

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

People of the State of Illinois)
Plaintiff) No 09 MC1 09223774
v.)
Linda Shelton)
Defendant) Peggy Chiampas Allegedly Presiding

FILED
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MAY 29 2012
DOROTHY BROWN
CLERK OF CIRCUIT COURT

MEMORANDUM OF INTENT TO PRESENT IMPEACHMENT EVIDENCE
AGAINST COMPLAINANT, EVIDENCE OF A SYSTEMIC AND PERVASIVE SERIES
OF FALSE ALLEGATIONS AGAINST SHELTON ALONG WITH HARASSMENT OF
HER BY SHERIFF STAFF, EVIDENCE OF CRIMINAL CONDUCT OF STATE'S
ATTORNEYS AIDING AND ABETTING THE HARASSMENT AND FALSE ARRESTS
AND MALICIOUS PROSECUTIONS OF SHELTON, AND EVIDENCE OF
MISCONDUCT OF JUDGES ILLEGALLY DISMISSING PREVIOUS MOTIONS FOR
SUBSTITUTION OF JUDGE AND FOR DISMISSAL OF
LEGALLY INSUFFICIENT COMPLAINTS
OR
IN THE ALTERNATIVE AN OFFER OF PROOF

NOW COMES, Linda Shelton ("SHELTON") pro se, intends to present to the jury the following facts proving false statements of complainant Sheriff staff and retaliation against her for exposing corruption in the Sheriff staff and their friends the Illinois Attorney General, as well as corruption of several of the judges, pervasive pattern of sheriff's staff lying about SHELTON, falsely arresting her, and maliciously prosecuting her, as well as continuously harassing her, and evidence of assistant state's attorneys who aided and abetted these false arrests and malicious prosecutions, as well as evidence of gross misconduct of several judges aimed at SHELTON, which has seriously harmed SHELTON and her family in acts of violation of their oaths of office, or in the alternative, if this court illegally refuses to allow this testimony and evidence to be presented to the jury proving a pattern of harassment of SHELTON with lies, perjury, false arrests, and malicious prosecutions by the Sheriff staff working in

11-26-12 handwritten notes added after filing

conjunction with corrupt judges and the corrupt Illinois Attorney General, despite the fact that Judge Chiampas opened the door to present this evidence as she is allowing the state to present fraudulent evidence of other "bad acts" for some perverted theory of SHELTON's conduct, which are fraudulent legally insufficient charges that have not yet come to trial or were dismissed, then for the purpose of an offer of proof so that when she is railroaded by the misconduct of this Court and the State's Attorney these facts will be on the record for purposes of appeal:

1. Exhibit A is an affidavit, dated September 16, 2009, from (Ret) Judge Robert P. Bastone, Assistant to Chief Judge Timothy Evans, which states that if he were to testify he would state that SHELTON is not listed in any document, list, or paper of any sort as a threat to judges or as having been inappropriate in any courtroom in Cook County.

2. Exhibit B is an affidavit dated October 19, 2009, from First Assistant Chief Deputy Sheriff Kevin Connelly, which states that if he were to testify he would state that SHELTON is not listed in any document, list, or paper of any sort as a threat to judges or as having been inappropriate in any courtroom in Cook County.

3. Group Exhibit C proves that Nolan has defamed SHELTON and made false allegations of her "dangerousness to judges" to numerous Sheriff Staff as justification for his ^{standing verbal order (written memo?)} order barring Shelton from entering the Daley Center without an armed ^{Sheriff} escort and in order to incite them to harass her, defame her, falsely arrest her, maliciously prosecute her, cause her to no longer be a credible witness, and therefore protect the corrupt criminal and/or corrupt acts of judges (McHale, Alonso, Pantle, Haracz, Daly, Feerick, Hyland, Kazmierski, Mathein, ^{Burch} and ^{including Chiampas + Wright + Evans} numerous others), the Illinois Attorney General, and of Sheriff staff, which SHELTON has documented on her blogs: <http://cookcountyjudges.wordpress.com>,

<http://illinoiscorruption.blogspot.com> , <http://cookcountysheriffdeputies.wordpress.com> ,
<http://prosechicago.wordpress.com> , <http://chicagofbi.wordpress.com> , and which others have
also documented in <http://illinoiscorruption.net> .

4. SHELTON will also provide evidence that Nolan and other senior Sheriff Staff
use this same pattern of harassment against other whistle blowers ^{including Sheila Mannix, Kaym Mehmman, David Bambic} who have evidence of criminal ^{Offenses}
conduct of judges, officials, and Sheriff Staff. This is a pattern and practice of the Sheriff Staff in
this corruption capital of the world known as Chicago and C[r]ook County, Illinois. Further
evidence of this corruption can be found in former Illinois Senator and Cook County Board
President Candidate Roger Keats just published book: "Chicago Confidential", in the history of
Graylord and in prosecution by the U.S. Attorney in the last 20 years.

5. This misconduct is likely in retaliation for SHELTON's documentation of and
complaints about civil rights violations and other bad acts by Sheriff staff in acts of official
misconduct. These include incident reports (group exhibit C) written by the following Sheriff
Officers on the following dates that state that they were told by higher officers to "shadow" or
"escort" SHELTON as she is listed in their "book" ^{as} a "judicial threat", a "suspicious person", or a
person requiring "extra security" or an armed escort due to her dangerousness: On March 9, 2009
Deputy Sheriff ("D/S") Abruscatto star 11338 & Lt. Prescott star 512; On April 10, 2009 D/S K
Spight-Walker star 10904 and Unknown supervisor star 1082; On April 27, 2009 D/S C. Miglieri
star 11244 & Sgt. Goe (sp?) star 1053; On April 27, 2009 (second time in same day) D/S Dalibor
Jevtic star 11168 and Unknown Supervisor star 1082; On April 30, 2009 D/S. Deborah Salzman
star 11347 & Unknown Supervisor star 1082; On May 6, 2009 D/S Abruscatto star 11338 &
Unknown Supervisor star 1082; and On June 8, 2009 D/S Anne Cunningham star 11324 &
Unknown Supervisor star 1082.

6. Exhibit D is a memorandum, dated September 14, 2009, from Complainant Assistant Chief ("A/C") William Nolan to Acting 1st A/C Sheriff Kelly Jackson stating that SHELTON is not listed in any e-mails, Intelligence Bulletins, or documents of any kind as a person requiring an escort. In this memorandum A/C Nolan admits harassment of Shelton in that he has ordered "on some occasions" deputies to escort SHELTON at the Daley Center due to her "disruptive behavior while in Cook County Court facilities." Yet he quoted no evidence of this alleged behavior and SHELTON has never been convicted of such behavior.

7. Thus A/C Nolan admits to personally being responsible for the lies and defamation of the character of SHELTON to his officers, giving the appearance that he was the one that biased them and has caused them to harass, intimidate, and falsely arrest SHELTON on innumerable occasions in 2009.

8. This gives the appearance of retaliation against Shelton due to SHELTON winning several other criminal cases or now having proof the testimony of a Sheriff Sgt. Anthony Salemi, used to convict her of felony battery, in a previous case, is perjury.

SHELTON's evidence in these cases described in the following, brought against her by sheriff staff who are close colleagues of complainants, proved that she was falsely arrested and maliciously prosecuted by sheriff staff on numerous occasions in the past.

9. Motive for Sheriff staff to retaliate against SHELTON includes the facts of numerous false arrests and malicious prosecutions, by sheriff staff and policing agencies who work with the Sheriff's Department and cover up for each other's corruption, where SHELTON prevailed in court in jury and bench trials and with pretrial motions to dismiss.

Evidence in all these cases of harassment of SHELTON with these false arrests and malicious

Shelton's evidence of felony conduct of AG Madigan + members of the IL St. Police, # evidence of felony conduct of judges (friends of Sheriff) +

prosecutions will be presented to the jury. A full list of all the false arrests by Chicago Police and Cook County Sheriffs is Exhibit E.

10. This includes the fact that SHELTON won a complaint for mandamus against Cook County Sheriff Sheahan, case number 04 CH 15787, in 2004, for illegally failing to respond to a FOIA request about protocols to assist disabled persons in the courthouses. Sheriff Sheahan was forced to admit that the Sheriff's Office had been in violation of federal law for over a decade in failing to have a compliance plan for courthouses with the Federal Americans with Disabilities Act.

11. It is well-settled law that void orders can be appealed at any time in any court directly or collaterally¹ as this is well-settled law. (*In Re Estate of Steinfeld*, 630 N.E.2d 801, certiorari denied, See also *Steinfeld v. Hoddick*, 513 U.S. 809 (Ill. 1994), *Long v. Shorebank Development Corp.*, 182 F.3d 548 (C.A. 7 Ill. 1999), 12 Moore's Federal Practice § 60.44[c]; and *People v. Sales*, 551 N.E.2d 1359 (Ill.App. 2 Dist. 1990), *People v. Rolland*, 581 N.E.2d 907 (Ill.App. 4 Dist. 1991), *In re Adoption of E.L.*, 733 N.E.2d 846, (Ill. App. 1 Dist. 2000)).

12. Therefore, as the State has opened the door to introducing evidence of previous arrest, SHELTON will also call witnesses and present[§] photographic and written evidence in order to prove ~~§~~ that her one felony criminal conviction is void where she was wrongfully

¹ Courts have been exceedingly lenient in defining the term "reasonable time," with regard to voidness challenges. In fact, it has been oft-stated that, for all intents and purposes, a motion to vacate a default judgment as void "may be made at any time." 12 Moore's Federal Practice § 60.44[c]; *McLearn v. Cowen & Co.*, 660 F.2d 845, 848 (2d Cir.1981); *Crosby v. The Bradstreet Co.*, 312 F.2d 483, 485 (2d Cir.1963) (judgment vacated as void thirty years after entry).

convicted of aggravated battery of an officer for allegedly "bumping" him with her wheelchair causing his shins to be skinned and then kicking him with her feet causing soreness in the chest. SHELTON will present testimony that proves the only state witness against her committed perjury. (Case # 05 CR 12718). She has NO misdemeanor convictions or municipal ordinance convictions regarding officers, trespass, or courthouses. Her 8 arrests for contempt of court (mainly for telling the judges that they did not have jurisdiction and the cases against her were fraudulent) include two which were reversed by the Appellate Court when the judge failed to write any charges and made outrageous bails in violation of law, one reversed by Judge Burch, three unconstitutional charges pending before the U.S. Supreme Court, case number 12-6561, and 2 unconstitutional charges brought in a case where there was no jurisdiction of the court and the judges refused to acknowledge this fact should also be overturned in due time as they are brought to higher courts due to judicial misconduct. Sheriff staff participated in these unlawful arrests including the two where there were no legal charges or orders written.

13. Other cases in which SHELTON will prove false arrests and malicious prosecutions by sheriff staff and policing agencies or the Illinois Attorney General based on their perjury and false statements to the courts, including false statements by the Cook County Sheriff Staff are as follows.

14. 03 MC5 002031 false arrest due to false statements by Sheriff Staff and harassment by Sheriff staff – **nolle prosequed**.

SHELTON came to Bridgeview courthouse to file papers in a case that she later won and the deputies refused to allow her to leave the security entrance stating she had to have an armed escort. The Clerk's office was a short distance from the security entrance and deputies could easily watch SHELTON enter and file papers. SHELTON knew that there were no legal orders

preventing her from entering the courthouse unescorted. The deputies surrounded her, harassed her and when she kept trying to go to the clerk's office arrested her for disorderly conduct, but then labeled it a municipal ordinance violation and called the local Bridgeview Village's police who arrested her. The village attorney dropped the charges as invalid. This was therefore pure harassment of SHELTON by the Sheriff Courtroom services staff, D/S Miernjicki, D/S Chjristofidis, and Sgt. Kon, assisted by D/S Aquirre, D/S Bailey, D/S Morley, D/S Enriquez, and D/S Retelsky all under the instruction of Asst. Chief Sheriff Lyons. Public Defender Joseph McElligott witnessed several similar incidents and intervened once when the deputies even tried to prevent SHELTON from going to his office to meet with him. SHELTON's friend, the now deceased Harriet Byrd-Scanlon also witnessed this incident and was roughened up by these deputies when they forced her out of the building trying to prevent her from witnessing this harassment. The deputies lied in making up all sorts of descriptions about SHELTON accusing her of yelling, screaming, pushing, etc. (Group Exhibit K) The deputies could produce no document or order requiring her to be escorted to the Clerk's office. Judge Montelieone, the presiding judge had even assured SHELTON that this type of harassment would stop and it didn't stop. This was pure harassment and obstruction of justice in attempting to prevent SHELTON from filing court papers. SHELTON eventually on March 20, 2003 sought and obtained an order against the Sheriff to prevent them from escorting or harassing her. (Exhibit L)

15. 04 CR 17571 false arrest by Lisa Madigan's agents for Medicaid vendor fraud, found **not guilty**. (Group Exhibit M)

Of note, in this case 4 years after requesting, in 2006 and a year after the trial, in a Freedom of Information Act Request ("FOIA") the application for recertification to receive federal funds from the Illinois Medicaid Fraud Control Unit to the U.S. DHHS, SHELTON in

2010 received this application and it stated that the IL Attorney General had NO LEGAL AUTHORITY to prosecute Medicaid Vendor Fraud and the state of IL MFCU always turns such evidence over to the U.S. Attorney for federal prosecution. Clearly the U.S. Attorney would not have prosecuted SHELTON as the State had evidence that this was a matter of I.D. theft and SHELTON did not send in fraudulent bills. AG Madigan however, in a felony act of corruption knowing she did not have authority to prosecute SHELTON, in the appearance that she wanted to destroy SHELTON's career and discredit her as a witness against corrupt judges and sheriff staff, AG Madigan prosecuted SHELTON anyways, which resulted in the destruction of her career and four fraudulent incarcerations for contempt of court for telling the judge the truth that she had no jurisdiction. (Group Exhibit N)

Sheriff staff incarcerated Shelton twice without legal orders finding her in contempt! They should have refused to follow the judge's verbal order. The Cook County State's Attorney in the courtroom who witnessed this crime by Judge Pantle and Asst. Attorney Generals Fearon and Murray, who were without authority acting as prosecutors, violated their oaths of office by not immediately filing complaints with the Illinois Judicial Inquiry Board ("JIB") and the Illinois Attorney Disciplinary and Regulatory Commission ("ARDC") as their oaths of office required them to report criminal acts by lawyers and judges.

This amounted to felony conspiracy to violate civil rights under federal law by Judge Pantle, Asst. AGs Fearon and Murray, the Cook County State's Attorney assigned to the courtroom and the Cook County Sheriffs involved in jailing SHELTON.

16. 05 CR 12718 false arrest and wrongful conviction due to Nifong-like prosecutorial misconduct, judicial misconduct, and perjury by state witness. (Evidence that the state witness committed perjury in order to obtain this fraudulent conviction is group exhibit O).

17. In 05 CR 12718, a case of felony aggravated battery of an officer, Shelton will introduce evidence that Sgt. (now Lt.) Anthony Salemi committed perjury to obtain this wrongful conviction. Witnesses and pictures, as well as agreements about evidence will be shown to this court proving that Salemi lied flat out and that he attacked Shelton and not vice versa. Therefore, the conviction is void and must be overturned, as well as this evidence can be introduced in this case both as in *Steinfeld* (supra) and other quoted cases, void orders can be challenged in any court at any time, and as the State's Attorney opened the door because they have been given court consent to introduce evidence of other charges. This consent to introduce evidence from other cases is not one sided or that would be unfair. The evidence discussed in this memorandum impeaches the state's witnesses and the state's theory of the case.

18. On May 16, 2005, while SHELTON was jailed for one of the above contempt charges. Four weeks after SHELTON won a complaint for injunction against the Sheriff's office for violation of the FOIA, case number 04 CH 15787, Cook County Correctional Sgt. Anthony C. Salemi assigned to Cermak (the infirmary at Cook County Department of Corrections ("CCDOC")) attacked SHELTON. SHELTON who was incarcerated on this fraudulent finding of contempt by corrupt Judge Kathleen Pantle – who later was removed as a criminal court judge and is facing a lawsuit review of her corrupt actions by the U.S. Supreme Court in two pending cases, 12-6561 and 11-10814..

