

No. 26-5055

In the
Supreme Court of the United States

October Term, 2025

EHAB ALLABABIDI, *Petitioner*, v. ILLINOIS, *Respondent*.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
APPELLATE COURT OF ILLINOIS, SECOND DISTRICT

**APPENDIX TO SUPPLEMENTAL BRIEF
FOR PETITIONER**

Submitted pursuant to Supreme Court Rules 15.8 and 33.2

TABLE OF CONTENTS TO APPENDIX

Appendix A — Docket, Supreme Court of the United States, <i>Allababidi v. Illinois</i> , No. 26-5055 (as of August 7, 2026)	2a
Appendix B — Waiver of the Right to Respond, filed by Respondent Illinois, No. 26-5055 (August 7, 2026)	4a
Appendix C — Motion to Dismiss Petitioner’s Habeas Petition Without Prejudice (excerpts), <i>Allababidi v. Junkin</i> , No. 1:26-cv-01077 (N.D. Ill.), Dkt. 51 (August 7, 2026)	6a–10a
Appendix D — Orders of the Appellate Court of Illinois, Second District, <i>People v. Allababidi</i> , No. 2-26-0352 (July 31, 2026 and August 7, 2026)	12a–13a
Appendix E — Declaration of Ehab Allababidi (excerpts), 28 U.S.C. § 1746, <i>Allababidi v. Junkin</i> , No. 1:26-cv-01077 (N.D. Ill.), Dkt. 54 (August 10, 2026)	15a–18a

Every document reproduced in this appendix arose after Petitioner’s last filing in this Court, and is reproduced as it exists in the records of this Court, of the United States District Court for the Northern District of Illinois, or of the Appellate Court of Illinois, Second District. Original file stamps, PageID numbers, and native pagination are preserved and visible on the face of each reproduced page. Folios in the form “1a” appear at the foot of every page of this appendix.

Declaration under 28 U.S.C. § 1746. I declare under penalty of perjury that the documents reproduced at Appendices A through E are true and correct copies of the originals they purport to be. Executed on August 17, 2026.

/s/ Ehab Allababidi — **EHAB ALLABABIDI**, *Petitioner Pro Se*



APPENDIX A

Docket of the Supreme Court of the United States
***Allababidi v. Illinois*, No. 26-5055**

The official docket in this case. It records the petition for a writ of certiorari and the motion for leave to proceed in forma pauperis as filed February 27, 2026; the case as docketed July 10, 2026, with a response due August 10, 2026; and, under the date August 7, 2026, the entry “Waiver of Illinois of right to respond submitted.” It lists Katherine Marie Doersch, Office of the Illinois Attorney General, 115 South LaSalle Street, Chicago, Illinois 60603, as Counsel of Record for Respondent.

No. 26-5055

Title: **Ehab Allababidi, Petitioner
v.
Illinois**

Docketed: July 10, 2026

Lower Ct: Appellate Court of Illinois, Second District

Case Numbers: (2-25-0440)

Decision Date: November 17, 2025

Discretionary Court: January 28, 2026

Decision Date:

Proceedings and Orders

Feb 27 2026 Petition for a writ of certiorari and motion for leave to proceed in forma pauperis filed. (Response due August 10, 2026)
Motion for Leave to Proceed in Forma Pauperis (https://www.supremecourt.gov/DocketPDF/26/26-5055/416202/20260713081042073_20260713-080741-00001779-00004445.pdf)
Petition (https://www.supremecourt.gov/DocketPDF/26/26-5055/416202/20260713081044327_20260713-080741-00001779-00004445.pdf)
Appendix (https://www.supremecourt.gov/DocketPDF/26/26-5055/416202/20260713081046432_20260713-080741-00001779-00004446.pdf)
Proof of Service (https://www.supremecourt.gov/DocketPDF/26/26-5055/416202/20260713081048242_20260713-080741-00001779-00004447.pdf)

