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**ORDER, U.S. COURT OF APPEALS
FOR THE SEVENTH CIRCUIT
(APRIL 23, 2026)**

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

AIMEE ALBRECHT,

Petitioner-Appellant,

v.

ROCK ISLAND COUNTY SHERIFF,

Respondent-Appellee.

No. 25-3096

Appeal from the United States District Court
for the Central District of Illinois.

No. 25-cv-4165, Jonathan E. Hawley, Judge.

Before: John Z. LEE, and
Rebecca TAIBLESON, Circuit Judges.

ORDER

Aimee Albrecht has filed a notice of appeal from the denial of her petition for a writ of habeas corpus and an application for a certificate of appealability. This court has reviewed the final order of the district court and the record on appeal. We find no substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).

App.2a

Accordingly, the request for a certificate of appealability is DENIED.

**ORDER, U.S. DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
(NOVEMBER 13, 2025)**

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
ROCK ISLAND DIVISION

AIMEE ALBRECHT,

Petitioner,

v.

SHERIFF OF ROCK ISLAND COUNTY ILLINOIS,

Respondent.

Case No. 25-cv-4165

Before: Jonathan E. HAWLEY, U.S. District Judge.

ORDER

Before the Court is Petitioner Aimee Albrecht's Motion to Alter or Amend Judgment Under Fed. R. Civ. P. 59(e) (Doc. 18). Petitioner seeks reconsideration of the Court's Order (Doc. 16), which summarily dismissed her Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

Rule 59(e) enables courts to correct their own errors and avoid unnecessary appeals. *Miller v. Safeco Ins. Co. of Am.*, 683 F.3d 805, 813 (7th Cir. 2012) (internal citation omitted). In order "[t]o prevail on a

Rule 59(e) motion, the moving party must clearly establish (1) that the court committed a manifest error of law or fact, or (2) that newly discovered evidence precluded entry of judgment.” *Edgewood Manor Apartment Homes, LLC v. RSUI Indem. Co.*, 733 F.3d 761, 770 (7th Cir. 2013) (internal quotation omitted.); *see also*, *Vesely v. Armslist LLC*, 762 F.3d 661, 666 (7th Cir. 2014) (“[W]e have held that a Rule 59(e) motion is not to be used to ‘rehash’ previously rejected arguments”). “A ‘manifest error’ occurs when the district court commits a ‘wholesale disregard, misapplication, or failure to recognize controlling precedent.” *Burritt v. Ditlefsen*, 807 F.3d 239, 253 (7th Cir. 2015) (internal citation omitted).

Petitioner is subject to a civil plenary order of protection which prohibits her from contacting two individuals, one of whom is subject to a guardianship. The order of protection was entered in the Circuit Court of Rock Island County, Illinois, case number 20-OP-250. (Doc. 1 at 1). Pursuant to an order and opinion from that case dated March 22, 2022, the state court found Petitioner “more likely than not” attempted to contact the victim through a third-party, and arranged for service of a “Violation Warning” intending to harass the victim. The court sanctioned Petitioner with a thirteen-week sentence in jail for civil contempt. *Id.* at 18, 19, 21. However, the sentence was stayed so long as Petitioner strictly complies with the order of protection and “refrains from making any false and/or derogatory statements, filing any false criminal or civil charges against Linda, any of the attorneys of record, the Court, the judges, or engaging in any other harassing, threatening and/or abusive conduct toward any of these parties.” *Id.* at 21.

Petitioner filed a § 2241 Petition, arguing that because the order imposes “arrest-backed restraints” she is “in custody.” *Id.* at 1.

In the Court’s October 16, 2025 Order, the Court found that Petitioner had not met the “in custody” requirement because the only restraint on her liberty was, in essence, an order of protection that required her not to contact or otherwise harass the victims. The Court found the level of restraint was too low to qualify as “in custody.”

Petitioner argues in her motion that the Court has overlooked multiple Supreme Court cases that would support a finding that she is “in custody.” Petitioner first quotes *Jones v. Cunningham*, 371 U.S. 236, 240-43 (1963) and *Hensley v. Municipal Court*, 411 U.S. 345 (1973), as saying “[t]he custody requirement is satisfied whenever the petitioner’s freedom is restrained by conditions not shared by the public generally.” (Doc. 18 at 2). However, neither case contains this exact quote, nor do they stand for such a broad proposition. *Jones* confronted whether a petitioner on parole was in custody and concluded he was due to the “significant restraints” on the petitioner’s liberty that were not imposed on the public generally. 371 U.S. at 242. Specifically, the Supreme Court noted that:

Petitioner is confined by the parole order to a particular community, house, and job at the sufferance of his parole officer. He cannot drive a car without permission. He must periodically report to his parole officer, permit the officer to visit his home and job at any time, and follow the officer’s advice. He is admonished to keep good company and good

hours, work regularly, keep away from undesirable places, and live a clean, honest, and temperate life.

Id. Jones further emphasized that “what matters is that they significantly restrain petitioner’s liberty to do those things which in this country free men are entitled to do.” *Id.* at 243. Here, Petitioner’s sole restraint of not contacting or otherwise harassing the victims identified in the order of protection is much more limited.

In *Hensley v. Municipal Court*, 411 U.S. 345 (1973), the Supreme Court addressed a petitioner who was released on his own recognizance while appealing his stayed conviction and sentence. While acknowledging that the restraints were not as significant as those at issue in *Jones*, the Supreme Court found that the petitioner was still in custody because (1) he was “subject to restraints not shared by the public generally” because he was obligated “to appear at all times and places as ordered by any court or magistrate of competent jurisdiction;” (2) he “remains at large only by the grace of a stay.” *Id.* at 351 (internal citations omitted). Again, Petitioner’s case is quite different. While her potential sentence is also stayed, it will remain stayed so long as she does not contact the victims. Moreover, Petitioner is not required to appear at court at any time to avoid incarceration.