19. SHELTON had been in jail 6 days, had been denied the usual free phone call to family and attorney (guaranteed by law) and was frantic about who would care for my father, an elderly man who was recovering from a major illness and developed an exacerbation of his chronic disease (Exhibit O-EE p27-31, 68-69) . SHELTON had been illegally denied medication

prescribed by her doctors at the U. of I. for serious neurological, lung and heart disorders, without which she became very dizzy, weak, and fainted easily – frequently going into brief cardiac arrests (Exhibit O-EE p24-34). She was representing herself in court and the corrupt staff at the jail illegally denied her any constitutional right to access the courts (have a pen, paper, and a way to mail the documents to the court) (Exh O-EE p30-34). She suffers from a partial right hemiparesis and extremely poor balance due to congenital spinal injury and progressive spinal problems. She usually had walked with a cane, but on the second day as she became more ill from lack of proper medication and diet (she required a special diet that was denied to here). She nearly passed out in the shower and then was given a **wheelchair that was broken**. (Exh O-EE p 22-34)

20. **It is a class A misdemeanor for a jailer to deny medication, access to the courts, and free initial phone calls** (although brief), 720 ILCS 5/103-2 & 5/103-3² and First Amendment³. The Cook County State's Attorney Devine and now Alvarez have refused to prosecute these offenses against officers. SHELTON even met with Alvarez's assistant and they still have done nothing.

21. The broken wheelchair was difficult to move well. It was extra wide so that SHELTON had to spread her arms wide – with congenital injury to the nerves to arms, hands,

² 725 ILCS 5/103-2 Treatment while in custody.

(c) Persons in custody shall be treated humanely and provided with proper food, shelter and, if required, medical treatment.

725 ILCS 5/103-3. Right to communicate with attorney and family; transfers.

(a) Persons who are arrested shall have the right to communicate with an attorney of their choice and a member of their family by making a reasonable number of telephone calls or in any other reasonable manner. Such communication shall be permitted within a reasonable time after arrival at the first place of custody.

(b) In the event the accused is transferred to a new place of custody his right to communicate with an attorney and a member of his family is renewed.

³ **First Amendment U.S. Constitution** = Congress shall make no law. . . or abridging . . . the right of the people peaceably to assemble, and to petition the Government for a redress of grievances [including access to courts].

and shoulders, she is normally fairly weak and can't even open a mild carton with her hands. Pushing a wheelchair is a strain, especially if weak from lack of meds and diet. The wheelchair had almost no tread on right wheel making the bare metal spin on the floor and not grip well, the right wheel and hand wheel were cockeyed due to a missing spacer and bent screw that kept sticking out and jamming the wheel. (Exh O-EE p20-21, 35-37)

22. No one would listen to her, so she protested the only legal way possible. She constantly banged on the door as much as she physically could tolerate day and night asking for a higher ranking officer and grievance forms. She eventually was given a grievance form and then days later a small broken crayon with which it was very difficult to write. They NEVER responded to the grievance so she presumes it was circular filed (thrown out).

23. Then SHELTON also went on a dry hunger strike – no food or water, although she did keep herself alive by drinking a few ounces every 3-4 days. (Exh O-EE p 61-62) After 2 1/2 weeks the judge finally stayed the sentence and ordered her to be hospitalized. Obviously within a few days SHELTON was extremely weak and unable to stand for more than a few moments. It took a while to recover. She lost about 20 lbs over that two weeks. The medical records confirm she was severely dehydrated. (Exh O-DD p 53-54, O-EE p33-36) Hunger strikes are a time honored method of political protest used by Mohandas Gandhi, as well as the Belfast Ten and many others through the ages. It is a respectable method of protesting illegal conditions in jails/prisons, or in making political protests.

24. Both Dr Vern, SHELTON's neurologist and Dr. Briller, SHELTON's cardiologist, testified that SHELTON was physically, due to her neurological disorder and resulting weakness and difficulty moving, as well as due to her condition of severe dehydration at the time, along with her cardiac condition, unable to perform the physical acts of propelling a

wheelchair with force over a short distance or raising both legs and kicking a man hard enough to produce soreness and propel him against a door. (Exh. O-DD p28-45 & 48-54) State offered absolutely no evidence from a fact witness or from an expert witness to rebut this testimony about SHELTON's physical condition at the time of the alleged attack.

25. What the sadist, Sgt. Salemi did was open the cell door a foot or so and because he wanted to retaliate against her for being annoying said: **"I'm going to make a case so you don't get out."** Then he quickly lunged at SHELTON grabbing her neck with his right hand. The wheel chair rolled backwards under the force, which surprised him. He stumbled and scraped his shins along the footrests as he fell half-way (a vertical scrape at the top half of the shin). He kept his hand on her neck and got very angry from falling. He then grabbed the wheelchair with his right hand and her left arm with his left hand (he is very strong with tree-trunk like arms and strong hands) simultaneously flipping SHELTON off the wheelchair while he pulled it out from under her. (O-EE 12-43, particularly 40-43)

26. SHELTON hit against the bed and landed on her hands and right knee. Her right foot got caught in the footrests and a toe was severely contused and swollen like a grape for days. She had a bruise on her right knee and bruises on her left arm corresponding to his fingers. The wheelchair was missing arm rails and the double metal posts in the middle of the sides of the seat stuck up a little so that when he pulled the chair from under her they raked against her thighs causing a 3" X 6" contusion on the right thigh (inner and posterior) and a 2' X 4" contusion on the left thigh (inner and posterior). (Exh O-DD p 93)

27. SHELTON had been abused in a life-threatening situation in 2002 by several men in uniform, given the wrong medication, that caused her to go into respiratory arrest and restrained during the process by an officer leading to post-traumatic-stress disorder where

SHELTON goes into an altered state of consciousness, is unaware or only partially aware of my environment, cowers, cries, and tells people “stay away” and “don’t hit me”. During this incident SHELTON though she was dying, lost consciousness, but by the grace of God woke up. Such traumatic episodes with near death experiences frequently lead to PTSD.

28. As the attack by Salemi ended, SHELTON went into a flashback as described above and was in terror, crying and cowering and yelling “stay away from me.” It is kind of like the response of a rape victim. Therefore, she wouldn’t let a nurse or anyone touch her or examine her for at least 8 hours, after which they refused to examine her for two days. They also refused to take pictures of her injuries, although they made sure to take pictures of Salemi’s scraped shins. The State however, stipulated at trial to these injuries. (Exh O-EE p43-33)

29. Salemi falsified his records, said SHELTON attacked him and she was arrested for this. (Exh O-CC p12-41) In the incident report written by Salemi, he stated that SHELTON “came to the cell door and stated ‘I’m coming out of this cell’. At which time said inmate intentionally ran her wheelchair into R/S Salemi causing injuries to R/S/D Salemi’s legs. R’S Salemi attempted to control said inmate from exiting the cell door. Said inmate leaned back in her wheelchair and lifter her legs up, and kicked R’S Salemi in the chest area. R/S Salemi handcuffed said inmate.” (Exh O-1). He stated that abrasions on the mid to upper shins running vertically were caused by this. (Exh O p 4). In his statement to Inv. Sofus he stated that “as he opened door Inmate Linda Shelton stated ‘ I’m coming out of this cell’ at which time she intentionally ran into Sgt Salemi with force striking him in the legs with her wheelchair causing abrasion to both of his shins. As Salemi regained his balance and attempted to control Shelton she sat back in her wheelchair and forcefully kicked Salemi in the chest with her right foot.” (Exh O- p 2-3) In his testimony Salemi stated that SHELTON.”

30. Sgt Salemi was impeached by the testimony of Correctional Ofc. Judon, Nurse Ogale, and his own words:

1) Sgt. Salemi (alleged victim) in his testimony said that:

a) when he arrived at defendant's cell door he told the unit officer to go back to her desk and watch other inmates (EXH O- CC p 146)
[this is odd as male officers are not permitted by their rules to go into a female inmates cell without a witness barring an emergency situation – suggesting an ulterior motive for him to enter the room such as for purposes of attacking her (EXH O-DD page 78-79, p 86 – testimony of Detective Johnson)],

b) he saw Shelton through the window in her wheelchair in the middle of the room (EXH O- CC p 147)
[impeached by Nurse Ogali's testimony for State that she saw defendant at the cell door (EXH O-CC page 185, photos of nurse's station in relation to cell C V3 p 545-546), and defendant's testimony that she was banging on the cell door when Sgt. Salemi arrived (EXH O-EE p 39)],

c) he said that he didn't remember anything Defendant said to him while he was standing outside her cell door, (EXH O-CC p 169) but then confirmed that he told Inv. Sofus that he heard from outside the cell door Defendant say "I'm coming out if you open that cell door" (EXH O-CC p169).
[This was again contradictory testimony proving the unreliability and inconsistencies in Sgt. Salemi's testimony.]

d) he opened the cell door and stood at the door frame, not going in more than six inches, with his back toward the door (EXH O- CC p 148),

e) defendant stated "Let me out or something" (EXH O-CC p 148),

f) he then said "And she took the wheelchair and started rolling towards me, at which time **she bounced**, the foot pegs ran into the bottom part of my legs" (EXH O-CC p 149) *[impeached by injuries he described as being long superficial scratches running several inches up his shins halfway from ankles to knees (EXH O-CC p 158, People's Exhibits 4, 5 & 6), confirmed by evidence admitted of pictures of his shins, consistent with defendant's story that he grabbed her neck and lost his footing when the wheelchair lurched backwards causing him to fall and scrape his shins against the footrests – if the footrests had "bounced" against his shins, he would have had a horizontal small bruise on each shin and not long linear abrasions up his shins (Exh O-4)].*

Sgt. Salemi also admitted that he didn't attempt to move backwards to avoid being rammed, he didn't fall into the hall after being rammed – through the open door, and he didn't shut the door on Defendant to avoid being rammed despite his robust physical condition. (EXH O-CC p 170-171)

g) he immediately then stated "So I went to go push her back. There are no arms on the wheelchair. She went back a little bit. She leans back in the chair and kicks up her feet and kick me in the chest." (EXH O-CC p 149)

[This is nonsensical as he doesn't explain how a 190 lb 5'10" healthy and strong man while looking at a 150lb weak female with congenital weakness and disability in a wheelchair can surprise him, from 1-5 feet away depending upon whose testimony you believe, and forcefully "ram" him with a wheelchair, from a dead stop, to the point he is unable to protect himself by simply pushing her away, or stepping back through the "open" door. His testimony is also contradicted by defense expert witness neurologist Dr. Vern who gave unrebutted expert testimony that defendant was too disabled and severely dehydrated to forcefully push the wheelchair and to pick up her legs and kick Salemi in the chest (EXH O-DD p 34) and fact witness, defendant's cardiologist Dr. Brilller, who testified that defendant was too dehydrated and weak therefore to stand according to medical records to be able to kick a man at chest level from a chair with any force (EXH O- DD p 53-54) – let alone a chair rolling backwards freely which would dissipate the force. Detective/Sensi Gregory Johnson was illegally barred from providing testimony that he as a expert karate instructor with an Eighth Degree Black Belt examined and assessed Defendant's physical abilities in regard to arm control and strength, balance, kicking, and strength and came to the expert conclusion that she was physically incapable of committing the crime as alleged. Defendant tried to serve his expert opinion report on the State but was prohibited from doing so. She listed him as a defense witness but the trial court and ineffective counsel failed to call him as a witness on this topic.]

h) On further questioning Sgt. Salemi testified that:

"A.It [the door] was behind me.

Q. So it was fully opened?

A. Yeah, mostly, yeah. (EXH O-CC p 149)

[Contradicted by Nurse Ogali's testimony at trial that all doors automatically close due to heavy door closing mechanism (EXH O-CC p 201), Ofc. Judon's testimony at sentencing that the cell doors have a heavy door closing mechanism making them close automatically (EXH O-PP p 45-46), and defendant's testimony that doors have a heavy door closing mechanism and never stay open on their own. (EXH O-EE p 17-19)]

[i] Q. Now as you walk into the room, you said she started to roll forward, is that right?

A. Yes. . . . [S]he is going forward, I really don't have no place to go, at which time they [the foot rests on wheelchair] ran right into me. . . . I was kind of shocked, and my natural instinct was just to push her back. And as she started going back in the chair, that's when she kicked up her feet and kicked me in the chest (EXH O-CC p 149). . . .

Q At any time after you opened the door to get into the defendant's room, did that door shut?

A. No, that door never shut." (EXH O-CC p 153)

Q. All right. And the door, was that to your back or was the door open?

A. I want to say the door was towards my back maybe. It was open. It never closed." (EXH O-CC p 164) *[Contradicted by Sgt. Salemi's testimony that*

the door stayed open – he clearly could have easily taken a step back and slammed the door shut. Also contradicted by Nurse Ogali's testimony which was devoid of any mention that defendant rammed him (EXH O-CC p 177-214). Also contradicted by defendant's testimony that all doors on the jail unit close fairly rapidly and automatically due to a heavy hydraulic door closing mechanism (EXH O-EE p 17-19).]

j) he saw defendant coming towards him when he entered the cell but didn't put his hand out to stop her from ramming him because he was "caught off guard" and "didn't expect that."

[He impeached himself on this issue in cross-examination by stating that when he walked into the cell he kept focusing on the Defendant –

"A. During the actual incident? I'm facing her. I didn't look around what was going on around me. I was concentrating on her." (EXH O-CC p 163-164)]

Q. "So when she was coming towards you, you could see her coming towards you?

A. Yes.

Q. And you said you put your hand out to stop her?

A. After she ran into me.

Q After she ran into you?

A. After she run into me, that's when I put my hands to push her back. I didn't realize she was going to ram into me with the wheelchair. I didn't expect that. It doesn't happen, but it did that day. I just let my guard down. Q Well, you're a guard aren't you?

A. No. I'm a correctional sergeant.

Q. Isn't your job to guard prisoners

A. To supervise inmates and to give them whatever they have coming."

[emphasis added by writer] (EXH O-CC p 165)

[It is nonsensical, fantastic, delusional, and irrational to believe that a healthy strong large man, trained as a correctional officer, while continually looking at the inmate would not simply push a disabled, weak, wheelchair confined, smaller female inmate away if she was moving her wheelchair towards him and coming too close in his opinion or step back through the "open" door. It is also impossible to imagine that a weak, disabled, female inmate with congenital weakness of her arms and shoulders due to a spinal injury would be able to get a wheelchair up to "ramming speed" in 1-5 feet, depending upon who one believes, so as to surprise and catch off guard a trained officer, who is staring at her, as well as injure him, causing him to stumble.]

k) After stating three times adamantly that the cell door remained open while Sgt. Salemi was in defendant's cell – see above, he contradicts himself. "Q Now, you say you were about six inches inside the room, right? And Linda Shelton came into your legs, right? Did you remain standing still when she hit you in the legs?

A. I remember bending forward to push her back.

Q Right. But you didn't run forward, did you?

A Not at all.

Q. You didn't run backwards at all, or fall backwards outside the door, did you?

A. Not – after he kicked me in the chest, I went into the door.”

[Now he adamantly states that when defendant “kicked” him he fell into the now mysteriously closed door. (EXH O-CC p 169-171) Contradicted by Nurse Ogali’s testimony, who the State claims is a witness but whose testimony is devoid of any statement that she saw Salemi fall against the door. Also Inv. Sofus’ investigative notes concerning the alleged crime state there were NO witnesses. (Exh O 2-3).]

l) Salemi gave further perjured testimony as follows:

“Q. Now after you say she kicked you in the chest, what happened?

A. I went back and she went back, and then she fell to her side. Because there were no arms on the wheelchair, she fell to her side, so she would have fell to her left side.” (EXH O-CC p 150)

[If defendant fell to her left side, there would be bruises on points of bony protuberances on her left side, yet stipulated testimony of Nurse Gay (EXH O-DD p 93) states that defendant suffered the following injuries: bruises on (L) – Upper posterior thigh (4” X 2”), (R) Inner upper thigh (6 ½ “ X 3 ½ “) (R) Third metatarsal toe – which ONLY could have occurred with the description of the incident made by defendant (EXH O-EE p 40-44) and NOT this description of incident by Sgt. Salemi – the Court prevented defendant from proving this to jury by denying payment for an expert witness forensic pathologist pretrial when defendant pro se made a motion for this payment and there was ineffective assistance of counsel because the defense attorney failed to retain and hire this expert. The jury clearly ignored this evidence.]

m) he handcuffed defendant after she “fell” out of the wheelchair:

“Q. And so it’s fair to say that she fell onto the floor?