Aug 07 2026 Waiver of Illinois of right to respond submitted.
Main Document (https://www.supremecourt.gov/DocketPDF/26/26-5055/418438/20260807162202217_Allababidi%20Ehab%2026-5055%20USSC%20Waiver.pdf)

Attorneys

Attorneys for Petitioner

Ehab Allababidi
8516 W. Winona St.
Chicago, IL 60656
Ph: (773) 920-0030
Party name: Ehab Allababidi

Attorneys for Respondent

Katherine Marie Doersch
Counsel of Record
Office of the Illinois Attorney General
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Ph: 773 590 7078
Party name: Illinois

APPENDIX B

Waiver of the Right to Respond Filed by Respondent Illinois in No. 26-5055

The Waiver form filed in this Court on August 7, 2026. Its text reads: "I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court." The form marks the boxes for entry of appearance as Counsel of Record for all respondents and for membership in the Bar of this Court. It is executed by Katherine M. Doersch, Office of the Illinois Attorney General, Criminal Appeals Division, 115 South LaSalle Street, Chicago, Illinois 60603. The digital signature affixed to the form bears the time August 7, 2026, 3:16:42 p.m. C.D.T.; the typed date line on the same form reads August 8, 2026.

WAIVER

SUPREME COURT OF THE UNITED STATES

Supreme Court Case No. 26-5055

Ehab Allababidi

(Petitioner)

v.

Illinois

(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate boxes:

- ☒ Please enter my appearance as Counsel of Record for all respondents.
- ☐ There are multiple respondents, and I do not represent all respondents. Please enter my appearance as Counsel of Record for the following respondent(s):

- ☒ I am a member of the Bar of the Supreme Court of the United States.
- ☐ I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member.

Signature Katherine M. Doersch

Digitally signed by Katherine M. Doersch
Date: 2026.08.07 15:16:42 -05'00'

Date: August 8, 2026

(Type or print) Name Katherine M. Doersch

☐ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

Firm Office of the Illinois Attorney General, Criminal Appeals Division

Address 115 South LaSalle Street Chicago

City & State Chicago, Illinois Zip 60603

Phone 773-590-7078 Email Katherine.Doersch@ilag.gov

A COPY OF THIS FORM MUST BE SENT TO PETITIONER'S COUNSEL OR TO PETITIONER IF *PRO SE*. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE IS REQUIRED.

CC: Ehab Allababidi, Chicago, IL

APPENDIX C

**Motion to Dismiss Petitioner's Habeas Petition
Without Prejudice — Excerpts
Allababidi v. Junkin, No. 1:26-cv-01077 (N.D. Ill.), Dkt. 51**

Filed August 7, 2026 in the United States District Court for the Northern District of Illinois (Blakey, J.) by the Office of the Illinois Attorney General. Reproduced here are original pages 1, 8, 9, 13, and 14. Page 8 carries footnote 2 ("The time for seeking certiorari review expired on April 28, 2026") and the beginning of the finality passage completed on page 9. Pages 13 and 14 carry the signature block for Kwame Raoul, Attorney General of Illinois, by Assistant Attorney General Eldad Z. Malamuth, 115 South LaSalle, Chicago, Illinois 60603, and the certificate of service. The district court's electronic filing system stamped the document at 1:41:09 p.m. C.D.T. on August 7, 2026.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

EHAB ALLABABIDI,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 26 C 1077
	)	
MATT JUNKIN, <i>et al.</i> ,	)	The Honorable
	)	John Robert Blakey,
Respondents.	)	Judge Presiding.

**MOTION TO DISMISS
PETITIONER'S HABEAS PETITION WITHOUT PREJUDICE**

Pursuant to Rule 4 of the Rules Governing Section 2254 Cases, respondent moves to dismiss petitioner's 28 U.S.C. § 2254 habeas corpus petition without prejudice because petitioner has not exhausted available state court remedies and fails to show that he should be excused from doing so.