Petitioner also points to *Maleng v. Cook*, 490 U.S. 488 (1989), for support. In *Maleng*, the Supreme Court held that a petitioner could challenge his future state sentence that had already been imposed because he was presently in federal custody serving a federal sentence and the state had “placed a detainer with the federal authorities to ensure that at the conclusion of

respondent's federal sentence, he will be returned to the state authorities to begin serving his 1978 state sentences." 490 U.S. at 493. Again, Petitioner's case is materially different—she is not presently incarcerated nor is there a detainer or other reason that would make her incarceration inevitable.

Finally, Petitioner's reliance on *Carafas v. LaVallee*, 391 U.S. 234 (1968), is misplaced. The petitioner in that case was incarcerated at the time of filing his petition. The Court determined that the case was not moot despite his later release from prison and parole due to significant collateral consequences of his conviction. *Id.* at 238-39. The Court found that the "in custody" requirement was met because the petitioner was in custody at the time the application was filed. *Id.*; see also *Maleng v. Cook*, 490 U.S. 488, 492 (1989) (noting that the finding in *Carafas* that the "in custody" requirement was met was based "on the fact that the petitioner had been in physical custody under the challenged conviction at the time the petition was filed."). Here, Petitioner is not incarcerated, nor was she at the time of filing.

Petitioner's additional arguments regarding a manifest injustice are inapposite as there is no manifest injustice exception to the "in custody" requirement.

In summary, the Court finds each of the cases Petitioner cites materially different from the issues here. The Court does not find that Petitioner has shown that the Court committed a manifest error of law or fact.

App.8a

IT IS, THEREFORE, ORDERED: The Court
DENIES Petitioner's Motion to Alter or Amend
Judgment (Doc. 18).

It is so ordered.

Entered on November 13, 2025.

/s/ Jonathan E. Hawley
U.S. District Judge

**ORDER, U.S. DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
(OCTOBER 16, 2025)**

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
ROCK ISLAND DIVISION

AIMEE ALBRECHT,

Petitioner,

v.

SHERIFF OF ROCK ISLAND COUNTY ILLINOIS,

Respondent.

Case No. 25-cv-4165

Before: Jonathan E. HAWLEY, U.S. District Judge.

ORDER

Before the Court is Petitioner's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. 1), Motion for Temporary Stay and Short Form Injunctive Relief (Doc. 2), Motion for Preservation of Records (Doc. 3) and Motion for Alternative Service (Doc. 5), as well as Respondent's Motion to Dismiss for Lack of Jurisdiction (Doc. 8). Because the Court finds Petitioner is not "in custody," Respondent's Motion to

Dismiss (Doc. 8)¹ is GRANTED and Petitioner's § 2241 Petition (Doc. 1) is DISMISSED for lack of subject matter jurisdiction. The remaining motions are dismissed as moot.

I

Pursuant to Petitioner's Petition, Petitioner is a resident of Warren County, Illinois, and is subject to a civil plenary order of protection which prohibits her from contacting two individuals, one of whom is subject to a guardianship. The order of protection was entered in the Circuit Court of Rock Island County, Illinois, case number 20-OP-250. (Doc. 1 at 1). Petitioner has attached an order and opinion from the case dated March 22, 2022. *Id.* at 14-22. Pursuant to the order, after the state court found that Petitioner "more likely than not" attempted to contact the victim through a third-party, and arranged for service of a "Violation Warning" intending to harass the victim, it sanctioned Petitioner with a thirteen-week sentence in jail for civil contempt. *Id.* at 18, 19, 21. However, the sentence was stayed so long as Petitioner strictly complies with the order of protection and "refrains from making any false and/or derogatory statements, filing any false criminal or civil charges against Linda, any of the attorneys of record, the Court, the judges,

¹ The Court notes that typically the Court conducts a preliminary review of the § 2241 petition pursuant to 28 U.S.C. § 2243 and Rule 1(b) and Rule 4 of the Rules Governing Section 2254 Proceedings for the United States District Courts. Respondent was not yet ordered to respond pursuant to 28 U.S.C. § 2243, so their filing of a motion to dismiss was not yet necessary at this time. Nonetheless, because the Court finds that it does not have subject matter jurisdiction over this matter, the result of dismissal is the same.

or engaging in any other harassing, threatening and/or abusive conduct toward any of these parties.” *Id.* at 21. Petitioner argues that because the order imposes “arrest-backed restraints” she is “in custody.” *Id.* at 1.

Respondent promptly filed a Motion to Dismiss for Lack of Jurisdiction (Doc. 8), arguing that Petitioner is not in custody. Petitioner has filed a response (Doc. 12).

II

Federal courts are authorized to entertain petitions for a writ of habeas corpus only where the individual seeking relief is “in custody.” 28 U.S.C. §§ 2241(c); 2254(a). While the “in custody” requirement has historically been interpreted strictly, the definition of custody has been relaxed in more recent times. *Virsnieks v. Smith*, 521 F.3d 707, 717 (7th Cir. 2008) (citations omitted). Accordingly, habeas corpus has now been deemed available “to prisoners who are released on parole, personal recognizance, and bail, as well as those serving consecutive sentences; to aliens seeking entry into the United States; and to individuals seeking to challenge their induction into military service.” *Id.* However, a habeas petitioner still must show a significant restriction on their liberty to proceed, and courts have also held “that orders of restitution, fines and the revocation of medical and driver’s licenses,” as well as “sentences of registration under a sexual offender statute,” do not satisfy the ‘in custody’ requirement.” *Id.* at 718.