A. Yes.

Q And where did you go?

A. I immediately handcuffed her and got the wheelchair out of the room.”
(EXH O-CC p 151)

[Nurse Ogali in her testimony refused to state that she saw any handcuffs when questioned and stated that when she went into the cell immediately after “seeing” the defendant fall that defendant was just laying on the ground on her side. Nurse Ogali told her to get into the bed and defendant later did that.–A nurse would never ask a wheelchair bound handcuffed individual to get up on her own, so it can be assumed that defendant was not handcuffed. (EXH O-CC p 207-211) Even a healthy individual needs assistance to get to standing if lying down handcuffed. Petitioner also testified she was not handcuffed. (EXH O-EE p 43) Due to her disability it would have been impossible for her to get up to the bed from the floor while handcuffed.]

n) *[Then Sgt. Salemi gave further more confusing and contradictory testimony.]*

“Q Okay. So it was at this point when you had a hand either on her knee or on the chair. Either hand was –either hand was either on the knee or the chair, and it was at this moment that Linda reared up, reared up backwards with both her legs and kicked you with both legs up in the air?

A. Yes.

Q. Okay.

A. No. When I pushed the chair, the chair started going back. When I pushed her, the chair started going back, at which time that's when she leaned back, because there was a little distance there. That's when she kicked up her feet and kicked me in the chest.

Q. But your hands were touching her knee and/or the chair? Each hand was - -

A. It left, it left. As she started going back, of course I'm not going to keep on going forward, because I'm just not going to do that. And the chair started going back. And there is a little distance, I couldn't have tell you how many inches or feet, and that's when she lifted up her feet and kicked me in the chest.

Q. So she lifted up her feet, both feet, up in the air, kicked them up in the air as she was flying backwards?

MR. DALKIN: [prosecutor] Objection, Judge.

THE COURT: Sustained.

THE COURT: Mr. Albuquerk, ask a question, okay? You're not demonstrating anything to the jury. Okay?

[The defense attorney was ineffective for failing to ask Defendant to demonstrate the moves alleged by Salemi – with an extra wide wheelchair she had rented for the trial, while in a wheelchair with her leg brace and shoes off. The jury would have seen that even in a non-dehydrated state Petitioner is still unable to lift both legs up and kick them at Salemi's chest level with force. In addition he was ineffective because he failed to allow her to describe how she balled up when Sgt. Salemi grabbed her neck, frantically tried to push his tree-trunk like strong arm off of her neck which was ineffective due to her weak arms and hands, then while leaning to her R side in the wheelchair (to protect her R weak side), wedged her shoeless L foot against Sgt. Salemi's chest to try to pry him away from her and break his grip on her neck, after which he let go and simultaneously violently flipped her off her wheelchair while snatching the wheelchair out from under her so she landed on her hands and right knee. This action scrapped the metal post holes for the wheelchair armrests that were missing against her thighs, producing very large abrasions and contusions on the back of her thighs and this is how Defendant's R middle toe got caught in the footrest and became swollen and bruised "like a grape". (EXH O-EE p 41-42, also noted by Ofc. Jackson on her unit log]

MR. ALBUKERK: I'm just - - sorry, Judge.

Q. As she is flying back in the wheelchair - -

A. Not flying. She was going back slowly. I went to go push her. And I pushed her this way and she started going back. (indicating).

Q. The wheelchair she was in was an extra wide wheelchair, correct?

A. Possibly. It could have been, yeah, maybe. I don't recall.

Q. The wheelchair she was in was broken?

A. If it was broken, we wouldn't have been using it. *[Impeached by Ofc. Hall's notes), Ofc. Judon's testimony at sentencing that the majority of the wheelchairs were broken (EXH O-PP p 45) and defendant's testimony and pre-trial motion to preserve the "weapon" – the uniquely broken wheelchair (EXH O-EE p 20-22, which contains Defendant's handwritten description of broken wheelchair – W/C was extra wide with a broken right wheel and therefore difficult for her to push with her weak arms spread widely). Attorney through ineffective assistance of counsel failed to ask questions so Petitioner could explain her*

wheelchair wheel was broken making it very difficult to roll, despite these facts being in pretrial motions (– with handwritten description of unique nature W/C was broken – wheel not working and difficult to move). Defense attorney was ineffective in failing to call as a witness Ofc. Boutee, who was a transport officer who had difficulty pushing Petitioner's wheelchair and had to even try to fix it when one of the wheels completely jammed up. He would have testified that the wheelchair was broken and Petitioner was unable to move it with force or speed, so although officers are NOT ALLOWED to push wheelchairs, he pushed it many times to get Petitioner to court hearings. Ofc. Boutee was on Petitioner's witness list that had been submitted to the State and the court while she was acting pro se, before the trial judge illegally forbids her from representing herself.]

Q. It had difficulty - - one of the wheels had difficulty spinning?

A. Maybe. I don't know." (EXH O-CC p 171-173)

[Sgt. Salemi impeached himself by admitting the wheelchair could have been broken and therefore would have made it further impossible for defendant to ram him with her weak condition. He also impeached himself as to when and where defendant kicked him because he had previously testified that she immediately kicked him after ramming him. If defendant could have called an expert witness **which the Court refused to pay for** regarding the wheelchair to explain to the jury the physics involved with moving a broken wheelchair and kicking while a wheelchair is rolling backwards , as well as the facts that defendant was too weak to accomplish the acts described in the alleged crime, then Sgt. Salemi would have been further impeached. There was ineffective assistance of counsel as defense attorney failed to use Salemi's incident report to impeach him (Exh O-1) [which contradicted his testimony as it said Petitioner rammed him as she was at the door forcing her way out of the cell – also a physical impossibility for Petitioner, and a false statement contradicted by Nurse Ogali who never saw this.(EXH O-CC p 184-185, 196-200)]

II) Nurse Ogali's testimony as follows is contrary to Sgt. Salemi's testimony at trial and was incredible in several ways. She said that:

[Being about 15' away from the cell (assuming about 5' between hall and where nurse was standing) with the cell door closed and the window in the door starting 4' above the bottom of the door, it is clear that Nurse Ogale's view of the scene at best just included Defendant's head and a back view of Salemi's upper body when he was standing. (EXH O-CC p 197-202, EXH O-EE p 16, 62-63) Testimony is devoid of any mention that defendant rammed, kicked, propelled, or did anything to Salemi. She said she was across the hall at the nurses station and observed the incident, but she failed to say how she could see defendant SITTING in a wheelchair THROUGH Salemi with the door leaning against him while he stood in the threshold or the door (the window started four feet up) while she was seated or standing at the nurses station 15 feet away giving patients medication. Defendant had testified that when sitting in wheelchair she couldn't see nurses' station as window was too high up on door (EXH O-EE p 62) Therefore it is a corollary that Nurse Ogali could NOT have seen events in room other than the top of Defendant's head.]

a) defendant was sitting in her wheelchair in a dead stop next to the cell door when Sgt. Salemi opened the cell door, (EXH O-CC p 185-86 & 196-97, 206)

b) she was at the nurses station across from defendant's cell at the time of the alleged incident and that she had a view of the cell, (EXH O-CC p 181)
[contradicted by Defendant's testimony that sitting in wheelchair she couldn't see nurse's station because the window started four feet up off the floor and the nurses station was 10 or more feet away from the cell and kiddy-corner to it, as well as because the door had a heavy automatic closing mechanism which closed on Salemi so that her view would have been blocked. (EXH O-EE p 18-19, 62-63, C V3 p 545-546 – photos of unit)]

c) Sgt. Salemi was standing at the door's threshold with the door against his back and partly open, [again this position would have blocked Nurse Ogale's view (EXH O-CC p183-86 & 197-200)]

d) she saw defendant in her wheelchair moving towards him,
[contradicted by Nurse Ogale's statements to Inv. Glazier a few days earlier after she reviewed her notes when she said she could not recall the incident, (EXH O-CC p184-185 & 192-196)]

e) she denied seeing defendant hit Sgt. Salemi with her wheelchair or kick him with her legs/feet, (EXH O-CC p 196)

f) she made no mention of seeing Sgt. Salemi fall, (EXH O-CC p 177-214)

g) she did make mention of Sgt. Salemi leaning down, but didn't say if she only saw his head or whether she had X-ray vision and could see his body and Defendant, (EXH O-CC p 186)

h) she did mention that she saw defendant "fell down" but didn't clarify if this meant she saw defendant fall or already down, or if she only saw defendant's head or whole body go down, (EXH O-CC p 186)

i) she immediately went to the cell after defendant fell down to see if she needed medical assistance, (EXH O-CC p 186-187)

j) defendant was screaming and crying and in response to Nurse Ogali's question "Are you Okay?" said "No. Get out from me. I don't want anybody, Don't touch me." (EXH O-CC p 208) Nurse Ogali said "she [Defendant] was screaming. She said, 'I need to call my lawyer. I'm suing [clearly implying that something illegal was done to her].'" (EXH O-CC p 209)

k) defendant was not handcuffed to her knowledge, "I can't remember if they handcuff her or not, but his is just from her, when I went in there. Maybe they handcuff her later or whatever." (EXH O-CC p 210)

l) defendant was not wet and defendant did not have to change her clothes, (EXH O-CC p 211)

m) defendant was screaming and crying that she had been attacked
[confirming Defendant's version of incident that she was attacked by Salemi and became shocked and fearful in a flashback due to her post-traumatic-stress disorder – a result of being attacked tied-down and suffocated in the past – a fact that was not introduced at trial due to ineffective assistance of counsel as Defendant had listed her psychiatrist, Dr. R. Galatzer-Levy as a witness in discovery papers, EXH O-EE p 41-43]

and to stay away from her, (EXH O-CC p 208)

n) defendant often didn't eat and she didn't remember how much weight defendant lost (EXH O-CC p 213),

[nurses's notes record weight of 148 # on 5-23-05 The arrest reports took Defendant's weight from jail admission records of 5-10-05 and stated Defendant's weight as 170 # revealing extreme short term weight loss of 22# – supporting fact of hunger strike and dehydration (C VI p13-14)] [supported by testimonies of Drs. Vern and Briller who said they reviewed the nurse's notes and found Defendant was dehydrated from not eating and drinking making her weak, and by testimony Defendant (EXH O-DD p 52-54, EXH O-EE p 33-36)],

o) the cell doors have a mechanism that makes them close automatically,
[contradicting Sgt. Salemi's repeated testimony that the cell door remained open on its own when he entered the cell (EXH O-CC p 201)]

p) she mostly did not remember the incident, (EXH O-CC p 192-96)

q) she remembered that five days before her testimony defense investigator Mr. Glazier came to her door and asked about the incident and she admitted she told him she didn't remember the incident.
(EXH O-CC p 184-202]

Nurse Ogale was impeached by Inv. Glazier, who testified for the defense that he went to Ms. Ogale's home several days before trial and that Ms. Ogale read her notes from the days including the alleged incident and he read them to her also. He stated that in response to his question: "Did you actually see Miss Shelton hit the sergeant with her wheel chair or did someone else inform you?" – Ms. Ogale replied "I don't recall." (EXH O-EE p 5) This impeaches Ms. Ogale's testimony and renders it not credible due to the fact that she claimed to not remember anything even after reading her notes several days before her testimony at trial.

III) Sgt. Anthony Salemi (the only witness that claimed defendant attacked him) stated in his incident report, Exh O-1) (which J. Kazmierski illegally prevented Petitioner's attorney from presenting through testimony of Inv. Sofus to the jury for

impeachment purposes or failed to use for impeachment in cross-examination of Salemi, due to ineffective assistance of counsel) that:

- a) he “open said inmates cell door, at which time said inmate came to the cell door and stated ‘I’m coming out of this cell’.
- b) At which time said inmate intentionally ran her wheelchair into R/S Salemi. Causing injuries to R/S Salemi’s legs.
- c) R/S Salemi attempted to control said inmate from exiting the cell door.
- d) Said inmate leaned back in her wheelchair and lifted her legs up, and kicked R/S Salemi in the chest area.
- e) R/S Salemi felled back and
- f) said inmate fell out of the wheelchair.
- g) R/S Salemi handcuffed said inmate.
- h) Nurse Ogali and nurse Starks attempted to conducted a medical evaluation on said inmate. Said inmate refused medical evaluation.”

(C V1 p 44-45)

[referring to Salemi incident report – illegally removed from common law record by State – only 1st p of investigator’s report contained in record, incident report and anything past 1st p of investigator’s report missing at p 14 of common law record. P 2-3 of investigators report is attached to defense motion at: Exh O p2-3]

IV) Inv. Sofus, of the Cook County Sheriff’s Police, wrote in her report (Exh O p2-3) *[Trial Court illegally prevented Petitioner’s attorney from presenting to the jury through her testimony what were her investigative findings and what she testified to the grand jury – almost every question Petitioner’s attorney asked was unconstitutionally quashed by the judge so that she was on the stand but not permitted to answer most question – although much of her testimony would have been hearsay, it was allowable as impeachment evidence against Sgt. Salemi and Nurse Ogali under hearsay exception rules. (EXH O-DD p 65-75)]*

after interviewing Sgt. Salemi that “Offender ran wheelchair into victims legs and then leaned back in wheelchair and kicked victim in the chest with her right foot.”

[This denial of Defendant’s right to use Salemi’s incident report and Inv. Sofus’ investigatory interview report of Salemi to impeach Sgt. Salemi prejudiced Defense and denied due process. Preventing defense attorney from bringing out the facts through the testimony of Inv. Sofus that the investigation was superficial, and inadequate, also prevented defense counsel from informing the jury that there was gross prosecutorial misconduct and a wholly inadequate investigation, thus the prosecutors were suborning perjury – false statements of the State witnesses, which could have been proven false by examination of the medical records, the unit logs, interview of Ofc. Hall, interview of Ofc. Glindsey and interview of other nurses and officers such as Nurse

Daggs or Ofc. Judon as clearly described above and as follows below. Investigation and report were also so superficial and shallow that although 3E was a medical unit and Defendant was in wheelchair, investigator made no effort whatsoever to determine the medical condition and physical abilities of Defendant, nor what injuries were suffered by Defendant. Neither did she make ANY effort whatsoever to examine or describe the wheelchair which she alleges was the weapon used in the crime.]

31. SHELTON was wrongfully convicted of this class three felony and sentenced to two years in prison. This case is being prepared for a federal appeal at the present time. Other officers (at least two), along with Sgt. Hernandez told SHELTON that they hoped she got that S*** as he "only attacks women" and is nasty and brutal.

32. Sgt. Salemi is a dangerous sociopath, with low self-esteem who feels it necessary to boost his self-esteem by attacking women. SHELTON complained to Sheriff Sheahan and Dick Divine and they did nothing. SHELTON has complained to Sheriff Dart and he has done nothing.

33. It is unconscionable and outrageous that his creep still works at CCDOC and is not behind bars. He is guilty of aggravated battery of a handicapped person, official misconduct, theft of honest services, conspiracy to violate civil rights under color of law and violation of civil rights under color of law. SHELTON is dismayed that his fellow officers condone his misconduct and brutality. Someday he'll get what's coming to him.

34. The abuse continues at the jail daily against inmates. Sgt. Mollivetti even confirmed this to SHELTON later stating in January 2006 to her: **"We got you on one made charge and we can get you on anything we want by writing whatever we want in our logs."**

35. Strong federal intervention is needed to stop this abuse including dozens of indictments and federal oversight at CCDOC. SHELTON will continue to fight for this in every

way possible. The Internet story about this case is ~~part of the group exhibit 0.~~ ^{found here: <http://cookcountyjudges.wordpress.com/2009/06/10/dr-shelton-appeals-wrongful-conviction-due-to-misconduct-of-judge-kazmierski/>} ²³ as follows

36. The appeal of this case is on the Internet at:

<http://www.scribd.com/doc/16301520/Appeal-of-Wrongful-Conviction-Battery-IL-Appellate-Court-073386-Shelton-Illinois-2009>

37. The Appellate Court opinion that illegally affirmed the appeal using defamatory hearsay about the contempt convictions and ignoring the law is on the Internet at:

<http://www.scribd.com/doc/47936762/Shelton-Proof-IL-Courts-Corrupt-Corrupt-IL-Appellate-Court-Decision-Affirmed-Conviction-for-Battery-5-14-2010>

38. Pleadings are in preparation for the federal court to overturn this wrongful conviction based on the above perjury by the state's witness Salemi and based on legally insufficient indictment and prosecutorial as well as judicial misconduct.