Background

I. State Court Proceedings

A. Petitioner pleads guilty to aggravated reckless driving.

Following a multi-vehicle collision, in June 2023, petitioner was indicted on charges of aggravated reckless driving and aggravated speeding. Exh. A, Indictment, *People v. Allababidi*, No. 23 CF 1146 (Cir. Ct. Lake Cnty. June 14, 2023).

On September 8, 2025, petitioner entered a negotiated guilty plea to aggravated reckless driving, a Class 4 felony; the aggravated speeding charge was

petition that he received ineffective assistance of counsel in violation of the Sixth Amendment.

Moreover, time remains for petitioner to reinstate his postconviction petitions. Under Illinois law, a petitioner may refile or reinstate a postconviction petition within one year after its dismissal for want of prosecution. *See People v. Bell*, 254 N.E.3d 522, 528-29 (Ill. App. Ct. 2024) (citing 735 ILCS 5/13-217). The state circuit court struck the postconviction petitions because petitioner failed to appear on March 10, 2026, *see* Exh. K — which is a dismissal for want of prosecution, *see Bell*, 254 N.E.3d at 528-29 — so petitioner has until March 10, 2027, to reinstate his postconviction petitions.²

And dismissal without prejudice will not “effectively end any chance at federal habeas review.” *Dolis v. Chambers*, 454 F.3d 721, 724 (7th Cir. 2006). Petitioner’s conviction became final on April 28, 2026, 90 days after the Illinois Supreme Court denied his PLA on January 28, 2026, *see* Exh. G, and when the time

² Even had petitioner not already filed postconviction petitions in state court, he would have time remaining to do so. The time for seeking certiorari review expired on April 28, 2026, 90 days after the Illinois Supreme Court denied his PLA on January 28, 2026. *See* Sup. Ct. R. 13.1; Exh. G. Petitioner had another 6 months, or until October 26, 2026, to file a petition. *See* 725 ILCS 5/122-1(c) (providing that not proceedings under this Article shall be commenced more than 6 months after the conclusion of proceedings in the United States Supreme Court; if a petitioner for certiorari is not filed, no proceedings under this Article shall be commenced more than 6 months from the date for filing a certiorari petition, unless the petitioner alleges facts showing that the delay was not due to his culpable negligence); *People v. Lighthart*, 2023 IL 128398, ¶ 67 (6-month limitations period, and not 3-year period applicable to defendants who do not file a direct appeal, applies where defendant “files a notice of appeal that culminates in an appellate court order disposing of the appeal, whether by dismissal or on the merits.”).

for seeking certiorari review in the United States Supreme Court expired, *see* Sup. Ct. R. 13.1; *Gonzalez v. Thaler*, 565 U.S. 134, 150 (2012). The one-year limitations period, *see* 28 U.S.C. § 2244(d)(1)(A), began running the following day, and petitioner thus has until April 28, 2027, to file a timely federal habeas petition. Additionally, the one-year limitations period is tolled during the pendency of a “properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim.” 28 U.S.C. § 2244(d)(2); *Wilson v. Battles*, 302 F.3d 745, 747 (7th Cir. 2002). So, if petitioner reinstates his petition by March 2027, the limitations clock will be tolled while it is pending. Under these circumstances, dismissal without prejudice is appropriate. *See Tucker v. Kingston*, 538 F.3d 732, 735 (7th Cir. 2008) (where over five months remaining in habeas limitations period dismissal, as opposed to stay, was warranted).

In sum, petitioner has not exhausted his available state postconviction remedies and his federal petition should be dismissed without prejudice.

B. Petitioner cannot excuse the statutory exhaustion requirement.

Because petitioner fails to show that “circumstances exist that render [the State corrective] process ineffective to protect [his] rights,” 28 U.S.C. § 2254 (b)(1)(B)(ii), he cannot excuse the exhaustion requirement.