The Seventh Circuit has not directly addressed whether civil orders of protections meet the custody requirement, but the Second Circuit did in *Vega v. Schneiderman*, 861 F.3d 72 (2d Cir. 2017), and con-

cluded that a state court order of protection prohibiting the petitioner from contacting the victim of harassment did not satisfy the custody requirement. The Second Circuit reasoned that the level of restraint was low as it did not require the petitioner's physical presence at a particular time or location, but merely the "narrow and pinpointed restriction" to stay away from the victim. *Id.* at 75. Moreover, while violating the order of protection could have led to a future charge, "the entirely speculative possibility of a future charge for a future violation is" in sufficient." *Id.* Other circuits and district courts that have addressed challenges to orders of protection or similar no-contact orders have reached the same conclusion. *See, e.g., Holmes v. Satterberg*, 508 Fed. Appx. 660 (9th Cir. 2013); *Brown v. Johnston*, No. 22-cv-670-DWD, 2022 WL 1129327, at *2 *3 (S.D. Ill. Apr. 15, 2022) (habeas challenge to military order of protection); *Drexler v. Spahn*, No. 21-cv-00805-LTBGPC, 2021 WL 12360835, at *3- *4 (D. Colo. Aug. 27, 2021) (habeas challenge to civil order of protection); *Ibrahim v. New Jersey*, No. 21-7407 (SRC), 2021 WL 1660853, at *1 (D.N.J. Apr. 28, 2021) (habeas challenge to criminal court pre-trial no-contact order); *Ambriz v. Montgomery*, No. SACV 14-0297, 2015 WL 7769219, at *3 (C.D. Cal. Oct. 26, 2015) (habeas challenge to sex offender no-contact order).

The Court finds that Petitioner has not demonstrated a restraint on her liberty as a result of the order of protection that is sufficient to meet the in custody requirement. Petitioner is only required to not contact or otherwise harass the victims. If she does violate the court order, she will be subject to a jail sentence. While Petitioner argues that the suspended

sentence makes “the threat of arrest is present and ongoing,” (doc. 12), a risk of future custody is too speculative to qualify as “in custody.” *See, e.g., Michaels v. Hackel*, 491 F. App’x 670, 671 (6th Cir. 2012) (finding a stayed imprisonment sentence insufficient where the petitioner could be subject to potential future incarceration if they fail to comply with the state court order because “the possibility of future incarceration satisfies the “in custody” requirement only where it is imminent and inevitable”). As of now, Petitioner will only find herself in custody if she chooses to disobey the state court order; until then the restrictions imposed by the order of protection do not open the door to federal review in a habeas petition. Accordingly, the Court finds that Petitioner is not “in custody” for purposes of seeking habeas relief, so the Court lacks subject matter jurisdiction to consider her petition.

III

Should Petitioner wish to appeal this decision, he must obtain a certificate of appealability. 28 U.S.C. § 2253(c)(1). A certificate may issue “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). Where a claim is resolved on procedural grounds, a certificate of appealability should issue only if reasonable jurists could disagree about the merits of the underlying constitutional claim and about whether the procedural ruling was correct. *Flores-Ramirez v. Foster*, 811 F.3d 861, 865 (7th Cir. 2016). Here, the Court does not find that reasonable jurists could disagree that the Court does not have subject matter jurisdiction over Petitioner’s claims. Accordingly, the Court declines to issue a certificate of appealability.

IV

For the reasons above, Respondent's Motion to Dismiss (Doc. 8) is GRANTED and Petitioner's § 2241 Petition (Doc. 1) is DISMISSED for lack of subject matter jurisdiction. The remaining motions are dismissed as moot. The Clerk is DIRECTED to issue judgment in favor of Respondent and close the case.

It is so ordered.

Entered on October 16, 2025.

/s/ Jonathan E. Hawley
U.S. District Judge

App.15a

**JUDGMENT, U.S. DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
(OCTOBER 16, 2025)**

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

AIMEE ALBRECHT,

Petitioner,

v.

SHERIFF OF ROCK ISLAND COUNTY ILLINOIS,

Respondent.

Case No. 25-cv-4165

Before: Jonathan E. HAWLEY, U.S. District Judge.

JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

- ☒ other: Petitioner's Section 2241 Petition is dismissed for lack of subject matter jurisdiction.

This action was (check one):

- ☒ decided by Judge Jonathan E Hawley on a Petition for Writ of Habeas Corpus

App.16a

CLERK OF COURT

/s/ {illegible}

Signature of Clerk or Deputy Clerk

Date: 10/16/2025

App.17a

**ORDER DENYING RECONSIDERATION OF
MOTION FOR SUPERVISORY ORDER,
SUPREME COURT OF ILLINOIS
(JUNE 18, 2025)**

SUPREME COURT OF ILLINOIS

Aimee L. Albrecht
200 W Spring Grove Ave
Alexis, IL 61412

In re: Albrecht v. Thompson
131821

Today the following order was entered in the
captioned case:

Motion by Movant, *pro se*, for reconsideration of
motion for supervisory order. Denied.

Order entered by the Court.

Very truly yours,

/s/ Cynthia A. Grant
Clerk of the Supreme Court

cc: Aaron Matthew Dyer
Jeffrey Joseph Nepl
John Patrick Brown
Hon. Linnea E. Thompson
William Lester Breedlove

**ORDER FOR EXTENSION AND/OR
MODIFICATION OF ORDER OF PROTECTION
THROUGH 2099, CIRCUIT COURT OF THE
FOURTEENTH JUDICIAL CIRCUIT,
ROCK ISLAND COUNTY
(SEPTEMBER 21, 2022)**

IN THE CIRCUIT COURT
OF THE FOURTEENTH JUDICIAL CIRCUIT
ROCK ISLAND COUNTY, ILLINOIS

LINDA JONES,
individually and on behalf of Julie Jones,

Petitioner,

v.