39. 06 MC1 221401 case with detention aide Shell – **nolle prosequed**

While in the Chicago Police lock-up being processed on a fraudulent charge of trespass for which SHELTON prevailed, Detention Aide Shell refused allow SHELTON to take necessary medication or send her to a hospital for administration of the medications at appropriate times. When SHELTON was released and given her briefcase, she therefore, immediately reached in and started to open her medication to take it ASAP. Detention Aide Shell then physically assaulted SHELTON, grabbing her hand holding the medication, spilling it on the floor and several other aides and officers in the facility then pounced on SHELTON like a dog pack, refusing to listen to her and threw her in a cell viciously beating her while doing so (Exhibit P = photos taken by SHELTON several days later. Shell then fraudulently filed a complaint against SHELTON for battery and SHELTON prevailed in court when the state dropped the charges. This is another example of cruelty and American with Disability Act ("ADA") violations endangering SHELTON's life, as well as lies by police and false arrest.

40. 07 MC1 272967 false arrest by D/S Robinson for not leaving the Daley Center, resisting arrest, and battery of officer – **nolle prosequed** *he had no legal authority to tell me to leave so he assaulted me + obstructed justice in*

41. 07 MC1 206817 false arrest at Harrison St courthouse for trespass to state supported land – **nolle prosequed**, pending civil rights suit for false arrest *interfere with my use of court services in building.*

42. *I will post this on You Tube*
Exhibit F is a videotape, that along with Group Exhibit G (sheriff incident reports)

that reveals that Sgt. Wright star 310 (now Sgt Rachel E. Pochie), A/C Gary Allen star 94 and several other deputies including Sgt. Desmond Parker star 260, D/S Shataka Suggs star 4195, D/S Elizabeth Vargas star 3222, D/S Renee Hughes star 5215, D/S Frank Candir star 4589, D/S Benjamin Sullivan star 2627, D/S Tracy Cavanaugh star 5254, Sgt S. Renkas star 305, and D/S Willa White star 5167 illegally arrested SHELTON on October 10, 2007 at 555 W. Harrison without probable cause, writing incident and **arrest and incident reports that contradicted each other as well as which were not supported by the videotape**, and that Assistant State's Attorney ("ASA") Charise Valente wrongfully, in violation of state statutes approved the charge of trespass to state supported land, a violation of 720 ILCS 5/21-5. Sgt. Wright and A/C Allen are defendants presently in a civil rights suit for false malicious prosecution, due process violations, and wrongful detention in federal district court, case number 09 CV 06413.

43. Of note: the videotape also reveals that these eleven (11) deputy sheriff's abandoned the security, entrance in an act of official misconduct, allowing numerous people to enter the courthouse unscreened while they acted together as a malicious team (like a dog pack) to harass SHELTON, a known pacifist, disabled, and unable to harm anyone, who simply came into the courthouse to pick up a one-page document from the court clerk. Of note: these officers are all colleagues of the complainants in the Courtroom Services Division of the Cook County Sheriff's Office, as well as supervisors for other courtroom services officers.

44. 09 MC1 123821 false arrest while Sheriff staff were aiding and abetting theft of SHELTON's property by Asst. Court Clerk, with legally insufficient complaints

45. 09 MC1 258392 false arrest when Shelton protested harassment and assault on her by Sheriff Staff when coming into the Daley Center to serve judges with Illinois Supreme Court process which will prove the deputies were committing the crimes of assault and interference with service of process

46. 09 MC1 260540 false arrest with legally insufficient complaint

47. 09 MC1 261096 false arrest with legally insufficient complaint while deputies were engaged in Act of official misconduct and harassment against SHELTON and attempted theft of SHELTON's friends property, as well as entrapment

48. 09 MC5 008136 false arrest and assault of SHELTON by Sheriff staff case **nolle prosequed** - Alleged battery of ofc in courtroom with walker. Transcript revealed false arrest. Judge Fenwick made illegal \$50,000 bail base on false statement by state's attorney. Judge Fenwick involved.

49. 09 MC5 007690 false arrest due to lie of complainant supported by lies of Evergreen Park police and judicial misconduct - **nolle prosequed**

50. 11 MC1 241978 false arrest during official misconduct by judge and court clerk with harassment, battery and perjury by deputy Sheriff staff, with legally insufficient complaints

51. Exhibit H is the court bench trial transcript of case number 02 CR 28530 on August 23, 2005 where SHELTON was found NOT GUILTY, after the state's case in chief upon motion of SHELTON by Judge James L. Rhodes, after being initially charged with aggravated battery of an officer and resisting a peace officer, later decreased to a charge of misdemeanor battery (group exhibit I), where it is clear from the transcripts that the complainant and alleged victim, D/S Rebecca M. Doran star 4828 and her colleague D/S Maureen Caliendo star 4504 lied to the Trial Court about SHELTON attacking Doran and about SHELTON entering the courthouse without a cane and healthy. Judge Rhodes' finding of not guilty and that the deputies were "not credible" witnesses in stating that SHELTON attacked Doran proved that the deputies lied and had a malicious intent to arrest SHELTON and falsely prosecute her. They were encouraged

and aided by the incident reports of their colleagues and supervisors including Sgt. Patricia McCullom star 183, D/S David Wilger star 4949, D/S Helen Davidson star 4918, D/S Sam Spino star 5172, D/S John DeCaro star unknown and A/C Kevin Lyons star unknown. Of note: these officers are all colleagues of complainants in the Courtroom Services Division of the Cook County Sheriff's Office, as well as clearly committed acts of perjury in their testimony as well as in incident and arrest reports. Yet none of them have been prosecuted for perjury, so the State's Attorney and senior Sheriff staff have suborned as well as aided and abetted perjury. Former Sheriff Sheahan and present Sheriff Dart have refused to investigate and continue this perjury or to arrest these officers.

52. The conflicting statements by the Sheriff's staff, in this case 09 MC1 223774, include statements that SHELTON was swearing versus statements that did not state she was swearing; statements that A/C Allen identified himself as Sheriff staff and statements where he doesn't identify himself until after SHELTON's arrest, statements that D/S Suggs told SHELTON she had a prohibited item versus statements that A/C Allen told Suggs or Shelton that she had a prohibited item; statements that the magnetometer beeped versus the video that clearly revealed no lights flashed and therefore that it did not beep; statements that Shelton claimed she was raped by inmates, versus statements that she was not raped; etc. None of the Sheriff staff are therefore credible witnesses and they all conflict with the clear facts visible on the videotape. They impeach each other with their own words in incident and arrest reports.

53. The charge of trespass to real property⁴ has four possible scenarios the first one clearly does not apply in public buildings (remaining on property without authority). The 2nd

⁴ 720 ILCS 5/21 3

charge is entering after receiving notice not to enter, which is what Shelton is charged with. The 3rd is being told to leave by the owner (clearly not the government or occupant (a renter) and not leaving, or the 4th is entering using phony documents.

54. A charge is void if it fails to state all the elements of the charge. A defendant has a fundamental right to be informed of the "nature and cause" of the charges against him or her. *People v. Meyers*, 158 Ill. 2d 46, 51 (1994). It is well settled that an indictment is invalid if it fails to allege an essential element of the statutory offense or, fails to state "the essential facts constituting the offense charged." *United States v. Debrow*, 346 U.S. 374, 376, 74 S.Ct. 113, 114, 98 L.Ed. 92 (1953); *United States v. Horton*, 676 F.2d 1165, 1169 (7th Cir. 1982); *United States v. Purvis*, 580 F.2d 853, 858 (5th Cir. 1978); reh'g denied, 585 F.2d 520, cert. denied, 440 U.S. 914, 99 S.Ct. 1229, 59 L.Ed.2d 463 (1979); *United States v. London*, 550 F.2d 206, 211 (5th Cir. 1977); *United States v. Willis*, 515 F.2d 798, 799 (7th Cir. 1975); *United States v. Wabaunsee*, 528 F. 2d 1 (7th Cir. 1975)..

55. Nowhere in any of the incident reports or arrest reports does the state provide SHELTON evidence of the element of the charge that Shelton "enters upon the land of another [defined in 720 ILCS 5/2 3 "means a person or persons as defined in this Code other than the offender"]", **after receiving, prior to such entry, notice from the owner** [defined in 720 ILCS

Sec. 21 3. Criminal trespass to real property.

(a) Except as provided in subsection (a 5), whoever:

(1) knowingly and without lawful authority enters or remains within or on a building; or

(2) enters upon the land of another, after receiving, prior to such entry, notice from the owner or occupant that such entry is forbidden; or

(3) remains upon the land of another, after receiving notice from the owner or occupant to depart; or

(3.5) presents false documents or falsely represents his or her identity orally to the owner or occupant of a building or land in order to obtain permission from the owner or occupant to enter or remain in the building or on the land;

commits a Class B misdemeanor.

For purposes of item (1) of this subsection, this Section shall not apply to being in a building which is open to the public while the building is open to the public during its normal hours of operation; nor shall this Section apply to a person who enters a public building under the reasonable belief that the building is still open to the public.

5/15 2 “owner’ means a person, other than the offender, who has possession of or any other interest in the property involved, even though such interest or possession is unlawful, and without whose consent the offender has no authority to exert control over the property.”] **or occupant that such entry is forbidden.**”

56. The criminal complaint against SHELTON count 1 charges a violation of the offense of Trespass to Real Property and states that SHELTON “KNOWINGLY REMAINED UPON THE LAND OF THE 7TH FLOOR 50 W WASHINGTON, DALEY CENTER CHICAGO, IL. AFTER RECEIVING NOTICE FROM ASSISTANT CHIEF WILLIAM J. NOLAN #202 TO DEPART THE PREMISES.”

57. When the allegation or evidence alleges or proves a different act than the act charge, this is **impermissible variance** and the charge is void. *People v. Oswald*, 69 Ill.App.3d 524, 527-528 (1st Dist., 1979). Yet Judge Chiampas has REFUSED to dismiss this charge in an act of judicial misconduct. This is clearly a case of impermissible variance as well as the use of a charge meant for a NON-public building. **The state did not charge SHELTON with the offense of Trespass to State Supported Property. The Daley Center is clearly state supported property.**

58. The offense charged, a violation of 720 ILCS 5/21-3A-2 [coming on to the property after receiving notice not to come onto the property], is therefore void against SHELTON as it does not match the alleged act [there is no statement in the criminal complaint that SHELTON received notice not to come into the Daley Center before entering there] and the State has failed to provide SHELTON, pretrial, any evidence supporting this charge that she can use to prepare a defense. The State has violated discovery in not providing evidence in support of

this charge. The charge must therefore be dismissed and the State should be sanctioned for this discovery violation.

59. If the state had instead charged SHELTON with 720 ILCS 5/21-3a-3 (remains upon the land of another, after receiving notice from the owner or occupant to depart), the charge would still be void as the Daley Center is a State building and the A/C Nolan is not the "occupant" or "owner". The public owns this building and all members of the public are allowed in the public areas of the building during public business hours. This offense was not charged. Under the law it is too late to add another charge.

60. The state has a separate statute called "trespass to state supported land", 720 ILCS 21-5⁵ that can be charged when someone both refuses to leave a public area of a public building during normal business hours AND has interrupted a member of the public's use of services in the building. This offense also was NOT charged. Under the law it is too late to add another charge.

61. Although the documents claim that SHELTON interrupted the sheriff staff, according to prior case law, arguing with officers or interrupting employees of the building is not sufficient and only members of the public who are using services in the building can be interrupted under this statute (*People v. Duda*, 82 Ill.App.3d 525, 401 N.E.2d 819, 37 Ill.Dec.817 (1980)).

⁵ 720 ILCS 5/21 5 Criminal Trespass to State Supported Land.

(a) Whoever enters upon land supported in whole or in part with State funds, or Federal funds administered or granted through State agencies or any building on such land, after receiving, prior to such entry, notice from the State or its representative that such entry is forbidden, or remains upon such land or in such building after receiving notice from the State or its representative to depart, and who thereby interferes with another person's lawful use or enjoyment of such building or land, commits a Class A misdemeanor.

62. In fact, arguing with an officer is not even sufficient to charge the offense of disorderly conduct⁶. There must be some relationship between the accused's conduct and the public order, or between the conduct and the right of others not to be harmed or molested. *People v. Slaton*, 24 Ill.App.3d 1062, 322 N.E.2d 553 (1974). Disorderly conduct is conduct that at least has the potential to disturb public order. *People v. Justus*, 57 Ill.App.3d 164, 14 Ill.Dec. 836, 372 N.E.2d 1115 (1978) (**defendant not guilty of disorderly conduct when she argued with police officer**).

63. The 2nd criminal complaint from April 1, 2009 of Disorderly Conduct, a violation of 720 ILCS 5/26-1-A-1 states that SHELTON "KNOWINGLY REMAINED UPON THE LAND OF THE 7TH FLOOR 50 W. WASHINGTON, DALEY CENTER CHICAGO, IL. AFTER RECEIVING NOTICE FROM ASSISTANT CHIEF WILLIAM J. NOLAN #202 TO DEPART THE PREMISES."

64. As the criminal complaint must express the allegation that the accused conduct somehow disturbed the public order, or interfered with the right of others not be to harmed or molested and there is not even a hint of this allegation in the written complaint, the criminal complaint for disorderly conduct is legally insufficient for failure to state any required legal element of the charge of disorderly conduct and must be dismissed on its face.

65. In fact, the above evidence proves that A/C Nolan has engaged in a pattern of harassment of SHELTON and interruption of her use of services in the Daley Center over at least six months in 2009 by illegally ordering her, without basis, to be escorted by deputies in the

⁶ 720 ILCS 5/26-1 Elements of the Offense [Disorderly Conduct]

(a) A person commits disorderly conduct when he knowingly:

(1) Does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace; . . .

(b) Sentence. A violation of subsection (a)(1) of this Section is a Class C misdemeanor.

Daley Center and has aided and abetted, and condoned, the theft, by Asst. Clerk John Lovell, of SHELTON's personal court file regarding Circuit Court of Cook County case number 2008 L 013288. He has impeded SHELTON's right to gather evidence and legal resources to defend herself. This is felony criminal conduct and official misconduct by A/C Nolan.

66. His official misconduct and harassment includes:
 - A. Falsely stating to deputies that SHELTON is a "judicial threat" and in a "judicial threat book, crazy (per se defamation of character) and unpredictable and must be followed by the deputies to ensure safety of the judges (see D/S incident reports group exhibit C);
 - B. Falsely telling his deputies and the Chicago Police on April 1, 2009 that the Clerks may remove pro se litigants' personal files from the courtroom as a matter of normal procedure and take them to the Clerk's office, when this is an act of theft that he is using the deputies to aid and abet as well as an act of conducting business of the litigant which the clerks are forbidden to do ;
 - C. Falsely telling the deputies and the Chicago Police on April 1, 2009 that the clerks do not have to give pro se litigants a copy of orders signed by the judge immediately after they are signed in the courtroom is aiding and abetting the criminal act of the court clerks as they are directly violating their oath of office to perform their duties which includes giving the litigants a copy of signed orders in the courtroom (735 ILCS 5/5-105(d)) Exhibit J));
 - D. Filing a fraudulent complaint for disorderly conduct without stating a cause of action – stating that SHELTON "remained upon the land of the 7th floor 50 W. Washington Daley Center Chicago, IL. After receiving notice from Assistant

- Chief William J Nolan # 202 to depart the premises” is not a legally sufficient charge or complaint for disorderly conduct. This is a complaint for trespass;
- E. Approving the filing of a legally insufficient complaint for resisting a police officer in an act of arrest at Westlake Hospital by “kicking” her when there was no arrest at Westlake Hospital and the alleged act of kicking is not documented in any discovery document given to SHELTON. The only documents given claim SHELTON was arrested at the Daley Center and is alleged to have resisted being placed in a wheelchair at Westlake Hospital;
 - F. Ordering SHELTON arrested while ordering his deputies to condone crimes by the court clerk’s staff in stealing SHELTON’s personal court file and preventing clerks from doing their statutory duty of immediately giving litigants copies of court orders for free and ordering them to aid and abet these crime against SHELTON, prior to and during the arrest incident;
 - G. Refusing to perform his duty as an Asst. Chief Sheriff in that he refused to investigate SHELTON complaints and instead of documenting crimes against her by the clerk and working to recover stolen property he selectively prosecuted SHELTON on false charges and ignored the crimes of the clerk in an act of denial of equal protection under the law.