Petitioner’s allegations boil down to complaints about state court rules requiring him to (a) file documents by mail or in person and (b) appear in person for certain court hearings. *See* Doc. 1 at 3 (complaining that “Lake County does not permit electronic filing” in his criminal case; filing by “Email is not accepted”; “No

Conclusion

This Court should dismiss the habeas petition without prejudice.

August 7, 2026

Respectfully submitted,

KWAME RAOUL
Attorney General of Illinois

By: s/ Eldad Z. Malamuth
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Assistant Attorney General
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CERTIFICATE OF SERVICE

I certify that on August 7, 2026, I electronically filed the foregoing **Motion to Dismiss Petitioner's Habeas Petition Without Prejudice** with the Clerk of the United States District Court for the Northern District of Illinois, using the CM/ECF system, which will provide electronic notice to all registered parties. I further certify that I emailed a copy of this document to the following:

Ehab Allababidi
defcon5ready@gmail.com

s/Eldad Z. Malamuth
ELDAD Z. MALAMUTH, Bar No. 6275421
Assistant Attorney General
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APPENDIX D

**Orders of the Appellate Court of Illinois
Second District
People v. Allababidi, No. 2-26-0352**

Two orders of the court whose judgment is under review in this case, entered in the same defendant's successor appeal while the petition has been pending. The order of July 31, 2026 appoints the Office of the State Appellate Defender and directs that "appellant himself shall file nothing further with this court and shall not communicate by any means with appellee's counsel." The order of August 7, 2026 denies both "appellant's motion to vacate the appointment of counsel" and "appellant's counsel's motion to withdraw," states that the court "can now maintain that appointment over his objection," and concludes that "this court's order of July 31 will stand." Both pages are reproduced as filed in the district court record at No. 1:26-cv-01077, Dkt. 53.



**ILLINOIS APPELLATE COURT
SECOND DISTRICT**

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

July 31, 2026

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

RE: People v. Allababidi, Ehab
Appeal No.: 2-26-0352
County: Lake County
Trial Court No.: 23CF1146

The court has this day, July 31, 2026, entered the following order in the above entitled case:

Appellant's "omnibus emergency motion" is granted as to its request for the appointment of appellate counsel, and the Office of the State Appellate Defender is hereby appointed. Now having been appointed counsel, appellant himself shall file nothing further with this court and shall not communicate by any means with appellee's counsel. Appellant's "omnibus" motion, and his other pending motions, are otherwise denied without prejudice to any motion filed by his counsel, including a motion to stay. (Appellant's counsel is hereby advised of appellant's suggestion that his jail term will begin on August 6, 2026.) This court reserves any issue of its jurisdiction.

Jeffrey H. Kaplan
Clerk of the Court

cc: Christopher Michael McCoy
Max Christian Boose



**ILLINOIS APPELLATE COURT
SECOND DISTRICT**

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

August 7, 2026

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

RE: People v. Allababidi, Ehab
Appeal No.: 2-26-0352
County: Lake County
Trial Court No.: 23CF1146

The court has this day, August 07, 2026, entered the following order in the above entitled case:

Appellant's motion for leave to reply is granted. However, appellant's motion to vacate the appointment of counsel, and appellant's counsel's motion to withdraw, are denied.

Appellant clearly made multiple requests for counsel, which this court could grant. Appellant's indigency was established by his application to waive court fees, and thus this court could grant appellant's requests without a remand to the circuit court.

In any event, however, this court could appoint counsel even without appellant's requests, and it can now maintain that appointment over his objection. As appellee notes, appellant has no constitutional right to represent himself. To be sure, Rule 607(a) states that, if an indigent appellant "desires counsel on appeal, the court shall appoint counsel on appeal." But this is a very far cry from stating that the court *may* appoint counsel *only* if the appellant desires counsel.

Here, the number and nature of appellant's filings make very clear that the appointment of counsel, which appellant again repeatedly requested, is necessary to maintain the integrity and efficiency of the appellate process. Accordingly, this court's order of July 31 will stand.