AIMEE ALBRECHT,

Respondent.

20-OP-250 (16-P-313)

Before: Linnea E. THOMPSON, Judge.

ORDER

The court finds that:

☒ a plenary

was enacted on 9/25/2020

The court having jurisdiction of the subject
matter, it is hereby ordered that:

App.19a

1. ☒ An extension of the ☒ plenary

Is granted and hereby extended to December
31, 2099 at 10 am or until further order of
court.

/s/ {Illegible}
Judge

**OPINION AND ORDER IMPOSING STAYED
THIRTEEN-WEEK JAIL SENTENCE,
CIRCUIT COURT OF THE FOURTEENTH
JUDICIAL CIRCUIT, STATE OF ILLINOIS
(MARCH 22, 2022)**

IN THE CIRCUIT COURT OF THE FOURTEENTH
JUDICIAL CIRCUIT, COUNTY OF ROCK ISLAND
AND STATE OF ILLINOIS

IN RE: THE INTEREST OF:
JULIE JONES,

A person with a Disability,

No. 16-P-313

LINDA JONES,

Petitioner,

v.

AIMEE ALBRECHT,

Respondent.

No. 20-OP-250

Before: Linnea E. THOMPSON, Judge.

OPINION AND ORDER

The above-entitled causes, previously consolidated into 16 P 313, came on for hearing on the 17th day of February, 2022 before Linnea E. Thompson, Judge Presiding, on three (3) Petitions for Rule to Show Cause filed October 13, 2020, February 19, 2021 and December 29, 2021 by John Jones and/or Linda Jones, the co-guardians of the person and estate of Julie A. Jones, a person with a disability, and against Aimee Albrecht. The petition filed on February 19, 2021 also is filed against the husband of Aimee Albrecht, Dirk Albrecht.

Linda Jones, individually and as the current sole guardian of the person and estate of the ward, Julie Jones, appeared in person and with her attorneys, Mary Ann Brown and John Patrick Brown; Aimee Albrecht appeared self-represented. Dirk Albrecht appeared self-represented but remained outside of the courtroom through most of the proceedings. The ward's guardian ad litem, William Breedlove, and the ward's court-appointed attorney, Aaron Dyer, appeared for the first hour of the all afternoon proceeding.

Linda Jones and Julie Jones are both protected parties under a plenary order of protection entered in 20 OP 250 on September 25, 2020. Two other individuals included as protected parties under the order of protection have died during the pendency of these proceedings. John Jones died on July 3, 2021. Jay (Jarie) Akers died on December 19, 2020.

The petitions allege, among other things, at Ms. Albrecht or third parties on her behalf violated the order of protection by telephoning the residential facility of the ward in order to speak with the ward, by

telephoning the hospital where Jarie was hospitalized, by arranging for a Violation Warning to be served on the attorneys of record and the judge, and by failing to pay her court-ordered attorneys fees as set forth in the Court's Opinion and Order entered on September 25, 2020.

At the conclusion of the hearing, the Court took its decision under advisement.

Background

The petitions for rule to show cause were not specific as to what type of contempt finding was sought against Aimee and Dirk, although as part of a prayer for relief reference was made to indirect civil contempt.

The conduct directed at the Court by Aimee would historically be direct criminal contempt. An action for direct criminal contempt requires a separate cause of action and would have entitled Aimee to the appointment of an attorney.

Aimee's alleged conduct could also fall under indirect criminal contempt. Indirect criminal contempt requires not only the filing of a petition or complaint but also personal service of the complaint. The hearing would have been conducted by a different judge and also would have entitled Aimee to a court-appointed attorney.

The Court interprets each of the petitions for rule to show cause as petitions seeking a finding of indirect civil contempt.

The Court's order of September 25, 2020, directed Aimee to pay a total of \$6,000.00 toward John and Linda's attorney's fees, a total of \$3,000.00 toward the

fees of Bill Breedlove and a total of \$3,000.00 toward the fees of Aaron Dyer.

Analysis and Opinion
Petitions for Rule to Show Cause
(Petitions for Finding of Indirect Civil Contempt)
Violations of Order of Protection
Dirk Albrecht

The Court first addresses the petition for rule to show cause against Dirk Albrecht (hereinafter referred to as Dirk).

As the result of an unintended oversight, Dirk was never admonished on the pending petition for rule to show cause filed against him. Dirk was excluded as a witness during the hearing even though he was actually named as a party in one of the petitions for rule to show cause. No evidence was presented during the hearing against Dirk. Dirk was never called as a witness. More importantly, Dirk was never offered an opportunity to defend himself against the allegations made against him.

As a result of these significant procedural oversights, the Court makes no finding on the petition for rule to show cause against Dirk.

The petition for rule to show cause against Dirk is continued generally.

Aimee Albrecht
Julie and Jarie

The guardian alleges that during 2020, at least four (4) telephone calls were made to Julie by third parties at the request of Julie's sister, Aimee Albrecht (hereinafter referred to as Aimee). These calls do not

include the telephone call alleged to have been made to Julie by Dirk.

The guardian, utilizing 750 ILCS 60/213.1, testified as to statements which Julie made to Linda in phone conversations with Linda immediately after Julie received phone calls from the third parties. This section of the Illinois Domestic Violence Act allows for the introduction of hearsay statements made by a high-risk adult with disabilities if that individual lacks capacity to testify. It should be noted that this section of the law is applicable for actions seeking an order of protection for a high-risk adult with disabilities, not necessarily for the presentation of evidence in a petition for a rule to show cause filed as a result of an alleged violation of an order of protection.