Judge Chiampas Illegally has refused to dismiss legally insufficient complaints

**MEMORANDUM OF LAW REGARDING INSUFFICIENT INDICTMENT
OR CRIMINAL COMPLAINT**

67. In Illinois, an indictment or criminal complaint must be reasonably certain enough to apprise a defendant of the charges against him, enable him to prepare a defense, and permit a conviction or acquittal to serve as a bar to any subsequent prosecution for the same offense.

People v. Greico, 255 N.E.2d 897, 898-899 (Ill. 1970) A defendant has a fundamental right to be informed of the "nature and cause" of the charges against him or her. *People v. Meyers*, 158 Ill. 2d 46, 51 (1994).

68. In Illinois this fundamental right is given substance by statute and incorporated into section 111-3 of the Code of Criminal Procedure of 1963 (725 ILCS 5/111--3 (West 1998)). 725 ILCS 5/111 3 states: "111 3. Form of charge. (a) A charge shall be in writing and allege the commission of an offense by: (3) Setting forth the nature and elements of the offense charged;" [emphasis added] See *Meyers*, 158 Ill. 2d at 51; *People v. Davis*, 281 Ill. App. 3d 984, 987 (1996). When the sufficiency of a charging instrument is challenged in a pretrial motion, the inquiry upon review is whether the instrument strictly complies with section 111--3. *Davis*, 281 Ill. App. 3d at 987.

69. When the language of a statute which constitutes a charge against the defendant defines the acts prohibited, no further particularity is necessary. *People v. Kamsler*, 214 N.E.2d 562, 566 (Ill. 1966) An indictment is not flawed because the overt act could be described in greater detail. *City of Chicago v. Powell*, 735 N.E.2d 119, 125 (Ill.App.1st Dist, 2000) CITING *People v. Meyers*, 630 N.E.2d 811 (Ill. 1994). Rather an indictment is sufficient so long that it would enable a defendant to prepare a defense. *Id.*

70. Ordinarily, the requirements of section 111-3 are met when the counts of a complaint follow the statutory language in setting out the nature and elements of an offense. *Davis*, 281 Ill. App. 3d at 987. The relevant inquiry is not whether a charging instrument could have described an offense with more particularity, but whether there is sufficient particularity to allow the defendant to prepare a defense. *Meyers*, 158 Ill. 2d at 54. A charging instrument is a

preliminary pleading, and it need not contain more than a cursory statement of the facts. *People v. Smith*, 259 Ill. App. 3d at 497. However, it must state some facts.

71. If the charging instrument meets the minimum requirements of section 111--3(a) but (combined with any discovery the State furnishes) is insufficient to allow the defendant to prepare a defense, he or she can--and should--seek a bill of particulars. *Smith*, 259 Ill. App. 3d at 498; *People v. Intercoastal Realty, Inc.*, 148 Ill. App. 3d 964, 971 (1986). An indictment need not state the exact means used in committing a charged offense if that means is not an integral part of the offense. *Grieco*, 255 N.E.2d 899; SEE *People v. Brogan*, 816 N.E.2d 643, 654 (Ill.App.1st, 2004) (defendant's argument that the indictment failed to apprise him of the details of how the overt act was carried out failed because the argument focused on the nature of the proof rather than the nature of the offense.) However, if the means is an integral part of the offense, the indictment needs to state these means.

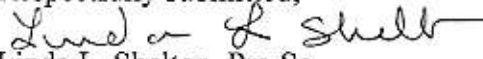
72. When the language of a statute does not articulate a specific offense, the indictment must articulate a specific overt act. *People v. Potter*, 125 N.E.2d 510 (Ill. 1995) In *Potter*, the defendant was charged with reckless driving. The indictment specifically stated that the defendant drove recklessly by speeding. The defendant was therefore not left to question whether the reckless conduct was running a red light, driving at night without his lights on, or one of a myriad of other possibly dangerous driving manners. However, there are numerous cases where the reviewing courts ruled that the indictment did not articulate a specific overt act⁷, and therefore, these indictments were fatally defective.

⁷ *People v. Foxall*, 283 Ill. App. 3d 724 (1996): The defendant was charged by information with disorderly conduct based on transmitting a false report of sexual misconduct to the Department of Children and Family Services. *Foxall*, 283 Ill. App. 3d at 727. The reviewing court held that the information was insufficient because it did not specify the contents of the false report, and basic fairness required the State to identify the allegedly false statements. *Foxall*, 283 Ill. App. 3d at 727.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies, to the best of her knowledge and belief, that the statements set forth in this instrument are true and correct.

November 21, 2012

Respectfully submitted,


Linda L. Shelton, Pro Se

Linda Lorincz Shelton, Ph.D., M.D.
9905 S. Kilbourn Ave.
Oak Lawn, IL 60453
(708) 952-9040
Pro Se Defendant

Davis: The reviewing court found that the indictment was insufficient when the defendant was charged with official misconduct based on "disseminat[ing] information," but the indictment did not identify the contents of the alleged communication. *Davis*, 281 Ill. App. 3d at 990.

People v. Stoudt, 198 Ill. App. 3d 124 (1990): The reviewing court held that a complaint that charged defendant with resisting a police officer was insufficient when the complaint stated that the officer was engaged in the execution of his official duties but did not identify the authorized act the officer was performing. Stoudt, 198 Ill. App. 3d at 128.

People v. Leach, 279 N.E.2d 450 (Ill.App.1st, 1972): The defendant in Leach was charged with resisting or obstructing a police officer. The charging instrument was insufficient because it only stated that the defendant committed the above offense by knowingly obstructing a police officer. *Id.* at 453-454

United States v. Bobo, 344 F.3d 1076 (11th Cir, 2003): The indictment was insufficient because it failed to specify the nature of the scheme used by the defendant to defraud the State of Alabama and the United States.

United States v. Nance, 533 F.2d 699 (D.C. Cir., 1976): The indictment was insufficient because it failed to apprise the defendant of the nature of the false pretenses by which the defendant gained unauthorized control over money.

People v. Gerdes, 527 N.E.2d 1310 (Ill.App.5th, 1988): The defendant in Gerdes was charged with obstructing justice by giving false information to the police. The charging instrument did not specify the nature of the allegedly false information. The defendant was therefore left to wonder which of many statements to the police the basis for the charge against him was, so the appellate court dismissed the indictment. *Id.*

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

People of the State of Illinois)	
Plaintiff)	No 09 MC1 09223774
v.)	
Linda Shelton)	
Defendant)	Peggy Chiampas Allegedly Presiding

**MEMORANDUM OF INTENT TO PRESENT IMPEACHMENT EVIDENCE
AGAINST COMPLAINANT, EVIDENCE OF A SYSTEMIC AND PERVASIVE SERIES
OF FALSE ALLEGATIONS AGAINST SHELTON ALONG WITH HARASSMENT OF
HER BY SHERIFF STAFF, EVIDENCE OF CRIMINAL CONDUCT OF STATE'S
ATTORNEYS AIDING AND ABETTING THE HARASSMENT AND FALSE ARRESTS
AND MALICIOUS PROSECUTIONS OF SHELTON, AND EVIDENCE OF
MISCONDUCT OF JUDGES ILLEGALLY DISMISSING PREVIOUS MOTIONS FOR
SUBSTITUTION OF JUDGE AND FOR DISMISSAL OF
LEGALLY INSUFFICIENT COMPLAINTS
OR
IN THE ALTERNATIVE AN OFFER OF PROOF**

EXHIBITS



AFFIDAVIT OF Hon. Robert P. Bastone (retired)

I, the Hon. Robert P. Bastone, (retired), Assistant to Chief Judge Timothy C. Evans, Chief Judge of the Circuit Court of Cook County, if sworn as a witness could testify as follows:

1. Since August 2005, I have been an Assistant to Chief Judge Timothy C. Evans, Chief Judge of the Circuit Court of Cook County
2. My duties include addressing issues related to judicial security involving personal harm or injury to Judges of the Circuit Court of Cook County, their staff and/or families.
3. I have reviewed the subpoena returnable September 21, 2009 and I am aware of no written or recorded complaints against Dr. Linda Shelton or Linda Shelton in the possession of the Office of Chief Judge Timothy C. Evans, or any other personnel working in the Office of the Chief Judge

VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned, Hon. Robert P. Bastone, (retired), Assistant to Chief Judge Timothy C. Evans, Chief Judge of the Circuit Court of Cook County, certifies that the statements set forth in this affidavit are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Robert P. Bastone

Hon. Robert P. Bastone (retired)
Assistant to Chief Judge Timothy C. Evans

Date: Sept 16, 2009

(A)

**AFFIDAVIT OF KEVIN CONNELLY, 1st DEPUTY SHERIFF, COOK COUNTY
SHERIFF'S COURT SERVICES DEPARTMENT**

I, Kevin Connelly, state that the following is based upon my personal, firsthand knowledge and that I can testify to the following and that if I were called upon to testify, my testimony would be as follows:

1. I am presently employed as the 1st Assistant Deputy Sheriff in the Cook County Sheriff's Office located at 50 W. Washington, Rm. 703, Chicago, IL 60602.
2. I have been employed in this position since November 11, 2007, and with the Sheriff's Office since August 19, 1993.
3. I can attest that no list or other compendium officially sanctioned by the Cook County Sheriff's Office exists in which Linda Shelton has been described or listed as a threat to the judiciary of Cook County.
4. I can attest that there is no list or other compendium officially sanctioned by the Cook County Sheriff's Office that exists in print, online, or otherwise in which Dr. Linda Shelton has been described or is listed as a danger, threat, or person of interest.
5. Court Services' Department General Order 4003 (attached) establishes guidelines for handling security risks in courtrooms and courthouses.

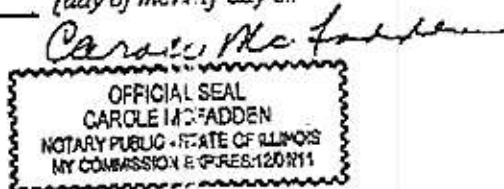
Under penalties as provided by Illinois law, the undersigned certifies that the statements set forth in this instrument are true and correct.


Kevin Connelly

Date

19 Oct 09

Subscribed and sworn to before me, this 19th [day of month] day of October [month], 2009.







OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

1. Case Report Number
09-506130

2. Offense/Incident SUSPICIOUS PERSON		3. Classification EXTRA SECURITY		4. UCR Code 7332		5. PAC 9008		6. Beat of Occurrence 9908		
7. Address/Location of Occurrence (Township) 50 W WASHINGTON, CHIC. IL. 60102			8. Type of Place of Occurrence COURTHOUSE		9. Date of Occurrence 09 MAR 09		10. Time of Occurrence 1000 HRS		11. Unit Assigned 2750	
12. Victim Name (Last, First, Middle) (Firm or Business Name)			13. Sex	14. Race	15. Date of Birth		16. Home Phone		17. Business Phone	18. Pager or Cell Phone
19. Victim Address			20. Address of Employment					21. Sobriety of Victim HBO <input type="checkbox"/> Yes <input type="checkbox"/> No		
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At		24. Treated By <input type="checkbox"/> Released		25. Medical Examiner Notified <input type="checkbox"/> DNA		Time Notified		26. <input type="checkbox"/> UNFOUNDED

27. Person(s) Involved Identifier Codes: V - Victim, W - Witness, G - Guardian, MP - Missing Person, C - Complainant, PN - Person Noted, S - Suspect, J - Juvenile, SP - Spouse, MJ - Missing Juvenile, P - Parent, O - Other (Specify)

Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address	Phone Numbers (Include A/C)
S	SHELTON, LINDA	F	W			Home: _____ Business or Pager: _____
---	---	---	---	---	---	Home: _____ Business or Pager: _____
---	---	---	---	---	---	Home: _____ Business or Pager: _____

28. Suspect or Missing Person Description

Code	Age	Wt	Ht	Build	Hair Color	Style	Eyes	Complexion	Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercing/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information
---	---	---	---	---	---	---	---	---	---

29. Vehicle Information

Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle Identification Number (V.I.N.)	Towed	Hold
---	---	---	---	---	---	---	---	---	---	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

30. Weapon(s) Used Displayed Club or Bludgeon Instrument Knife/Other Cutting Instrument

31. Other Means of Attack (or Possible Tool)

32. Property Taken by Offender Yes No (Describe in Narrative)

33. Property Recovered Yes No (Describe in Narrative) Inventory Number(s) N/A

34. Evidence Taken By R/O Yes No Held for Seizure Action Inventory Number(s) N/A

35. Arrestee(s) Name	Sex	Race	DOB	Charges (Section)	(Description)	AB Number
---	---	---	---	---	---	---

36. Narrative

IN SUMMARY, R/O WAS ASSIGNED TO SECURITY POST 3 OF THE DALEY CENTER COURT FACILITY. AT APROX 1000 HRS. THE SUBJECT LINDA SHELTON ENTERED THE FACILITY. R/O WAS MADE AWARE THAT THE SUBJECT IS LISTED IN OUR BOOK AS A JUDICIAL THREAT.

R/O REQUESTED LINDA SHELTON TO STEP TO THE SIDE AND WAIT FOR R/O'S SUPERVISOR. AS R/O REQUESTED LINDA SHELTON TO WAIT. SHE IMMEDIATLEY RAISED HER VOICE AND PRONOUNCED THAT SHE WILL NOT WAIT. TURNED

Case Report Number
09-506130

37. Name/Star No. of Investigator Notified

38. Name/Star No. of Investigator on Scene

39. Name/Star No. of Supervisor on Scene
SGT. GARRETT # 1053 DNA

40. Reporting Officer Name/Star No. (Print)
D/S H. ABRUSCATO # 1133S

41. Assigned By
 CCC Supv. On View

42. Date and Time Assigned
09 MAR 09 1003 Hrs

43. Date and Time Report Approved
09 MARCH 09 1620 Hrs

44. Reporting Officer's Signature
D/S H. Abruscato # 1133S

45. Date and Time Arrived

46. Date and Time Report Completed
09 MAR 09 1550 HRS

47. Supervisor Approving (Signature/Star No.)
[Signature] # 512

CS



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

1. Case Report Number

09-506130

2. Offense/Incident SUSPICIOUS PERSON		3. Classification EXTRA SECURITY		4. UCR Code 7332	5. PAC 9008	6. Beat of Occurrence 9908	
7. Address/Location of Occurrence 50 W WASHINGTON, CHIC. IL, 60102			8. Type of Place of Occurrence COURTHOUSE		9. Date of Occurrence 09 MAR 09	10. Time of Occurrence 1000 HRS	11. Unit Assigned 1150
12. Victim Name (Last, First, Middle) (Firm or Business Name)				13. Sex	14. Race	15. Date of Birth	16. Home Phone
19. Victim Address				20. Address of Employment		21. Sobriety of Victim KBD Yes <input type="checkbox"/> No <input type="checkbox"/>	
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At		24. Treated By <input type="checkbox"/> Released		25. Medical Examiner Notified <input type="checkbox"/> DNA	
27. Person(s) Involved Identifier Codes: V - Victim, S - Suspect		W - Witness, J - Juvenile		G - Guardian, SP - Spouse		MP - Missing Person, MJ - Missing Juvenile	
C - Complainant, P - Parent		PN - Person Notified		O - Other (Specify)			
Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address		Phone Numbers (Include AC)
S	SHELTON, LINDA	F	W				Home: _____ Business or Pager: _____
							Home: _____ Business or Pager: _____
							Home: _____ Business or Pager: _____
28. Suspect or Missing Person Description		Hair		Complexion		Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Place Number/Associates/Places Known to Frequent, or Other Pertinent Information	
Code	Age	Wt	Ht	Build	Color	Style	Eyes
29. Vehicle Information				Message Number: <input type="checkbox"/> SPERN <input type="checkbox"/> Type			
Code	Color	Year	Make	Model	Body Style	License No.	State
Code				Distinguishing Damage/Characteristics		Insured By	
Code				Distinguishing Damage/Characteristics		Insured By	
30. Weapon(s) <input type="checkbox"/> Used <input type="checkbox"/> Unloaded <input type="checkbox"/> Club or Bludgeon Instrument <input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife/Other Cutting Instrument				31. Other Means of Attack (or Possible Tool)			
32. Property Taken by Offender <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Describe in Narrative)				33. Property Recovered <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative) Inventory Number(s) N/A		34. Evidence Taken By R/O <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Hold for Seizure Action Inventory Number(s) N/A	
35. Ammunition	Name	Sex	Race	DOB	Charges (Section)	(Description)	AS Number

16. Narrative

IN SUMMARY, R/O WAS ASSIGNED TO SECURITY POST 3 OF THE DALEY CENTER COURT FACILITY. AT APROX 1000 HRS, THE SUBJECT LINDA SHELTON ENTERED THE FACILITY. R/O WAS MADE AWARE THAT THE SUBJECT IS LISTED IN OUR BOOK AS A JUDICIAL THREAT.

