.

SUMMARY ORDER

¶ 1 Plaintiff Anthony Allen appeals from the trial court's denial of his *pro se* petition for writ of *habeas corpus* (see 735 ILCS 5/10-101 *et seq.* (West 2016)).¹

¶ 2 Following a jury trial, Allen was convicted of two counts of first degree murder and armed robbery. The court sentenced him to two concurrent terms of life imprisonment for the murders and a concurrent 30-year term for the armed robbery. We affirmed on direct appeal.

¹ Although the Habeas Corpus Act (735 ILCS 5/10-101 (West 2016)) instructs that the person seeking relief is set out as the plaintiff, we follow the caption as set forth in the notice of appeal.

10F3

People v. Allen, No. 1-93-2453 (1995) (unpublished order under Illinois Supreme Court Rule 23). Allen has since filed numerous unsuccessful collateral challenges to his convictions. See *People v. Allen*, Nos. 1-97-1287 (1998); 1-09-0274 (2010); 1-12-0491 (2013); 1-15-3023 (2016) (unpublished orders under Illinois Supreme Court Rule 23).

¶3 On August 5, 2016, Allen filed a *pro se* petition for *habeas corpus* relief, alleging he was charged with felony murder, but the jury was improperly instructed on first degree murder, an uncharged offense. He argued, therefore, that the court lacked jurisdiction to instruct the jury on first degree murder, and consequently, he was wrongfully convicted of that offense. The trial court denied Allen's petition. He timely appeals.

¶4 The public defender of Cook County, who represents Allen on appeal, has filed both a motion for leave to withdraw as appellate counsel, citing *Anders v. California*, 386 U.S. 738 (1967), and a supporting memorandum of law, stating that she has reviewed the record and concluded that an appeal would be without arguable merit. We note that *Pennsylvania v. Finley*, 481 U.S. 551 (1987), not *Anders*, provides the correct procedure where counsel seeks to withdraw as counsel on appeal from orders on collateral attacks, and we therefore review counsel's motion under the *Finley* mandate. See *In re J.P.*, 2016 IL App (1st) 161518, ¶¶ 5-7 (clarifying the differences between the holdings in *Anders* and *Finley*). Copies of the motion and memorandum were sent to Allen, who was advised that he may submit any points in support of his appeal. He has submitted three responses.

¶5 In his responses, Allen reiterates the claim set forth in his petition and argues (1) he was wrongfully convicted of first degree murder where the State nol-prossed those charges during the conference on jury instructions, (2) he informed appellate counsel on numerous occasions that the jury was improperly instructed, and (3) "racial prejudice" contributed to his "wrongful

conviction of first degree murder." He also asserts that he was denied his constitutional right to a unanimous verdict when trial counsel failed to object to general verdict forms.

¶ 6 After carefully reviewing the record in light of counsel's memorandum and Allen's responses, we agree with counsel's conclusion. Thus, the public defender's motion for leave to withdraw as counsel is allowed and the judgment of the circuit court is affirmed.

¶ 7 This order is entered in accordance with Supreme Court Rule 23(c)(4) (eff. Apr. 1, 2018).

¶ 8 Affirmed.

APPENDIX C

1-16-2797

IN THE APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,)
Plaintiff-Appellee,)
)
)
)
)
v.) 91CR10926
)
)
)
)
ANTHONY ALLEN,)
Defendant-Appellant.)

ORDER

This cause coming to be heard on defendant-appellant's *pro se* motion titled "Motion for Request to Supplement Additional Cases in Support of My Rehearing Petition that Petitioner Already Argued in this Court," which this Court takes as a Motion to Supplement the Petition for Rehearing, the Petition for Rehearing having been filed February 14, 2019, and denied April 9, 2019, and the Court being advised in the premises;

IT IS HEREBY ORDERED that defendant-appellant's Motion to Supplement the Petition for Rehearing is not considered for lack of this Court's jurisdiction.

ORDER ENTERED

JUL 01 2019

APPELLATE COURT FIRST DISTRICT

✓ Enter:

Justice

~~Justice~~

Justice

4 00 6



AFFIXED "D"

SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING
200 East Capitol Avenue
SPRINGFIELD, ILLINOIS 62701-1721

CAROLYN TAFT GROSBOLL
Clerk of the Court
(217) 782-2035
TDD: (217) 524-8132

September 24, 2019

FIRST DISTRICT OFFICE
160 North LaSalle Street, 20th Floor
Chicago, IL 60601-3103
(312) 793-1332
TDD: (312) 793-6185

Anthony Allen
Reg. No. B43715
Hill Correctional Center
P.O. Box 1700
Galesburg, IL 61402

THE COURT HAS TODAY ENTERED THE FOLLOWING ORDER IN THE CASE OF:

M.D.014368 - People v. Allen

The motion by petitioner for leave to file a late petition for leave to appeal is allowed and is treated as a petition for leave to appeal.

Very truly yours,

Carolyn Taft Gosboll

Clerk of the Supreme Court

cc: Attorney General of Illinois - Criminal Division
Cook County State's Attorney, Criminal Division



APPENDIX E

SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING
200 East Capitol Avenue
SPRINGFIELD, ILLINOIS 62701-1721

CAROLYN TAFT GROSBOLL
Clerk of the Court
(217) 782-2035
TDD: (217) 524-8132

September 24, 2019

FIRST DISTRICT OFFICE
160 North LaSalle Street, 20th Floor
Chicago, IL 60601-3103
(312) 793-1332
TDD: (312) 793-6185

Anthony Allen
Reg. No. B43715
Hill Correctional Center
P.O. Box 1700
Galesburg, IL 61402

In re: People v. Allen
125303

Dear Anthony Allen:

This office has timely filed your Petition for Leave to Appeal, styled as set forth above. You are being permitted to proceed as a poor person.

Your motion will be presented to the Court for its consideration, and you will be advised of the Court's action thereon.

Very truly yours,

A handwritten signature in cursive script that reads "Carolyn Taft Gosboll".

Clerk of the Supreme Court

cc: Attorney General of Illinois - Criminal Division
Cook County State's Attorney, Criminal Division

APPENDIX F



SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING
200 East Capitol Avenue
SPRINGFIELD, ILLINOIS 62701-1721
(217) 782-2035

Anthony Allen
Reg. No. B43715
Hill Correctional Center
P.O. Box 1700
Galesburg IL 61402

FIRST DISTRICT OFFICE
160 North LaSalle Street, 20th Floor
Chicago, IL 60601-3103
(312) 793-1332
TDD: (312) 793-6185

November 26, 2019

In re: People State of Illinois, respondent, v. Anthony Allen, petitioner.
Leave to appeal, Appellate Court, First District.
125303

The Supreme Court today DENIED the Petition for Leave to Appeal in the above entitled cause.

The mandate of this Court will issue to the Appellate Court on 12/31/2019.

Very truly yours,

Carolyn Taft Gosboll

Clerk of the Supreme Court

**Additional material
from this filing is
available in the
Clerk's Office.**