

APPENDIX INDEX

The following documents are reproduced in the Appendix to this Petition for Writ of Certiorari. Each document is preceded by a cover page identifying the document, a key excerpt, and its relevance to the Questions Presented.

App.	Document	Writ Sections
A	Illinois Supreme Court Order Denying Leave to Appeal (January 28, 2026)	<i>Questions Presented 1–3; Jurisdictional Statement</i>
B	Illinois Appellate Court Dismissal Order (November 17, 2025)	<i>Question 1 (counsel omission / Rule 604(d)); Reasons I, II</i>
C	Lake County Circuit Clerk: Email Filing Refusal (January 28, 2026)	<i>Questions 1, 3 (State-Created Unavailability / Digital Exclusion); Reasons I, III, D</i>
D	Sentencing Order: Guilty Plea and Sentence (September 8, 2025)	<i>Question 1; Jurisdictional Statement</i>
E	Notice of Appeal (October 6, 2025)	<i>Question 1; Reasons I, II (diligence)</i>
F	Order for Restitution: Continuing Judicial Restraint (September 8, 2025)	<i>Jurisdictional Statement (custody requirement)</i>
G	Cook County Circuit Court Order: Judge Allen P. Walker (February 20, 2026)	<i>Question 2 (unconstitutional condition / Garrity); Reasons III</i>

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APPENDIX A

Illinois Supreme Court Order Denying Leave to Appeal (January 28, 2026)

DOCUMENT IDENTIFICATION

Official letter-order of the Supreme Court of Illinois, signed by Clerk Cynthia A. Grant, entered January 28, 2026, in *People v. Allababidi*, Case No. 132495 (on petition from the Appellate Court of Illinois, Second District, No. 2-25-0440). The Court denied the Petition for Leave to Appeal without opinion.

KEY EXCERPT

"The Supreme Court today DENIED the Petition for Leave to Appeal in the above entitled cause." — Clerk Cynthia A. Grant, Jan. 28, 2026

WHY THIS DOCUMENT MATTERS TO THIS PETITION

This is the judgment under review. Supreme Court Rule 14.1(i)(i) requires that Appendix A contain the opinion or order of the state court of last resort. The denial was entered *without opinion* on January 28, 2026 — the same day the Lake County Clerk refused all remote filing (App. C). This convergence of the denial with the physical and digital is the factual foundation of the State-Created Unavailability claim.

Writ Cross-Reference: Questions Presented 1–3; Jurisdictional Statement

Petition for Writ of Certiorari — Appendix A (1 of 7)

Document follows this cover page →



SUPREME COURT OF ILLINOIS

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

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

January 28, 2026

In re: People State of Illinois, respondent, v. Ehab Allababidi, petitioner.
Leave to appeal, Appellate Court, Second District.
132495

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 03/04/2026.

Very truly yours,

Cynthia A. Grant

Clerk of the Supreme Court

APPENDIX B

Illinois Appellate Court Dismissal Order (November 17, 2025)

DOCUMENT IDENTIFICATION

Letter-order of the Appellate Court of Illinois, Second District, entered November 17, 2025, dismissing Appeal No. 2-25-0440 in *People v. Allababidi* (Lake County Case No. 23 CF 1146). The appeal was dismissed solely for failure to file the mandatory Supreme Court Rule 604(d) certificate — a filing that was the exclusive responsibility of trial counsel, not Petitioner.

KEY EXCERPT

Appeal dismissed for noncompliance with Ill. S. Ct. R. 604(d). Trial counsel's failure to file the mandatory certificate was the sole basis for dismissal.

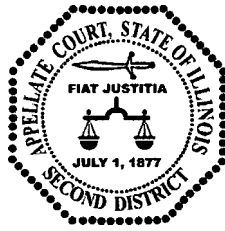
WHY THIS DOCUMENT MATTERS TO THIS PETITION

This order is the predicate for both the counsel-omission and State-Created Impediment claims. The Appellate Court dismissed the appeal because trial counsel — not Petitioner — failed to file a mandatory certificate. Under *Roe v. Flores-Ortega*, 528 U.S. 470 (2000), and *Garza v. Idaho*, 586 U.S. 232 (2019), counsel's procedural default cannot be imputed to the client.

Writ Cross-Reference: Question 1 (counsel omission / Rule 604(d)); Reasons I, II

Petition for Writ of Certiorari — Appendix B (2 of 7)

Document follows this cover page →



**ILLINOIS APPELLATE COURT
SECOND DISTRICT**

**55 SYMPHONY WAY
ELGIN, IL 60120
(847) 695-3750**

November 17, 2025

Ehab Allababidi
8516 W. Winona St.
Chicago, IL 60656

RE: People v. Allababidi, Ehab
Appeal No.: 2-25-0440
County: Lake County
Trial Court No.: 23CF1146

The court has this day, November 17, 2025, entered the following order in the above entitled case:

Appellant's motion to stay this appeal and issue a limited remand for proceedings under Rule 604(d) is denied, as appellant's admitted failure to file a Rule 604(d) motion requires instead that his appeal be dismissed. See *People ex rel. Alvarez v. Skryd*, 241 Ill. 2d 34, 40 (2011) ("Where a defendant has failed to file a motion to withdraw the guilty plea, the appellate court must dismiss the appeal."). (Although appellant offers certain excuses for why he failed to file the motion, he does not offer the only excuse that is legally actionable, which applies "[w]here a circuit court fails to give applicable Rule 605 admonishments." *Id.* at 41.) Accordingly, this appeal is dismissed.

THIS ORDER IS FINAL AND SHALL STAND AS THE MANDATE OF THIS COURT.
(McLaren, Hutchinson, Schostok, JJ.)

Jeffrey H. Kaplan
Clerk of the Court

cc: Edward Randall Psenicka
Lake County Circuit Court

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