Jeffrey H. Kaplan
Clerk of the Court

APPENDIX E

Declaration of Ehab Allababidi — Excerpts

28 U.S.C. § 1746

***Allababidi v. Junkin*, No. 1:26-cv-01077 (N.D. Ill.), Dkt. 54**

Petitioner's declaration filed August 10, 2026 in the district court, authenticating the documents reproduced at Appendices A through D. Reproduced here are original pages 1, 5, 7, and 20: page 1 (caption and record-fact index); page 5 (paragraphs 22 through 24, recording appointed appellate counsel's written statement that the Office "do[es] not file documents on our clients' behalf in the circuit courts" and the August 7, 2026 disposition of both motions); page 7 (paragraphs 29 through 31 and the record comparison of the two August 7, 2026 federal filings); and page 20 (verification under 28 U.S.C. § 1746).

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS — EASTERN DIVISION**

FILED MPV
8/10/2026
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

EHAB ALLABABIDI,
Petitioner,

v.

MATT JUNKIN, et al.,
Respondents.

Case No. **26 C 1077**

The Honorable
John Robert Blakey,
District Judge.
The Honorable Daniel P. McLaughlin,
Magistrate Judge.
DECLARATION

**DECLARATION OF EHAB ALLABABIDI AUTHENTICATING
THE STATE'S OWN RECORD CONTRADICTING DKT. 51**

28 U.S.C. § 1746 — the State's instruments, the State's dates, and the State's words — August 10, 2026

DECLARATION AND FOUNDATION

1. I am Ehab Allababidi, the Petitioner in this action and the defendant in *People v. Allababidi*, Lake County No. 23 CF 1146. I am over eighteen years old and competent to make this declaration. I submit this declaration in support of my Response in Opposition to Respondent's Motion to Dismiss Without Prejudice, Dkt. 51. It addresses the facts bearing on whether the state corrective process was actually usable by me during the period described in Dkt. 51. The material premises of Dkt. 51 are not merely disputed; they are refuted by the State's own transcript, certified docket, signed orders, written communications, custody instruments, and Supreme Court record.

2. Except where I expressly identify a document, I state the facts below from my own personal knowledge. If called as a witness, I could and would testify competently to them. Where I identify or quote a factual record document, I have reviewed it either in the 253-page Exhibit Packet served with my response or, where I expressly cite the separate federal RICO docket and PageID, the stamped civil-rights docket, or the file-stamped administrative-review master record identified below. The packet is continuously Bates numbered NX2-000003 through NX2-000253. The source documents are records I received, sent, downloaded from official court or government systems, obtained in government productions, or filed on CM/ECF, and they are maintained in my records. When I quote a document, quotation marks identify words visible on the face of that document. This is not a contest between competing narratives. It is Dkt. 51 measured against the State's own instruments, dates, and words. On every dispositive premise identified below, the State's record defeats the factual proposition the motion requires.

RECORD FACT	PRIMARY SUPPORT
March 10 transcript says <i>strike, off the call, and resurrect</i> .	Dkt. 51-11, PageID 657.
Counsel was discharged retroactively to October 6, 2025.	Dkt. 51-15, PageID 746.
The June 8 filing route required counsel; counsel disclaimed representation.	Pet'r Exs. A, B, U; NX2-000003 to -000006, -000167 to -000171.
USPS recorded no delivery of the certified article through August 8.	Pet'r Ex. AA; NX2-000209 to -000215.
The appellate filing bar remained in place after Petitioner and appointed counsel separately sought release.	Pet'r Exs. E, FF; NX2-000011 to -000018, -000238 to -000240.
Certiorari was filed before the date Dkt. 51 treats as expiration.	Pet'r Ex. O; NX2-000130 to -000138.