R/O REQUESTED LINDA SHELTON TO STEP TO THE SIDE AND WAIT FOR R/O'S SUPERVISOR. AS R/O REQUESTED LINDA SHELTON TO WAIT, SHE IMMEDIATELY RAISED HER VOICE AND PRONOUNCED THAT SHE WILL NOT WAIT, TURNED

Case Report Number
09-506130

17. Name/Star No. of Investigator Notified	Time Notified	18. Name/Star No. of Investigator on Scene	Time Arrived	19. Name/Star No. of Supervisor on Scene	Time Arrived
D/S H. ABRUSCATO # 11338				SGT. GARRETT # 1053	1003 Hrs
20. Reporting Officer Name/Star No. (Print)	21. Assigned By: <input type="checkbox"/> OCC <input type="checkbox"/> Civ View	22. Date and Time Assigned	23. Date and Time Report Approved	24. Supervisor Approving (Signature/Star No.)	
D/S H. ABRUSCATO # 11338	Supr <input checked="" type="checkbox"/> Citizen <input type="checkbox"/>	09 MAR 09 1003 Hrs	09 MARCH 09 1620 Hrs	A. Presutti #512	
25. Reporting Officer's Signature	26. Date and Time Arrived	27. Date and Time Report Completed	28. Supervisor Approving (Signature/Star No.)		
D/S H. ABRUSCATO # 11338		09 MAR 09 1550 HRS			

(C2)



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

3. Case Report Number
09-511316

2. Offense/Incident SUSPICIOUS		3. Classification PERSON		4. UCR Code 7332		5. PAC 9008		6. Beat of Occurrence 9908																											
7. Address/Location of Occurrence 50 W WASHINGTON			8. Type of Place of Occurrence COURTHOUSE		9. Date of Occurrence 06 MAY 09		10. Time of Occurrence 1045		11. Unit Assigned																										
12. Victim Name (Last, First, Middle) (Firm or Business Name)				13. Sex	14. Race	15. Date of Birth		16. Home Phone		17. Business Phone	18. Pager or Cell Phone																								
19. Victim Address				20. Address of Employment				21. Subtype of Victim HBD <input type="checkbox"/> Yes <input type="checkbox"/> No																											
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At		24. Treated By		25. Medical Examiner Notified <input type="checkbox"/> Released <input type="checkbox"/> DNA		Time Notified		26. <input type="checkbox"/> UNFOUNDED																									
27. Person(s) Involved																																			
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Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address	Phone Numbers (Include A/C)																													
O	SHELTON, LINDA, L	F	W			Home: _____ Business or Pager: _____ Home: _____ Business or Pager: _____ Home: _____ Business or Pager: _____																													
28. Suspect or Missing Person Description																																			
<table border="1"> <tr> <th>Code</th> <th>Age</th> <th>Wt</th> <th>Ht</th> <th>Build</th> <th>Hair Color</th> <th>Style</th> <th>Eyes</th> <th>Complexion</th> <th>Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>												Code	Age	Wt	Ht	Build	Hair Color	Style	Eyes	Complexion	Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information														
Code	Age	Wt	Ht	Build	Hair Color	Style	Eyes	Complexion	Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information																										
29. Vehicle Information																																			
<table border="1"> <tr> <th>Code</th> <th>Color</th> <th>Year</th> <th>Make</th> <th>Model</th> <th>Body Style</th> <th>License No.</th> <th>State</th> <th>Year</th> <th>Vehicle Identification Number (V.I.N.)</th> <th>Towed</th> <th>Hold</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> </table>												Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle Identification Number (V.I.N.)	Towed	Hold											<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle Identification Number (V.I.N.)	Towed	Hold																								
										<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No																								
30. Weapon(s) <input type="checkbox"/> Used <input type="checkbox"/> Displayed <input type="checkbox"/> Club or Bludgeon Instrument <input type="checkbox"/> Knife/Other Cutting Instrument																																			
31. Other Means of Attack (or Possible Tool)																																			
32. Property Taken by Offender <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)																																			
33. Property Recovered <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative) Inventory Number(s)																																			
34. Evidence Taken By R/O <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Hold for Seizure Action Inventory Number(s)																																			
35. Arrestee(s)																																			
<table border="1"> <tr> <th>Name</th> <th>Sex</th> <th>Race</th> <th>DOB</th> <th>Charges (Section)</th> <th>(Description)</th> <th>AB Number</th> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>												Name	Sex	Race	DOB	Charges (Section)	(Description)	AB Number																	
Name	Sex	Race	DOB	Charges (Section)	(Description)	AB Number																													
36. Narrative																																			
<p>IN SUMMARY, ON 06 MAY 09, R/O WAS ASSIGNED TO POST 3 SECURITY OF THE DALEY CENTER COURTHOUSE FACILITY. AT APPROXIMATELY 1045 HRS LINDA SHELTON ENTERED THROUGH ABOVE MENTIONED POST. R/O WAS AWARE OF OUR JUDICIAL ESCORT ASSIGNMENT AND R/O ESCORTED MS. SHELTON TO COURTROOM 2201. ALSO TO 1700 AND TC VITAL STATISTICS. MS. SHELTON LEFT THE DALEY CENTER BUILDING AT APPROXIMATELY 1230 HRS. WITHOUT ANY INCIDENT.</p>																																			
37. Name/Star No of Investigator Notified																																			
38. Name/Star No. of Investigator on Scene																																			
39. Name/Star No. of Supervisor on Scene																																			
40. Reporting Officer Name/Star No. (Print)																																			
41. Assigned By																																			
42. Date and Time Assigned																																			
43. Date and Time Report Approved																																			
44. Reporting Officer's Signature																																			
45. Date and Time Arrived																																			
46. Date and Time Report Completed																																			
47. Supervisor Approving (Signature/Star No.)																																			

Case Report Number
09-511316

C3



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

Case Report Number
09-0651

1. Offense/Incident Suspicious Person		3. Classification Suspicious Person		4. IIR Code 7330	5. PAC 9008	6. Year of Occurrence 9909			
7. Address Location of Occurrence 50 W. Washington Chicago IL 60601			8. Type of Place of Occurrence Courthouse	9. Date of Occurrence 8 Jun 09	10. Time of Occurrence 1600 Hrs.	11. Unit Assigned 2710			
12. Victim Name (Last, First, Middle) (Firm or Business Name)			13. Sex	14. Race	15. Date of Birth	16. Home Phone	17. Business Phone		
19. Victim Address			20. Address of Employment			21. Subject of Victim HBI <input type="checkbox"/> Ovs <input type="checkbox"/> No			
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At		24. Treated By		25. Medical Examiner Notified <input type="checkbox"/> Yes <input type="checkbox"/> No			
27. Person(s) Involved Identifier Code: V - Victim S - Suspect		W - Witness J - Juvenile		U - Guardian SP - Spouse		MP - Missing Person M2 - Missing Inmate			
C - Complainant P - Parent		E - Escort		PS - Person Notified 11 - Other Specialty					
Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address		Phone Numbers (Include A/C)		
O	Linda Shelton	F	W				Home: _____ Business or Pager: _____		
							Home: _____ Business or Pager: _____		
							Home: _____ Business or Pager: _____		
28. Suspect or Missing Person Description		Hair		Complexion		Nickname or Alias Clothing Distinguishing Marks Tattoos Piercings Place Employed Other Photo Number Associates Places Known to Frequent or Other Pertinent Information			
Code	Age	WT	HT	Build	Color	Style	Eyes		
29. Vehicle Information				Message Number				<input type="checkbox"/> DISPATCH <input type="checkbox"/> Type 1	
Code	Color	Year	Make	Model	Body Style	License No.	State		
Code				Distinguishing Damage Characteristics				Insured By	
30. Weapons: <input type="checkbox"/> Used <input type="checkbox"/> Displayed <input type="checkbox"/> C/O or Bludgeon Instrument <input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife Other Cutting Instrument				31. Other Means of Attack or Possible Tools					
32. Property Taken by Offender <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)				33. Property Recovered <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)				34. Evidence Taken by: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> If Not Available State Inventory Number(s)	
35. Arrestee		Name	Sex	Race	DOB	Charges (Section) (Offense)			

6. Narrative
On the above date and time D.S. Dutra #11286 was assigned by Sgt. Boyd #1062 to escort Linda Shelton while in the Daley Center. Linda Shelton went up to the 3rd floor to file some papers. At 1610 Hrs Linda Shelton left the building without incident.

(C4)

Case Report Number
09-0651

Name Star No of Investigator Notified	Time Notified	36 Name Star No of Investigator on Scene	Date Arr'd	37 Date and Time of Report to Court of Scene	Date Arr'd
Reporting Officer Name Star No (Print)	41 Assigned By	<input type="checkbox"/> Supv. <input type="checkbox"/> Citizen	42 Date and Time Assigned	43 Date and Time Report Approved	
D/S Anne Cunningham #11324	41 Assigned By D/C Date View		8 Jun 09 1600 Hrs	8 Jun 09	1810 Hrs
Reporting Officer's Signature	45 Date and Time Assigned	46 Date and Time Report Completed	47 Date and Time Report Approved		
Anne Cunningham	8 Jun 09 1600 Hrs	8 Jun 09 1805 Hrs			



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

1. Case Report Number
09-510410

2. Offense/Incident SUSPICIOUS PERSON		3. Classification SUSPICIOUS PERSON		4. UCR Code 7332	5. PAC 9008	6. Seal of Occurrence 9901				
7. Address/Location of Occurrence 50 W. WASHINGTON			(Township) CHICAGO	8. Type of Place of Occurrence COURTHOUSE		9. Date of Occurrence 27 APR 09	10. Time of Occurrence 1600HRS	11. Unit Assigned 2750		
12. Victim Name (Last, First, Middle) (Firm or Business Name)			13. Sex	14. Race	15. Date of Birth	16. Home Phone	17. Business Phone	18. Pager or Cell Phone		
19. Victim Address			20. Address of Employment			21. Sobriety of Victim HBO <input type="checkbox"/> Yes <input type="checkbox"/> No				
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At		24. Treated By <input type="checkbox"/> Released		25. Medical Examiner Notified <input type="checkbox"/> DNA		26. Time Notified	<input type="checkbox"/> UNFOUNDED	
27. Person(s) Involved Identify Codes: V - Victim S - Suspect		W - Witness J - Juvenile		G - Guardian SP - Spouse		MP - Missing Person MJ - Missing Juvenile		C - Complaint P - Parent		PN - Person Notified O - Other (Specify)

Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address		Phone Numbers (Include A/C)	
S	SHELTON, LINDA	F	W				Home: _____ Business or Pager: _____	
							Home: _____ Business or Pager: _____	
							Home: _____ Business or Pager: _____	

28. Suspect or Missing Person Description				Hair		Complexion		Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Photo Number/Associates/Places Known to Frequent, or Other Pertinent Information			
Code	Age	Wt	Ht	Build	Color	Style	Eyes				

29. Vehicle Information										Message Number: _____		<input type="checkbox"/> DISPERN	<input type="checkbox"/> DType 3
Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle Identification Number (V.I.N.)		Stowed	Hold	
											<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
											<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Code	Distinguishing Damage/Characteristics				Insured By:		Code	Distinguishing Damage/Characteristics				Insured By:	

30. Weapon(s) <input type="checkbox"/> Used <input type="checkbox"/> Displayed <input type="checkbox"/> Club or Bludgeon Instrument <input type="checkbox"/> Handgun <input type="checkbox"/> Knife <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife/Other Cutting Instrument				31. Other Means of Attack (or Possible Tool)			
--	--	--	--	--	--	--	--

32. Property Taken by Offender <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)		33. Property Recovered <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)		34. Evidence Taken By R/O <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Hold for Seizure Action	
Inventory Number(s)		Inventory Number(s)		Inventory Number(s)	

35. Arrest(s)	Name	Sex	Race	DOB	Charges (Section)	(Description)	AB Number

36. Narrative
 IN SUMMARY ON ABOVE DATE I/D JEVTIC WAS ASSIGNED TO ESCORT LINDA SHELTON WHILE IN THE DAIRY CENTER, LINDA SHELTON WAS IN THE COOK COUNTY LAW LIBRARY ON THE 29TH FLOOR. SUSPECT LEFT THE BUILDING AT 1735HRS WITHOUT INCIDENT.

C5

Case Report Number
09-510410

37. Name/Star No. of Investigator Notified		Time Notified	38. Name/Star No. of Investigator on Scene		Time Arrived	39. Name/Star No. of Supervisor on Scene		Time Arrived
D/S JEVTIC, DAIBOR #11108						DNA		
40. Reporting Officer Name/Star No. (Print)			41. Assigned By		42. Date and Time Assigned		43. Date and Time Report Approved	
			DCC On View		37 APR 09 1600 Hrs		27 APR 09 1600 Hrs	

COPY



OFFENSE/INCIDENT REPORT
COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

Case Report Number
09-510385

2. Offense/Incident SUSPICIOUS PERSON		3. Classification SUSPICIOUS PERSON		4. UCR Code 7332	5. PAC 9008	6. Beat of Occurrence 9908					
7. Address/Location of Occurrence 50 W. WASHINGTON (Township) CHGO, IL 60602		8. Type of Place of Occurrence COURTHOUSE		9. Date of Occurrence 27 APR 09	10. Time of Occurrence 1005	11. Unit Assigned 2750					
12. Victim Name (Last, First, Middle) (Firm or Business Name)		13. Sex	14. Race	15. Date of Birth	16. Home Phone	17. Business Phone	18. Pager or Cell Phone				
19. Victim Address		20. Address of Employer				21. Sobriety of Victim HBD <input type="checkbox"/> Yes <input type="checkbox"/> No					
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No	23. Treated At:	24. Treated By	<input type="checkbox"/> Released	25. Medical Examiner Notified <input type="checkbox"/> DNA	Time Notified	26. <input type="checkbox"/> UNFOUNDED					
27. Person(s) Involved Identifier Codes:		V - Victim S - Suspect	W - Witness J - Juvenile	G - Guardian SP - Spouse	MP - Missing Person MJ - Missing Juvenile	C - Complainant P - Parent	PN - Person Notified O - Other (Specify)				
Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address		Phone Numbers (include A/C)				
S	LINDA SHELTON	F	W				Home: _____ Business or Pager: _____				
							Home: _____ Business or Pager: _____				
							Home: _____ Business or Pager: _____				
28. Suspect or Missing Person Description		Hair	Eyes	Complexion	Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information						
Code	Age	Wt	Ht	Build	Color	Style					
29. Vehicle Information		Message Number: <input type="checkbox"/> DISPERN <input type="checkbox"/> Type 1									
Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle Identification Number (V.I.N.)	Towed	Hold
										<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
										<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Code	Distinguishing Damage/Characteristics			Insured By:		Code	Distinguishing Damage/Characteristics			Insured By:	
30. Weapon(s) <input type="checkbox"/> Used <input type="checkbox"/> Displayed <input type="checkbox"/> Club or Bludgeon Instrument <input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife/Other Cutting Instrument		31. Other Means of Attack (or Possible Tool)									
32. Property Taken by Offender <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Describe in Narrative)		33. Property Recovered <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Inventory Number(s))		34. Evidence Taken By R/O <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Inventory Number(s))		Hold for Seizure Action					
35. Arrest(s) Name	Sex	Race	DOB	Charges (Section)	(Description)	AB Number					

36. Narrative
IN SUMMARY ON ABOVE DATE AT APPROXIMATELY 1005 HOUR R/D MIGLIERI WAS ASSIGNED TO ESCORT LINDA SHELTON WHILE IN THE DALRY CENTER. LINDA SHELTON VISITED ROOMS 2601, 2210, 1000, AND 802. LINDA SHELTON LEFT THE DALRY CENTER AT 1220 HOUR WITHOUT INCIDENT.