Even without reliance on Section 213.1, the Court limited the admissibility of hearsay statements by the ward to those statements which were made by the ward while the ward was under the continuing stress of excitement caused by the phone calls she had just received. Excited utterances are an exception to hearsay. Julie, the ward, is a protected party under the plenary order of protection. Julie continues to be an in-patient at Central Plaza Residential Care Facility in Chicago, IL and as such was not available to attend the hearing to testify.

Linda testified that Julie telephoned her shortly after Julie had received telephone calls from an unknown female caller who only identified herself as a friend of Aimee. The calls were made on October 11 and November 13. Julie thought that both calls were from the same female caller. The caller had told Julie that "your sister wants me to tell you" that we're trying to get you out.

The Court disallowed testimony concerning a telephone call which Julie may have received on November 18.

Aimee argues that without knowing the name of the caller, she is unable to defend herself. Aimee claims that the calls could have been made by other family members who have an interest in Julie's well-being or by any of the anonymous donors to Aimee's cause. She also raised the possibility that she may have left some paperwork in the library and someone found the papers and used the information in the papers to call Julie. Finally, Aimee questions whether or not Julie may have been delusional when she related information about the calls to Linda.

Linda also testified that right before Christmas in 2020, Julie received a telephone call from Rolando. Rolando is Jarie's father. The call from Rolando focused on Jarie's cancer, autopsy, funeral, and Julie's poor parenting of Jarie. Aimee did acknowledge that she had spoken to Rolando, discussed Jarie and provided Rolando contact information for Julie.

Aimee denies that she violated the plenary order of protection after September 25, 2020.

Aimee did acknowledge that as Jarie's health declined, she became increasingly concerned that Julie and Jarie may not have the opportunity to see one another for one last time. At or about the time Aimee was served with the order of protection, Aimee was concerned about not taking any action which could violate the order of protection. She states that she first called the Illinois State Police seeking their advise as to what, if anything, she could do without violating the protective order. She claims that the Illinois State

Police told her it would not be a violation if she were to just call and leave a message without actually asking to talk to either Julie or Jarie. According to Aimee, she did call Central Plaza and left a message that she was willing to arrange transportation or provide funds to enable Julie and Jarie to be together. Aimee also called the University of Iowa Hospitals where Jarie was hospitalized and left a message with staff informing them that Julie was Jarie's mother and Julie's contact information.

750 ILCS 60/103 (14.5) of the Illinois Domestic Violence Act provides, in part, as follows:

“‘Stay away’ means for the respondent” . . . (Aimee) . . . “to refrain from both physical presence and nonphysical contact with the petitioner whether direct, indirect (including, but not limited to, telephone calls, mail, email, faxes, and written notes or through third parties who may or may not know about the order of protection.” (emphasis added)

In the Opinion and Order issued with the order of protection on September 25, 2020, the Court explained, “respondent must not have ANY . . . non-physical, direct or indirect contact with Petitioner.” “This also includes contact through others. . . .”

The court order went on to explain, “. . . even though Linda was the petitioner and even though Aimee was the respondent, the . . . order of protection prohibits Aimee from having any communication with not only Linda but also the other protected parties named in the order, to-wit: Julie, Jarie (Jay) and John. Not only is Aimee prohibited from having any

communication with the protected parties, so is anyone else on Aimee's behalf."

Unlike the petition for rule to show cause that was litigated on August 14, 2020, orders on each of the petitions for rule to show cause that came before this court for hearing on February 17, 2022, were entered and served upon Aimee. As such, the burden falls on Aimee to show the court why she should not be held in contempt of court for her conduct which Linda asserts is a willful violation of the order of protection.

The Court having considered the testimony and credibility of the witnesses, examined the pleadings and exhibits, and applying the applicable law, FINDS as follows:

1. The telephone calls made to Julie in October and November 2020, although made by an unidentified caller, were more likely than not made on behalf of Aimee. More likely than not is all that is required to meet the statutory burden of proof which, in this case, is a preponderance of the evidence. It is more likely than not that Aimee aided or encouraged individual(s) to call Central Plaza and speak with Julie and convey a message to Julie from Aimee. These telephone calls and conversations emotionally upset Julie. Aimee must be held accountable for these calls. In its Opinion and Order of September 25, 2020, the Court noted Julie's fragile mental state and denied Aimee's petition for visitation with Julie because of the Court's concern that any contact by Aimee could pose a risk to Julie. The plenary order of protection was entered, in part, to

protect and safeguard Julie from any contact or communication from Aimee. The Court finds that Aimee is in indirect civil contempt for violating the plenary order of protection as a result of the October and November 2020 telephone calls made by third parties to Julie. The Court's sanctions for the violations are imposed, below.

2. The telephone call made to Julie by Rolando may or may not have been on behalf of Aimee. Certainly, Aimee and Rolando spoke with one another prior to Rolando's call to Julie. But Rolando and Julie have their own history. The substance of the conversation focused on Jarie. The Court finds that Rolando's call to Julie was not a knowing violation of the order of protection.
3. The telephone calls and messages which Aimee made to Central Plaza and the University of Iowa Hospitals were not directed to either Julie or Jarie and, according to Aimee, were not intended for either of them. Aimee made the calls and left the messages only after checking with the Illinois State Police who rightly or wrongly advised her that leaving the messages would not violate the order of protection. The Court finds that Aimee's telephone calls to and messages left with Central Plaza and University of Iowa Hospitals were not knowing violations of the order of protection.

Non-payment of Attorneys Fees

Linda's petition for rule to show cause filed on December 29, 2021 states that Aimee has only paid a nominal amount of the court-ordered attorney's fees to attorneys Mary Ann Brown and JohnPatrick Brown and -0- toward the court-ordered attorney's fees to Linda. No further evidence was presented to support this statement.