I. THE STATE'S OWN TRANSCRIPT DOES NOT SAY DISMISSED

3. In November and December 2025, I filed post-conviction petitions in Lake County No. 23 CF 1146. Respondent filed copies as Dkt. 51-8 and Dkt. 51-9. On February 19, 2026, at approximately 3:00 p.m., I received a telephone call from a newly assigned probation officer whose name and direct contact information were not clearly established during the call. During that call, the officer initially instructed me to

as Dkt. 51-16, PageID 747. Dkt. 51 at page 11 states that nothing prevents me from using public transportation, a friend, a taxi, or a rideshare service to file in person. The warrant at Dkt. 51-13 is the custody instrument commanding my arrest and detention upon execution.

18. On July 23, 2026 at 11:59 a.m., a Notice of Court Date required me to appear in Courtroom T-611 on August 6 at 9:00 a.m. The notice stated “On court's own motion, you are hereby required to appear”. At 8:58 a.m. on August 6, I viewed and captured the Nineteenth Judicial Circuit's online Zoom schedule. It listed Judge Christopher Stride, a 9:00 a.m. to noon session, a meeting identifier, passcode, dial-in number, and Join Now link. I joined through that published link on time. I was placed in a waiting room headed for Judge Christopher Stride and Courtroom T-611. My camera was on and I was dressed for court.

19. I captured the screen at 9:03, 9:11, 9:15, 9:17, 9:20, 9:21, 9:24, 9:27, 9:30, 9:33, 9:39, 9:40, 9:44, and 9:47 a.m. The first capture states “Waiting for the host to start the meeting”. The remaining thirteen state “Host has joined. We've let them know you're here”. Pet'r Ex. F, NX2-000020 to NX2-000024. At 9:53 a.m., while still waiting, I placed two calls to the courtroom number shown in my records, 847-377-3814. My call record shows two calls at that minute and the first lasting 37 seconds. Pet'r Ex. F, NX2-000025. I was admitted at approximately 9:57 a.m. and waited further while other matters were called. When my case was reached, the proceeding took less than four minutes.

20. I previously declared the August 6 events in paragraphs 2 through 15 of a declaration executed that day. The executed pages are reproduced at Petitioner's Exhibit F, NX2-000026 to NX2-000027. I reaffirm those factual paragraphs here.

IV. THE REVIEWING COURT BARRED ME, COUNSEL COULD NOT FILE BELOW, AND THE COURT REFUSED TO RELEASE EITHER OF US

21. On July 23, 2026, the Illinois Appellate Court, Second District, issued notice that my appeal had been docketed as No. 2-26-0352. Pet'r Ex. D, NX2-000010. On July 31, 2026, the reviewing court appointed the Office of the State Appellate Defender. Its order states: “appellant himself shall file nothing further with this court”. Pet'r Ex. E, NX2-000012.

22. On August 3 at 5:56 p.m., appointed counsel wrote that OSAD is authorized to represent people on appeal and “we do not file documents on our clients' behalf in the circuit courts”. Pet'r Ex. FF, NX2-000239 to NX2-000240. The same communication stated that a motion to quash or recall a warrant must be filed with the local circuit clerk and ruled on in the originating courtroom. It instructed me to file such a motion on my own or seek circuit-court counsel. On August 4, appointed counsel filed a verified motion asking the reviewing court to discharge OSAD from the appointment. The motion is reproduced in Petitioner's Exhibit E, NX2-000013 to NX2-000017.

23. **As of August 7, 2026 I cannot lawfully file the post-conviction pleading myself, and the lawyer through whom I am required to file is not authorized to file it.** The reviewing court has ordered that I file nothing further with it. My appointed counsel has stated in writing that her Office does not file in the circuit courts, which is where the relief must be sought. Both of us asked to be released from that arrangement on the same record, and **the court refused both requests on the same day.** On August 10, 2026 at 3:17 p.m. the Deputy Defender of the Second District office wrote to me that his office will “continue to be the attorney on your case”, that the next step is to order the record prepared, and that “[o]nce the record is complete, an individual attorney in our office will be assigned to your case”. His message addresses “options for the appeal” and says nothing of the circuit court. Pet'r Ex. II, NX2-000254. **As of the date I sign this declaration no individual attorney has been assigned, and I know of no person who is presently permitted to file the pleading Dkt. 51 says is available to me.** On August 7, the reviewing court denied both my motion to vacate the appointment and appointed counsel's motion to withdraw. The order states that the appointment could be maintained over my objection and that the July 31 order “will stand”. Pet'r Ex. E, NX2-000018.