Case Report Number
09-510385

CB

7. Name/Star No. of Investigator Notified	Time Notified	38. Name/Star No. of Investigator on Scene	Time Arrived	39. Name/Star No. of Supervisor on Scene	Time Arrived
Reporting Officer Name/Star No. (Print) D/S MIGLIERI, C #11244	41. Assigned By DCC On View	42. Date and Time Assigned 27 APR 09 11:05 hrs	43. Date and Time Report Approved 27 APR 09 1230 hrs	44. Supervisor Approving (Signature/Star No.) C. J. A. - 11244	
1. Reporting Officer's Signature	45. Date and Time Arrived 27 APR 09 1005 hrs	46. Date and Time Report Completed 27 APR 09 1230 hrs	47. Supervisor Approving (Signature/Star No.)		



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

1. Case Report Number
09-510789

2. Offense/Incident SUSPICIOUS PERSON		3. Classification SUSPICIOUS		4. UCR Code 7332		5. PAC 9008		6. Beat of Occurrence 9908						
7. Address/Location of Occurrence 50 WEST WASHINGTON			8. Type of Place of Occurrence COURTHOUSE		9. Date of Occurrence 30 APR 09		10. Time of Occurrence 1550		11. Unit Assigned					
13. Victim Name (Last, First, Middle) (Firm or Business Name)				13. Sex	14. Race	15. Date of Birth		16. Home Phone		17. Business Phone	18. Pager or Cell Phone			
19. Victim Address				20. Address of Employment				21. Sobriety of Victim HBO <input type="checkbox"/> Yes <input type="checkbox"/> No						
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At		24. Treated By		25. Medical Examiner Notified <input type="checkbox"/> Released <input type="checkbox"/> DNA		Time Notified		26. <input type="checkbox"/> UNFOUNDED				
27. Person(s) Involved Identifier Codes:		V - Victim	W - Witness	G - Guardian	MP - Missing Person	C - Complainant	PN - Person Notified	S - Suspect	J - Juvenile	SP - Spouse	MJ - Missing Juvenile	P - Parent	O - Other (Specify)	
Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address	Phone Numbers (Include A/C)								
						Home:								
						Business or Pager:								
						Home:								
						Business or Pager:								
						Home:								
						Business or Pager:								
28. Suspect or Missing Person Description					Hair	Complexion	Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information							
Code	Age	Wt	Ht	Build	Color	Style	Eyes							
29. Vehicle Information										Message Number:			<input type="checkbox"/> DISPERN	<input type="checkbox"/> Type 3
Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle Identification Number (V.I.N.)	Towed	Hold			
										<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No			
										<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No			
Code	Distinguishing Damage/Characteristics				Injured By:		Code	Distinguishing Damage/Characteristics				Injured By:		
30. Weapon(s) <input type="checkbox"/> Used <input type="checkbox"/> Displayed <input type="checkbox"/> Club or Bludgeon Instrument <input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife/Other Cutting Instrument				31. Other Means of Attack (or Possible Tool)										
32. Property Taken by Offender <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)				33. Property Recovered <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)				34. Evidence Taken By R/O <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Hold for Seizure Action						
35. Arrestee(s)		Name	Sex	Race	DOB	Charges (Section)		(Description)		AB Number				

36. Narrative
ON THE ABOVE DATE AND TIME D/S DEBORAH SALZMAN #11347 ESCORTED LINDA SHELTON TO ROOM 801. AT 1600 MS. SHELTON LEFT THE BUILDING WITHOUT INCIDENT.

C7

Case Report Number
09-510789

37. Name/Sir No. of Investigator Notified		Time Notified	38. Name/Sir No. of Investigator on Scene		Time Arrived	39. Name/Sir No. of Supervisor on Scene		Time Arrived
		1550 Hrs						
40. Reporting Officer Name/Sir No. (Print)		41. Assigned By		42. Date and Time Assigned		43. Date and Time Report Approved		
DEBORAH SALZMAN #11347		<input type="checkbox"/> CC <input type="checkbox"/> On View <input type="checkbox"/> Supv <input type="checkbox"/> Citizen		30 APR 09 1800 Hrs		30 APR 09		1800 Hrs
44. Reporting Officer's Signature		45. Date and Time Arrived		46. Date and Time Report Completed		47. Supervisor Approving (Signature/Sir No.)		
		30 APR 09 1400		30 APR 09 1800		<i>[Signature]</i>		



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

1. Case Report Number
09-509075

2. Offense/Incident SUSPICIOUS PERSON		3. Classification ESCORT		4. UCR Code 7332	5. PAC 9009	6. Date of Occurrence 9901	
7. Address/Location of Occurrence 50 West Washington			8. Type of Place of Occurrence Courthouse	9. Date of Occurrence 10 April 09	10. Time of Occurrence 1104 hrs	11. Unit Assigned 3110	
12. Victim Name (Last, First, Middle) (From or Business Name)			13. Sex	14. Race	15. Date of Birth	16. Home Phone	17. Business Phone
19. Victim Address			20. Address of Employment		21. Sobriety of Victim HSD <input type="checkbox"/> Yes <input type="checkbox"/> No		
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At:		24. Treated By		25. Medical Examiner Notified <input type="checkbox"/> Released <input type="checkbox"/> DNA	
27. Person(s) Involved Identifier Codes		V - Victim	W - Witness	G - Guardian	MP - Missing Person	C - Complainant	PN - Prison Notified
		S - Suspect	J - Juvenile	SP - Spouse	MJ - Missing Juvenile	P - Parent	D - Other (Specify)
Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address		
S	SHELTON, LINDA	F	W				
						Phone Numbers (Include A/C)	
						Home: _____	
						Business or Pager: _____	
						Home: _____	
						Business or Pager: _____	
						Home: _____	
						Business or Pager: _____	
28. Suspect or Missing Person Description		Hair		Complexion		Nickname or Alias/Clothing/Outfitting/Scars, Tattoos, Piercings/Plac. Employee/Other Photo Number/Associates/Places Known to frequent, or Other Pertinent Information	
Code	Age	Wt	Ht	Build	Color	Style	Eyes
29. Vehicle Information		Message Number		DISPERN <input type="checkbox"/> Type 3			
Code	Color	Year	Make	Model	Body Style	License No.	State
						Vehicle Identification Number (V.I.N.)	
						Towed <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
						Held <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
Code	Distinguishing Damage/Characteristics		Insured By:	Code	Distinguishing Damage/Characteristics		Injured By:
30. Weapons		<input type="checkbox"/> Used <input type="checkbox"/> Displayed <input type="checkbox"/> Knife or Bludgeon Instrument		21. Other Means of Attack (for Possible Tool)			
<input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun		<input type="checkbox"/> Knife Other Cutting Instrument					
32. Property Taken by Offender <input type="checkbox"/> Yes <input type="checkbox"/> No		33. Property Recovered <input type="checkbox"/> Yes <input type="checkbox"/> No		34. Evidence Taken By R/O <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Hold for Seizure Action			
(Describe in Narrative)		Inventory Number(s)		Inventory Number(s)		A# Number	
35. Arrestee(s)	Name	Sex	Race	DOB	Charge (Section)	(Description)	

36. Narrative
On the above date at approximately 1104hrs R/O was detailed to escort Linda Shelton to her location. R/O shadowed her to the 8th floor filing desk, then she left the floor and went to press room on the 7th floor and finally Ms. Shelton went to courtroom 2601 before Municipal Judge Billik. Her case was continue until 27 April 2009 at 1030hrs. Ms. Shelton exited the building at 1205hrs. At approximately 1240hrs Ms. Shelton entered the building again and went to the law library on the 29th floor. Ms. Shelton exited the building at 1523hrs. without incident.

C8

Case Report Number
09-509075

37. Name/Star No. of Investigator Notified	Time Notified	38. Name/Star No. of Investigator on Scene	Time Arrived	39. Name/Star No. of Supervisor on Scene	Time Arrived
40. Reporting Officer Name/Star No. (Print)	41. Assigned By	42. Date and Time Assigned		43. Date and Time Report Approved	
Spright-Walker, K. #109104	<input type="checkbox"/> OCC <input type="checkbox"/> On View	<input type="checkbox"/> Supt <input type="checkbox"/> Citizen	10 April 09 1523 hrs	10 April 09	1523 hrs
44. Reporting Officer's Signature	45. Date and Time Arrived	46. Date and Time Report Completed		47. Supervisor Approving (Name and Star No.)	
<i>[Signature]</i>	10 April 09 1523 hrs.	10 April 09 1640 hrs.		<i>[Signature]</i> #1082	

SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
MEMORANDUM

TO: Kelly Jackson, Acting 1st Asst. Chief Deputy Sheriff DATE: 04 September 2009

FROM: A/C William J. Nolan #202, Daley Center Courts

SUBJECT: Subpoena (People Vs. Linda Shelton)

Attached are the available documents pertaining to the Subpoena in the case of the People V. Linda Shelton. The reporting A/C has no knowledge of any E-Mails, Intelligence Bulletins or any documents ordering Sheriff's staff to escort Linda Shelton in the Daley Center. On some occasions, Deputies have been instructed by the undersigned to escort Linda Shelton due to her past disruptive behavior while in Cook County Court facilities. This is just a verbal instruction and not a permanent order with no memos or directives being issued. There is a photograph of Linda Shelton due to her past arrests that have been recorded under IR#1527850 and which is available to law enforcement. Any complaints against Linda Shelton by Judges are possibly in the office of the Presiding Judges of the Court facilities, but are not in the possession of the Sheriff's office. Complaints made to the Sheriff's office are the subject of an Offense/Incident Report and those that are available are attached to this report. Please contact the undersigned if there are any questions.

A/C William J. Nolan #202
A/C William J. Nolan #202
Daley Center Courts

Approved:

D

BRIEF DETAILS OF CORRUPTION BY STATE AND COUNTY OFFICIALS AND POLICE IN REPEATED FALSE ARREST OF, MALICIOUS PROSECUTION OF, RETALIATION AGAINST, AND DEFAMATION OF DR. LINDA SHELTON

CRIMINAL HISTORY – LINDA SHELTON, Ph.D., M.D. 6-1-12

<u>ARREST #/CASE NUMBERS</u>	<u>CHARGE</u>	<u>ARREST DATE</u>
<u>WRONGFUL CONVICTION: COOK COUNTY CIRCUIT COURT</u>		

05 CR 12718-01	720 ILCS 5.0/12-4-B-6 AGG BAT/CORRECT OFC	05/18/05
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Disp: **Guilty** by jury verdict August 23, 2007 , **ON APPEAL**
 Sentenced December 3, 2007 – two years IDOC, presently on MSR in custody of IDOC Parole Division

\$100,000 bail, bonded out from CCDOC 5/27/05 with \$10,000 D-Bond (10% cash)

Incarcerated 10/10/07 to 3/31/08 at CCDOC then Dwight Correctional Center then One year mandatory supervised release until 3/27/09

Circumstances: Unlawful arrest and malicious prosecution for battery of correctional officer – in fact officer falsified records after attacking Shelton. There was no attack on officer and Shelton is innocent. Conviction was secondary to extreme judicial corruption and misconduct and Nifong-like prosecutorial misconduct. See details written in Shelton’s blog: illinoiscorruption.blogspot.com Appeal unconstitutionally affirmed based on an ad hominem attack on my character by the Appellate judges and their refusal to properly review my arguments including them ignoring the case law I provided. I can’t file appeal with the IL Supreme Court because they have banned me from filing until I pay past fees that they illegally refused to waive even though I am indigent, violating their own Illinois Supreme Court rule 298. I am preparing an appeal and complaint for mandamus with the U.S. Supreme Court.

Habeas petition denied for failure to exhaust state remedies by Fed. Judge David Coar and 7th Circuit Court of Appeals. Judge Coar ruled exhaustion of state remedies WAIVED by State due to ILLEGAL actions of Illinois Appellate Court in impeding appeal by denying four Motions to Compel Court Reporter to produce and file transcripts due to indigency status of defendant, then reversed his decision illegally.

Also Judge Coar violated U.S. Supreme Court rulings in 3 cases [*Niersheimer*, *Regan*, and *Loftus*] and II Supreme Court ruling in one case [*Loftus*] which state that there is no appeal of denial of a habeas by the local court in Illinois and that appeals of habeas petition denied in local courts must go directly to U.S. Supreme Court in Illinois.

ARRESTS NOT CONVICTIONS: COOK COUNTY CIRCUIT COURT
All Wrongful Arrests and All Malicious Prosecutions
In Retaliation for Whistle Blower Activities and Legitimate Complaints

02 CR 28530-01 720 ILCS 5.0/12-4-B-6 AGG BAT/PEACE OFC 10/22/02
720 ILCS 5.0/12-4-B-6 AGG BAT/PEACE OFC

Charges Amended 04/05/04
720 ILCS 5.0/12-3 BATTERY
720 ILCS 5.0/31-1 RESIST PEACE OFFICER

Disp: Not Guilty, at end of prosecution case in chief, during Bench Trial on 8/23/2005 before Hon. Judge Rhodes, who declared that Dr. Shelton "thoroughly impeached the State's witnesses [two Sheriff Deputies – Doran and Caliendo]" at Markham Courthouse

\$10,000 bail and added illegal charge of violation of felony bail for above trespass charge (previous trespass was a misdemeanor class B not subject to a felony charge of bail violation) of \$7,500 bail, taken to CCDOC and bonded out of CCDOC. Total of \$1,750 D-Bond (10% cash bond) A separate charge of violation of bail is not allowed on a class B misdemeanor or less. Appropriate increase in bail on the above trespass charge would have been from \$1,000 D-Bail to \$2,000 D-Bail – NOT new felony violation charge with \$7,500 bail. The judge setting bail violated his oath of office by adding the violation of bail charge. Violation of Bail charge is Statute 720 ILCS 5/32-10 and only applies to felonies and class A misdemeanors.

Pre-Trial incarceration at CCDOC 10/22/02-10/23/02

Circumstance: Unlawful arrest and malicious prosecution when Deputies Doran and Caliendo who violated the ADA and refused to assist Shelton with briefcase on wheels at security entrance to Bridgeview Courthouse. They pushed Shelton causing her to flail her arms and nearly fall, then falsified their records, committed perjury on the stand, committed felony violation of civil rights under color of law, conspired to violate rights under color of law, committed aggravated battery of a handicapped person, and attempted to prosecute Shelton for aggravated battery to an officer – later reduced to simple battery. SA Devine to cover-up their misconduct refused to prosecute the officers for perjury and aggravated battery of a handicapped person, as well as official misconduct in violating the ADA.

04 CR 17571-03 305 ILCS 5.0/8A-3-a VENDOR FRAUD 07/14/04

Disp: Not Guilty by jury verdict 2/24/09

Bail \$10,000 I-Bond, bonded out from courthouse at arraignment. Raised excessively to \$100,000 composite with battery case (05 CR 12718-01) \$10,000 D-Bond (10% cash). Bonded out 5/27/05 after incarcerated 5/13/05 for criminal contempt and judge stayed criminal contempt sentence. Bail raised illegally without notice, without hearing, without counsel, without formal charge for allegedly not showing up at court on 12/8/05, despite court being given notice on 12/7/05 that Shelton had filed habeas petition in federal court and Judge Filip had scheduled hearing on 12/8/05 at same time. Bailed unconstitutionally

raised to "No Bond". IL Appellate Court overturned judge's orders and reduced bail to \$10,000 I-Bond on 12/31/05 after petition by Shelton for review of bail. Judge Pantle again increased bail to \$500,000 Bail or \$50,000 D-bond (10% cash) on 1/6/06 claiming Shelton had "lied to Appellate court" without notice, without hearing, without counsel, and without formal charge or due process. IL Appellate Court again ordered bail reduced on Petition for review of bail by Shelton. She was released 1/20/06. However IL Appellate Court illegally reduced (actually raised bail from pre-incarceration bail of \$100,000 composite to \$100,000 independent from 05 CR 12718-01). Bail cannot be raised legally without due process hearing. Increase from \$10,000 I-Bond ordered by Appellate Court on 12/31/05 to \$100,000 D-Bail independent from other case required due process hearing which was NOT provided by Appellate court order. Shelton's family again posted an additional \$10,000 D-bond and Shelton released 1/20/06.