As stated above, while the burden was on Aimee to prove that she did not violate the court's order, there was insufficient evidence concerning the actual payments paid by or on behalf of Aimee to Linda and Linda's attorneys for court-ordered attorney's fees.

In addition, Aimee testified that she had suffered heart attacks and was experiencing serious physical health issues that prevented her from working.

The Court having considered the testimony and credibility of the witnesses, examined the pleadings and exhibits, and applying the applicable law, FINDS that Aimee's failure to pay the court-ordered attorneys fees to Linda and her attorneys was not a willful violation of the court's order of September 25, 2020.

Service of Violation Warning

A Violation Warning referencing 18 USC Sections 245 and 246 was signed by Aimee and served upon John Patrick Brown, one of Linda's attorney, attorneys Bill Breedlove and Aaron Dyer, and this Judge. Aimee states that she did not prepare the Violation Warnings but knows who did. She also arranged for the service of the Warnings although she did not pay for the private process server. Aimee states that service of the

Violation Warnings was intended to put those who were served on notice that she was going to sue them.

18 USC Sections 245 and 246 are part of the federal government's criminal code. It is the federal government who prosecutes violations of these federal code sections. Historically, these code provisions have been used to prosecute those who violate another individual's civil rights.

The Violation Warning has no effective purpose in these proceedings other than to knowingly harass the individuals served. Service of the Violation Warnings was not necessary and had no valid reason or purpose. The service of the Violation Warning, especially in light of all of the harassing and abusive conduct and statements which Aimee directed toward these same individuals earlier in these proceedings, was intended to inflict emotional distress and, in fact, did cause emotional distress.

Aimee was previously admonished by more than one judge that her unsubstantiated threats could result in a finding of contempt. Aimee's arranging for the service of the Violation Warning against the attorneys and the judge necessarily impugned the integrity of the judiciary and the legal system of justice and served only to undermine the public's confidence in the legal system.

The last time Aimee made false and inflammatory statements against the Court, the Court elected to impose no sanctions against her due, in large part, because Aimee offered an apology. That Aimee chose to continue her unwarranted assault against this Court and the legal system leave the Court no room to show any mercy.

The Court having considered the testimony and credibility of the witnesses, examined the pleadings and exhibits, and applying the applicable law, FINDS that that Aimee is in indirect civil contempt for serving the Violation Warnings on the attorneys of record and the judge. Sanctions are imposed, below.

Sanctions

Linda seeks the imposition of a jail sentence for Aimee as and for a sanction for violating the order of protection and service of the Violation Warnings. Jail could be an appropriate sanction were the petitions for rule to show cause pursued as either direct or indirect criminal contempt instead of indirect civil contempt.

Ultimately, Linda expressed that that she just wants Aimee to leave her and Julie alone.

The imposition of a jail sentence can be appropriate in a finding of indirect civil contempt if the purpose of the jail sentence is to force compliance with a court's order.

The maximum jail sentence which the Court may impose for a finding of contempt is six (6) months in the Rock Island County, IL Jail.

As and for a sentence and sanction against Aimee Albrecht for indirect civil contempt as set forth above, this Court sentences Aimee Albrecht to a sentence of thirteen (13) weeks in the Rock Island County Jail. This sentence is stayed provided that:

- A. Aimee Albrecht strictly complies with the provisions of the plenary order of protection to refrain from both physical presence and nonphysical contact with Linda and Julie

whether direct or indirect including but not limited to telephone calls, messages, mail, email, faxes, social media posts, written notes, or any other form of communication including contact by or through third parties; AND

- B. Aimee Albrecht refrains from making any false and/or derogatory statements, filing any false criminal or civil charges against Linda, any of the attorneys of record, the Court, the judged, or engaging in any other harassing, threatening and/or abusive conduct toward any of these parties.

Aimee holds the key to whether or not she will serve this jail sentence. The Court recognizes that Aimee feels that she alone knows what is best for Julie and that she feels an overwhelming need to do whatever she can to terminate the guardianship and to freely communicate with Julie. The Court previously had a hearing on Aimee's petitions to do just that and ruled against Aimee. There are legal remedies available to safeguard Julie's well-being. Aimee is not being punished for pursuing legal remedies. Aimee is being sentenced for willfully failing and refusing to follow and comply with court orders directing her to have no contact with Julie and for willfully and unapologetically continuing to engage in egregious, malicious, false, hurtful and harassing conduct toward the this Court, the attorneys before this Court, and the legal system as a whole. This conduct must stop. It will not be tolerated.

The next time Aimee violates the order of protection or engages in unacceptable behavior toward this Court, the attorneys or the legal system, an order of body attachment shall issue and the Sheriff's Depart-

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ment will be directed to take Aimee into custody to
serve her sentence.

ENTER:

/s/ Linnea E Thompson
Judge

March 22, 2022.

**ORDER DENYING MOTION TO RECONSIDER,
APPELLATE COURT OF THE STATE OF
ILLINOIS, FOURTH DISTRICT
(FEBRUARY 14, 2023)**

STATE OF ILLINOIS
APPELLATE COURT, FOURTH DISTRICT

In Re: the Interest of Julie Jones,
a Person with a Disability,

LINDA JONES,

Petitioner-Appellee,

v.

AIMEE LYNN ALBRECHT,

Respondent-Appellant.

4-22-0882, 4-22-0883

Rock Island County
Case No.: 16P313, 20OP250

ORDER

This cause coming to be heard with proper notice having been served, and the Court being fully advised in the premises:

IT IS ORDERED that the Motion to Reconsider is denied.

Order entered by the court.

**ORDER DENYING PETITION FOR
REHEARING, U.S. COURT OF APPEALS
FOR THE SEVENTH CIRCUIT
(MAY 19, 2026)**

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

AIMEE ALBRECHT,

Petitioner-Appellant,

v.