24. Thus, as of August 7, the written instruments established all of the following: I could not file personally in the reviewing court; my appellate lawyer did not file in the circuit court; the warrant relief had to be sought in the circuit court; and the reviewing court denied both requests to end the appointment. At 11:31 a.m. on August 6, before the August 7 order existed, I submitted envelope 39386845 in No.

29. My revised omnibus post-conviction petition is reproduced, with a June 18, 2026 submission stamp from the Supreme Court record in No. 133295, at Petitioner's Exhibit N, NX2-000098 to NX2-000129. It records the claims I continued attempting to present after the March 10 proceeding.

30. I filed a petition for a writ of certiorari in the United States Supreme Court on February 27, 2026, seeking review of the November 17, 2025 dismissal of my direct appeal and the January 28, 2026 denial of leave to appeal. The Supreme Court docket identifies that petition as No. 26-5055, records **February 27** as the filing date, July 10 as the docketing date, and August 10 as the original response due date. Pet'r Ex. O, NX2-000137.

31. On August 7, 2026, Illinois submitted a waiver of the right to respond. The docket and waiver form identify the event and counsel. Pet'r Ex. O, NX2-000137 to NX2-000138. Dkt. 51 at pages 8 and 9 states that the time to seek certiorari expired on April 28, 2026 and computes both a state post-conviction date and a federal habeas date from that premise. The official Supreme Court docket instead records a **February 27** petition and an active docket on August 7. The same Office filed two federal records on August 7: Dkt. 51 in this Court, premised on expiration of the certiorari period, and Illinois's waiver in the live certiorari case, No. 26-5055.

FIGURE 5 / RECORD COMPARISON

ONE OFFICE, ONE DAY, TWO INCOMPATIBLE FEDERAL RECORDS

AUGUST 7 RECORD	SIGNED BY	WHAT THE RECORD ESTABLISHES
Dkt. 51 in this Court	Eldad Z. Malamuth	Treats April 28 as expiration of the time to seek certiorari and computes limitations dates from that premise.
Illinois waiver in U.S. Supreme Court No. 26-5055	Katherine M. Doersch	Waives response in the live case whose official docket records the petition as filed February 27.

Record consequence: the February 27 filing and live August 7 Supreme Court docket cannot coexist with Dkt. 51's April 28 no-petition premise. Pet'r Ex. O, NX2-000137 to -000138.

VI. DKT. 51 WAS FILED AFTER COUNSEL RECEIVED A WRITTEN, DOCUMENT-BY-DOCUMENT CORRECTION NOTICE

32. On July 28, 2026, **the same day** Eldad Z. Malamuth appeared for Respondent at Dkt. 50, I sent him a written notice directed to the availability of the State corrective process. The notice and its attachments are reproduced at Petitioner's Exhibit Y, NX2-000187 to NX2-000191. The notice did not ask counsel to accept my characterization of the record. It identified the State and county documents, stated the correction each document required, and requested that any later filing identify the document if counsel intended to maintain the contrary proposition.