ROCK ISLAND COUNTY SHERIFF,

Respondent-Appellee.

No. 25-3096

Appeal from the United States District Court
for the Central District of Illinois.
No. 4:25-cv-04165, Jonathan E. Hawley, Judge.

Before: John Z. LEE, and
Rebecca TAIBLESON, Circuit Judges.

ORDER

On consideration of the petition for rehearing and petition for rehearing en banc, no judge in regular active service has requested a vote on the petition for rehearing en banc and the judges on the original panel have voted to deny rehearing. It is, therefore,

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ORDERED that the petition for rehearing and petition for rehearing en banc is DENIED.

**CERTIFIED TRANSCRIPT EXCERPT
CONFIRMING MARCH 22, 2022 ORDER
STANDS AND 2099 ENFORCEMENT DATE
(SEPTEMBER 21, 2022)**

IN THE CIRCUIT COURT OF
THE FOURTEENTH JUDICIAL CIRCUIT
ROCK ISLAND COUNTY, ILLINOIS

IN THE MATTER OF THE GUARDIANSHIP OF:

JULIE JONES,

A disabled adult.

No. 16-P-313

LINDA JONES, ET AL.

Petitioner,

and concerning

AIMEE ALBRECHT,

Respondent.

No. 20-OP-250

Before: Linnea E. THOMPSON, Judge.

HEARING

[. . .]

MR. BROWN: Their supporter gave me one, so I will—

THE COURT: I have to put in a court date for the sheriff's department.

MS. ALBRECHT: And I need an answer to the gag because—

THE COURT: I'm sorry?

MS. ALBRECHT: I need an answer to my freedom of speech.

THE COURT: The court order of March 22nd, 2022, stands.

The plenary order, for purposes of the extension date, will be December 31st, 2099.

MS. ALBRECHT: What was that?

THE BAILIFF: You'll get a copy, ma'am.

MS. ALBRECHT: Could you speak up? Could I hear what was said?

THE COURT: Sure. I have to provide a date, which satisfies the sheriff's department computer program. When—when I enter an order that extends it until further order of the Court, that's not good enough for them. They want a date. So the date that I've provided to put in the order is December 31st, 2099.

THE BAILIFF: You'll get a copy.

[. . .]

**U.S. DISTRICT COURT
FEDERAL HABEAS CORPUS
PETITION EXCERPTS IDENTIFYING
CUSTODY AND CONFLICT,
(SEPTEMBER 18, 2025)**

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
ROCK ISLAND DIVISION

AIMEE LYNN ALBRECHT,

Petitioner,

v.

SHERIFF OF ROCK ISLAND COUNTY, ILLINOIS,

Respondent.

Case No. 25-cv-4165

PETITION FOR WRIT OF HABEAS CORPUS

28 U.S.C. §§ 2241 AND 2254 (ALTERNATIVE
PLEADING)

I. Parties and Custody

A. Petitioner Aimee Lynn Albrecht is a resident of Warren County, Illinois. She is restrained by a civil plenary order of protection entered September 21, 2022 in Rock Island County case 20-OP-250, which the state court treated together with guardianship case

16-P-313. The order states it remains in force “to December 31, 2099 at 10:00 a.m.”

B. The order imposes arrest-backed restraints (no-contact and location bans) enforced through 720 ILCS 5/12-3.4. These ongoing, criminally enforceable conditions non-trivially limit physical liberty and constitute “custody” under 28 U.S.C. §§ 2241(c)(3) and 2254(a).

C. The proper respondent is the Sheriff of Rock Island County in his official capacity.

[. . .]

F. Custody

The arrest-backed OP imposes a non-negligible restraint on physical liberty and therefore satisfies habeas “custody.” *See Jones v. Cunningham*, 371 U.S. 236, 242-43 (1963) (parole = custody); *Hensley v. Municipal Court*, 411 U.S. 345, 351-53 (1973) (arrest-backed release = custody)

VI. NOTICE OF CONFLICT REQUEST FOR REASSIGNMENT

Petitioner respectfully gives notice that the State Chief Judge for Rock Island County, Judge Clarence M. Darrow, is the spouse of the Honorable Sara L. Darrow, Chief Judge of this Court. Because this habeas challenges arrest-backed restraints issued out of Rock Island County, a reasonable observer could question the Chief Judge’s impartiality if she were assigned to, or took administrative action in, this case. To avoid any appearance of partiality, Petitioner requests reassignment by random draw to a United States District Judge other than Chief Judge Sara L.

Darrow and requests that the Chief Judge take no substantive or administrative action in this matter. 28 U.S.C. § 455(a); *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 860-61 (1988).

VII. RULE 5 REQUESTS (RULES GOVERNING § 2254 CASES)

A. Order Respondent to answer and lodge the complete state-court record within twenty-one days, including: all OP orders and extensions; all service returns; minute sheets; transcripts and audio for March 22, 2022 and September 21, 2022; the September 25, 2020 order; and the January 23-24, 2025 filings and order.

B. Order preservation of all originals and electronic media (audio, stenographic notes, transcript drafts and metadata, e-service logs).

C. Permit Petitioner to file a Rule 5(e) reply within fourteen days after the Answer.

[...]

**STATE-COURT RECORD REFLECTING JULIE
JONES'S REQUEST FOR COMMUNICATION
(APRIL 27, 2020)**

IN THE CIRCUIT COURT OF THE
FOURTEENTH JUDICIAL DISTRICT
ROCK ISLAND COUNTY, ILLINOIS
GENERAL DIVISION

In the matter of the guardianship of,

v.