33. First, I directed counsel not to repeat the characterization of my November 2025 screen as an "illegal substance" because the Cook County supervising officer's written clearance stated that the result was negative in light of the verified prescription. Second, I directed counsel not to imply that any court had made a finding that I willfully refused to pay restitution. I stated that no such adjudication existed and requested the date, judge, docket entry, and transcript if counsel claimed otherwise. Third, I directed counsel to disclose the December 10, 2025 probation clearance if the State relied on the revocation petition, so the tribunal would see the State document refuting the petition's "illegal substance" label. Fourth, I requested the State's position on the May 28 warrant that commanded my arrest and custody for a "technical violation". Fifth, I asked counsel to produce the direct-appeal record requested at Dkt. 45 or confirm it did not exist and, if the State intended to argue exhaustion, to identify the specific process it claimed remained practically available.

34. On July 29, I sent Malamuth a supplemental notice and copied Katherine Doersch and Michael Arnold at their Office of the Illinois Attorney General email addresses. The supplement is reproduced at Petitioner's Exhibit Y, NX2-000192 to NX2-000204. The supplement identified an 805-page Lake County production received that day and cited specific production pages reflecting June 26 and July 10 communications between the Attorney General's Office, the Lake County State's Attorney's Office, and the Administrative Office of the Illinois Courts concerning me and the federal habeas matter. The identified pages included Michael Arnold's June 26 transmissions to Katherine Doersch captioned "Q re

FIGURE 19 / RECORD COMPARISON

THE RECURRING RECORD SUBSTITUTION

SUBJECT	STATE POSITION	STATE SOURCE RECORD
Crash	Acceleration / straight rear impact / stopped	Zero throttle; brake + ABS; steering; offset axle; continued motion
Drug	"illegal substance" / Nov. 10	Verified prescription; written clearance; memo says Nov. 20
Public service	20 hours monthly; completion proof missing	Signed order says 12; proof due near March 2028 termination
March 10	"dismissal for want of prosecution"	"strike" / "off the call" / "resurrect" / "Case Called"
Certiorari	Time expired April 28	Petition filed February 27; live docket and waiver August 7
Exhaustion	Mail, counsel, appellate, and in-person routes available	No delivery; counsel loop; filing bar; custody warrant

The pattern is documentary: every row compares one State position with another State instrument. No row depends on accepting an unsupported accusation.

XV. SOURCE AUTHENTICATION AND VERIFICATION

73. Source authentication. The 253-page packet is continuously Bates numbered NX2-000003 through NX2-000253. Its source documents are true and correct copies of records in my possession, government productions, or public court records. Selected pages are identified as selections; source pages remain preserved; presentation additions are limited to normalization, Bates and provenance footers, covers, callouts, and plates. The separately cited RICO CM/ECF record, 493-page stamped civil-rights appendix, and 451-page file-stamped administrative-review record are the exact records from which the cited events and Bates references were checked. I sent or received the probation emails cited in Section VII, have personal knowledge of the promised January 28 visit and no-show, and have reviewed this declaration for factual accuracy. I verify every numbered paragraph.

PACKET E3894EDA41F73D61BA185C286DF98A6B4AEE74FCCA7D76671878A8C747BE1BE1
RESPONSE 7CD0320F3CBAC8E01674CD4C5AC43DFF948CCCA46211AB516867A2F242D50E2F
CIVIL RIGHTS 1CB7D61742FF418D15120CA5FB8710DD82D2A4F079CD61F8F10CD65CD83677A2
ADMIN REVIEW D5F10C11D2E2EA89B153247E6FE3B9D9B00B517E90993E02EEA1A5D9E81254D3

VERIFICATION UNDER 28 U.S.C. § 1746

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

/s/ Ehab Allababidi

EHAB ALLABABIDI — Petitioner, Pro Se — 8516 W. Winona St., Chicago, Illinois
60656 — (773) 920-0030 — defcon5ready@gmail.com
Executed on: **August 10, 2026**

CERTIFICATE OF SERVICE. I certify that on August 10, 2026 I submitted this Declaration to the Clerk of Court through the Court's electronic filing portal for self-represented litigants. Counsel of record are registered users of the Court's CM/ECF system and are served by the Notice of Electronic Filing generated upon docketing. **/s/ Ehab Allababidi**