A disabled adult

No. 2016-P-313
2020-OP

ANSWER TO PLEADINGS

NOW COMES the Ward, Julie Jones, by and through her attorney, Aaron M. Dyer of the Law Office of Aaron M. Dyer, and for her answer to the intervening adult's pleadings states the following:

1) That on March 25, 2020 Aimee Albrecht petitioned the Court to intervene in this matter. pro se.

2) That the intervening adult has filed several pleadings in this matter that do not conform to the usual format followed by the court in this circuit. This answer is intended to respond to all of those pleadings generally.

3) That in speaking with the Ward, Julie Jones, it is her opinion that a guardian should remain in place to assist her. Furthermore, she desires to have the current guardians, Linda and John Jones, continue acting in this capacity. She feels that they have done a very good job as guardians, that she has gotten better with their assistance and they are good parents.

4) That Julie Jones does not wish to come to future court dates and appearances and has asked that her attorney attend the proceedings and represent on her behalf.

5) That Julie Jones wishes to have a relationship with Aimee Albrecht where she may speak with Aimee freely as she so chooses.

WHEREFORE, the Ward, Julie Jones, respectfully requests the Court acknowledge this pleading as an answer to all of the pleadings filed by the intervening adult, and other such relief as the Court deems just and proper.

By: /s/ Aaron M. Dyer

Aaron M. Dyer
Attorney for Julie Jones
622 19th Street
Moline, IL 61265
Phone: (309) 402-0906
Fax: (309) 402-2617
aarondyerlaw@yahoo.com

FEDERAL DOCKET EXCERPT
SHOWING ASSIGNMENT, RECUSAL,
AND REASSIGNMENT
SEPTEMBER-NOVEMBER 2025

6:21

Albr...

com

Sign In

Albrecht v. Sheriff of Rock Island
County Illinois

Illinois Central District Court

Judge:	Sara Darrow
Referred:	Ronald L Hanna
Case #:	4:25-cv-04165
Nature of Suit	530 Prisoner Petitions - Habeas Corpus - General
Cause	28:2241 Petition for Writ of Habeas Corpus (federa
Case Filed:	Sep 18, 2025

Docket

Parties

Docket last updated: 09/25/2025 11:59 PM CDT

Wednesday, September 24, 2025

5

motion

Miscellaneous Relief

Wed 09/24 2:26 PM

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{Transcription}

Albrecht v. Sheriff of Rock Island County Illinois

Assigned to: District Judge Jonathan E Hawley

Referred to: Magistrate Judge Ronald L Hanna

Case in other court: Seventh Circuit, 25-03096

Cause: 28:2241

Petition for Writ of Habeas Corpus (federa

Date Filed: 09/18/2025

Date Terminated: 10/16/2025

Jury Demand: None

Nature of Suit: 530 Habeas Corpus
(General)

Jurisdiction: Federal Question

[...]

09/26/2025

6. MOTION for Recusal of Judge Sara Darrow by Petitioner Aimee Albrecht. Responses due by 10/10/2025 (Attachments: # 1 proposed order)(RES) (Entered: 09/26/2025)

09/30/2025

- 7 NOTICE of Appearance of Attorney by Austin Richard Carlson on behalf of Sheriff of Rock Island County Illinois (Carlson, Austin) (Entered: 09/30/2025)

09/30/2025

- 8 MOTION to Dismiss for Lack of Jurisdiction by Respondent Sheriff of Rock Island County

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Illinois. Responses due by 10/14/2025
(Carlson, Austin) (Entered: 09/30/2025)

09/30/2025

- 9 RULE 12(C) NOTICE entered re 8 MOTION to Dismiss for Lack of Jurisdiction (RES) (Entered: 09/30/2025)

09/30/2025

- 10 NOTICE of Filing Proof of Service by Petitioner Aimee Albrecht (RES) (Entered: 09/30/2025)

10/01/2025

- 11 RESPONSE to Motion re 3 MOTION for Preservation of Records, 2 MOTION for Temporary Stay and Short Form Injunctive Relief filed by Respondent Sheriff of Rock Island County Illinois. (Carlson, Austin) (Entered: 10/01/2025)

10/09/2025

TEXT ORDER OF RECUSAL entered by Chief Judge Sara Darrow on 10/9/2025.

Petitioner's Motion for Recusal 6 is GRANTED. Chief Judge Darrow disqualifies and recuses herself from participation in this matter pursuant to 28 U.S.C. 455(a). This case and the corresponding hearings are reassigned to Judge Hawley for further proceedings. (RES) (Entered: 10/09/2025)

10/09/2025

TEXT ORDER OF REASSIGNMENT entered by Chief Judge Sara Darrow on 10/9/2025.

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This case is reassigned to District Judge Jonathan E Hawley for further proceedings. (RES) (Entered: 10/09/2025)

10/10/2025

- 12 RESPONSE to Motion re 8 MOTION to Dismiss for Lack of Jurisdiction filed by Petitioner Aimee Albrecht. (RES) (Entered: 10/10/2025)

10/10/2025

- 13 NOTICE: Supplemental Jurisdictional Statement and Record Clarification by Petitioner Aimee Albrecht (RES) (Entered: 10/10/2025)

10/10/2025

- 14 Reply in Support of Day-One Motions for Temporary Relief and Preservation by Aimee Albrecht. (Attachments: # 1 proposed order)(RES) (Entered: 10/10/2025)

10/16/2025

- 15 ORDER entered by District Judge Jonathan E Hawley on 10/16/2025. Respondent's Motion to Dismiss (Doc. 8) is GRANTED and Petitioner's Section 2241 Petition (Doc.1) is DISMISSED for lack of subject matter jurisdiction. The remaining motions are dismissed as moot. The Clerk is DIRECTED to issue judgment in favor of Respondent and close the case. See full written Order. (RES) (Entered: 10/16/2025)

[...]

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SUPREME COURT
PRESS