Illegally incarcerated 4 times for alleged criminal contempt or without formal charges by Dishonorable Judges Kathleen Pantle and Jorge Alonso – see "petty offenses" on 5/10/05 to 5/27/05, 12/13/05 to 12/31/05, 1/6/06 to 1/20/06, and 4/13/07-4/20/07 Medically neglected, battered and abused during incarcerations. Hospitalization or ER visits required after each release.

Circumstances: See federal suits pending available on PACER website: Habeas Corpus 08 C 4627 and tort 1:06-CV-04259 both pending and fairly complicated. For more information see Shelton's website: <http://illinoiscorruption.blogspot.com/> – where evidence of government corruption involving police, judges, prosecutors, state and county officials, and corporations is being detailed – after it has been turned over to the U.S. Attorney and FBI

Essentially Shelton prosecuted without prosecutorial authority, in violation of the federal Medicaid Code and the Supremacy Clause, with a legally insufficient indictment, in violation of statute of limitations and speedy trial statutes, in a case of ID theft by two employees/co-owners of the group who were counselors and running a branch office.

These women fabricated patient encounters, sent bills to the billing agents with their names as counselors and the billing agent without knowledge of Shelton or CEO Glass substituted Shelton's name on instructions from the Medicaid Provider Service Unit (that all bills must be under a doctor's name) without knowledge of the two women. The billing agent did this because she was ignorant and mistakenly thought that her contract to do billing allowed her to write the doctors names on any form. Billing agent actually forged Shelton's signature on power of attorney and alternate payee forms.

Bills were sent to Medicaid by billing agent the year before Shelton began working at Right Frame of Mind & Associates and while she was recovering from extensive surgery on her spine for congenital spinal stenosis causing paralysis and dysfunction. Shelton had given corporation her Medicaid number so billing agent could pre-register her so that after she recovered she could work at the group.

Billing agent had committed fraud on the CEO because she held herself out as an expert on billing but really didn't know well what she was doing. She also has continued to commit Medicaid Fraud for over 10 years because she bills by percentage (8%) which illegally ties her fees to the services of the doctors instead of to her services. (8% of a \$50,000 heart surgery procedure is not the same as 8% of a \$150 pediatric office visit, when both fees should be the same for processing one bill)

AG Lisa Madigan has participated in this criminal conspiracy to deny mental health care to persons on Medicaid and retaliation against whistle blowers who are mental health service providers including Dr. Maisha Hamilton, Naomi Jennings, Dr. Linda Shelton, and Vernon Glass.

Asst AG John Fearon and MFCU Director Patrick Keenan committed discovery violations and contempt of court by telling witness John Singley of IDPA NOT TO TALK WITH DEFENSE COUNSEL! This is an offense that should make the ARDC revoke John Fearon's law license as it is forbidden by the attorney code of ethics and the Illinois Supreme Court Rules.

2005-MC1-092079-01 720 ILCS 5.0/21-5 CRIM TRESP TO ST SUP LAND 01/14/05

Disp: Dismissed for lack of probable cause on 8/15/06

Bail \$1,000 I-Bond (personal recognizance)

Held overnight in CPD 1st Dist Woman's Lock-up – medically neglected, collapsed in police station and taken to ER, battered in ER police room by police and ignored by ER staff because CPD staff covered up by telling ER staff Shelton was “faking” her medical problems. After return to CPD collapsed, released to ambulance and required treatment at a different ER

Circumstances: Unlawfully arrested and maliciously prosecuted at office of Illinois Medicaid Inspector General in Chicago who invited Shelton to come to office and deliver documents regarding Medicaid vendor fraud case then gave receptionist memo that Shelton was a “danger to the building” in an act of defamation and ordered that they have her arrested for trespass when she showed up.

State agents in Medicaid OIG committed perjury in stating to court that they did not have a copy of the memo. This past year they produced an e-mails where they talk about the memo in discovery on Medicaid vendor fraud case. The e-mail was written Daniel Fitzgerald, Director of Chicago officer of Medicaid OIG. Their attorney Gerstein approved participated. Medicaid OIG acting director Wyona Johnson directed her staff to prevent ANY calls from Dr. Shelton from reaching her and to inhibit any attempt by Dr. Shelton to make a meeting to discuss the issues or to do anything but submit “evidence” of her innocence and reason to release “withhold” of funds owed the practice she worked for in writing. She and Dan Fitzgerald instructed staff to prevent Dr. Shelton from bringing to their offices 54 patient charts that proved her innocence. This was condoned by AAG John Fearon, Patrick Keenan, and Derrick Moscardelli, (chief of the bureau of internal affairs) along with John Singley (fraud and abuse investigator Medicaid OIG).

2006-MC1-221401-01 720 ILCS 5.0/26-1-a-1 DISORDERLY CONDUCT 03/03/06
720 ILCS 5.0/12-3-A-1 BATTERY 03/04/06
720 ILCS 5.0/21-3-a-3 CRIMINAL TRESPASS TO REAL PROPERTY

Disp: DISORDERLY CONDUCT charge SOL on 4/14/2006
BATTERY Nolle Prosequi 12/7/07

Bail: \$1,000 I-Bail (personal recognizance)

Held overnight at CPD 1st Dist Woman's Lock-up where officers assumed because of previous defamation and lies by their senior officers that Shelton always fakes her medical problems. Battered by lock up aide, Shell, when upon release Shelton tried to take her medication when it was returned to her. Documented by ER staff when Shelton taken to ER after beating. Medically neglected and when released had difficulty standing and no transportation – just thrown out in the cold, despite disability and condition at about 2 a.m. in inner city neighborhood. Officers when they found Shelton sitting on sidewalk next to police station in cold having difficulty because of medical condition then took Shelton to NMH ER claiming she was trying to take an overdose in order to harass her and cover-up their misconduct.

Circumstances: Unlawfully arrested and maliciously prosecuted when Shelton attempted to read transcript at office of Clerk of Administrative Law Court at Thompson Center Office of IDFPR.

Unlawfully re-arrested and maliciously prosecuted for battery of lock-up aide at CPD 1st Dist lock-up when CPD Aide Shell battered Shelton when Shelton was released and still in station at time Shelton –up attempted to take her medication from her medical bag that had been returned to her. Lock Aid falsely claimed Shelton kicked her at this time. Shelton claimed she went into a flashback after being battered by Shell and doesn't remember this – but if she did it was in self-defense.

Initial interference with review of transcripts and arrest directed by Adm Law Judge Fox, now chief of all employees at IDFPR, and George Jones, former FBI agent and now chief of investigations for IDFPR. This revealed bias by ALJ Fox which should have made him recuse himself.

2007-MC1-272967-01 720 ILCS 5.0/21-5-a CRIM TRESP TO ST SUP LAND 06/28/07
720 ILCS 5.0/12-3-a-2 BATTERY
720 ILCS 5.0/31-1-a RESIST PEACE OFFICER

Disp: Nolle prosequi on 12/7/07

Bail \$1,000 I-Bond, bonded out from Sheriff's Lock-up (personal recognizance)

Arresting Agency: Cook County Sheriff Courtroom Services

Circumstances: Unlawfully arrested and maliciously prosecuted by a Cook County Sheriff Courtroom Deputy Robinson for refusing to leave the Daley Center and trying to go to the library on the 29th floor after leaving the courtroom of Judge Epstein who had committed gross misconduct against Shelton and ordered her to leave the building after she had left his courtroom in retaliation for her annoying him and pointing out his misconduct (she didn't hear the order herself and Judge Epstein has no jurisdiction over the building outside his courtroom). Deputy grabbed Shelton as she was trying to enter an elevator and told her to leave the building (without saying she was under arrest). Shelton tried to push his hand off of her arm feebly with her hand and say stop assaulting me – he then arrested her for battery.

2007-MC1-206817-01 720 ILCS 5.0/21-5-a CRIM TRESP TO ST SUP LAND 10/10/07

Disp: Nolle prosequi on 12/ /07

Bail excessive at \$25,000 – paid \$2,500 (10 % cash)

Immediately incarcerated at CCDOC, bail revoked on battery conviction where Shelton was awaiting sentencing.

Arresting Agency: Cook County Sheriff Courtroom Services

Circumstances: Shelton successfully came through security at 555 W Harrison courthouse to go to clerk's office to pick up paper (shown on video surveillance). Unlawfully arrested and maliciously prosecuted for "failing to go through security" when deputies in retaliation for previous suits against their friends falsified their records and arrested Shelton. Deputy right committed perjury on the stand stating that the Magnetometer beeped when Shelton passed through it. Video proves this didn't happen as lights that flash when magnetometer beeped clearly did not flash. Judge Petreone and other judges (Judge Joseph Kazmierski and Illinois Appellate Court) in acts of misconduct refused to this day to look at the videotape proving officers committed perjury.

2009-MC1-223774-01 720 ILCS 5.0/21-3A-2 CRIM TRES TO REAL PROPERTY 4/1/09
720 ILCS 5.0/26-1-A-1 DISORDERLY CONDUCT
720 ilcs 5.0/31-1(A) RESISTING A PEACE OFFICER

Disp: Pending

Bail \$1,000 D-Bond-paid \$100 (10 % cash)
Increased to \$25,000 D Bond on 3/21/12 arrested by Cook County Sheriff and
jailed for 5 days, quashed 3/26/12
Arrested by Oak Lawn Police on 4/3/12 on invalid recalled warrant
Increased to \$5,000 D Bond on 5/29/12

Arresting Agency: Cook County Sheriff, complainant A/C Nolan badge 202

Circumstances: Shelton tried to present a petition for indigency status to have service fees waived by the Sheriff to Judge Budzinski at the first hearing on a lawsuit Shelton has against an emergency room doctor., 2008 L 013288. Judge Budzinski refused to hear it, although she had the power to do so, instead transferring it to presiding law division Judge Maddux instanter, stating Judge Maddux had a "rule" that he hear all indigency petitions. She refused to produce the rule. Shelton later received a copy of the "rule" (appended to this document) form Clerk Brown's Chief Deputy Clerk, Mr. McNamara. However the rule only applies to NEW filings, not complaints that have previously been filed, as was the situation in Shelton's suit.

Shelton went to courtroom of presiding law division judge, Judge William Maddux, with a petition to sue as an indigent person and to have fees waived. Judge Maddux ordered the Circuit Court Assistant Clerk to violate statutes that require the Clerk to "promptly" provide the litigant with the order form the judge granting or denying the indigency petition. It is common practice in every courtroom for the Clerk to immediately, in the courtroom, give all attorneys or pro se counsel on a case, a copy of any orders signed by the judge. Instead Judge Maddux ordered the Assistant Clerk to carry the orders to the Clerk's law division office on the 8th Floor of the Daley Center and specifically NOT to give the litigant a copy of the order in the courtroom and NOT to inform the litigant of the disposition of the order. The litigant then has to go down to the 8th floor law division office and ask the clerk there for a copy of the order. Days later Shelton went to a supervising assistant clerk in the law division office and the clerk insisted that Shelton "pay" for a copy of the order.

This is a direct violation of statute and is also a violation of the U.S. Constitution's due process and equal protection clauses as the United States Supreme Court has ruled in Griffin v. Illinois, 351 U.S. 12, 19 (1956), that when a court procedure is written into the statutes of a state, this invokes due process rights under the Constitution. Therefore, it is a violation of equal protection and due process to make a pro se counsel pay for an order outside of the courtroom and give an order free to a private attorney or state attorney in the courtroom. This is a violation of Clerk Dorothy Brown's oath of office. It is a criminal act of aiding and abetting a felony civil rights violation for the Sheriff to refuse to enforce the law that the litigant must be "promptly" given a copy of the order.

Shelton requested the Sheriff deputies in the courtroom to stop the clerk from going down to the 8th floor and to order them to follow the law (statute 735 ILCS 5/5-105 "The clerk of the court shall promptly mail or deliver a copy of the order [application for indigency status – order] to the applicant"). The deputies refused. Shelton went to Sheriff Dart's office, room 704 Daley Center and sat on a chair in the public lobby area of the office. She asked the secretary Lynn to ask for the Sheriff's counsel to intervene. Mr. Kaufman said he would not intervene. Shelton then was harassed by Sheriff staff including Asst. Chief Sheriff Nolan, in charge of the courtroom services in the Daley Center, who also refused to recover Shelton's documents (including her personal court file on the case – she had previously filed the complaint and had a date stamped copy that she had lent to Judge Maddux to review when considering her indigency petition – the Asst. Clerk had also illegally taken possession of this document and refused to return it when asked – this was a "theft").

Therefore, Shelton called the Chicago Police and when they arrived asked them to take a complaint of theft and to go to the 8th floor and recover her documents (personal court file and her copy of order from Judge Maddux). They at first listened and then when A/C Nolan took them out in the hall, they came and said they would not intervene because that was court procedure. The CPD and A/C Nolan refused to produce any document stating this was "court procedure."

Shelton then called Dorothy Brown's office and spoke to her attorney in the office, Phillip Akem, and asked her to intervene and recover my file and the order. refused. Then A/C Nolan arrested me when I said I was staying in the lobby of the office until the Sheriff or the Chicago Police, or the Clerk's staff recover my court file and the order, give it to me, and take a criminal complaint against the Clerk's staff for theft of my court file and obstruction of justice. Without the order and file-stamped copy of Shelton's complaint to make copies of, Shelton was unable to serve the Defendants as the Sheriff's staff refused to waive service fees without a copy of the order.

It is illegal for the Sheriff to arrest Shelton when she was in the public area of this office during normal business hours, quietly sitting on a chair, simply responding to their assault of her and exercising her right to have my Constitutional rights enforced, with legitimate business that HE was supposed to perform. It was illegal to arrest me in order to cover-up his criminal conduct of aiding and abetting violation of law and Constitutional rights (illegal penalty on the exercise of Constitutional rights). There was absolutely no probable cause for an arrest. This was also harassment of a federal witness as I have suits against Sheriff staff for excessive force, unlawful arrest, and malicious prosecution (two filed and several in preparation), and I have reported a long series of misconduct by Sheriff staff similar to this to the FBI. This is also official misconduct by the Sheriff staff, harassment, and obstruction of justice.

Several weeks later I went to Clerk Dorothy Brown's office and one of her attorneys went down to the 8th floor law division office with me and despite the assistant clerk insisting I pay for copies of the records, she personally copied my file and the order and handed them to me without charge. Dorothy Brown and

Chief Judge Timothy Evans have been fully informed of this matter and have none NOTHING to correct the errors of their staff or the unlawfulness of this arrest.

For more details see the Motion for Supervisory Order filed with the Illinois Supreme Court, asking them to enforce the law and order the Clerk to give litigants copies of orders without charge, promptly in the courtroom, and to order Judge Maddux to cease and desist his violation of law – they illegally denied this motion and therefore the only option is to take it for certiorari with the United States Supreme Court or to request an injunction from the Federal District Court, in order to enforce the law.

On 5/29/12 instead of going to court, because I was ordered to have a trial after Judge Chiampas illegally ordered stricken my motion to dismiss for a speedy trial violation, motions to compel witnesses to comply with subpoenas, motion to comply with ADA, and motion for substitution of judge for cause with PREJUDICE, while ordering that she would not allow any more continuances and that there would be a trial on 5/29/12, ensuring an unfair unconstitutional trial, I went to the Canadian consulate (I am a Canadian citizen) and asked for their protection and they agreed to write letters to officials for an investigation if the laws of the United States are being followed in my case, which they are not, and so I would have time to write petitions for writ of habeas corpus and file them as soon as I am in custody. Of course the judge struck the motion for substitution of judge I asked him to file for me on 5/29/12, an act of judicial misconduct and she issued arrest warrants.

2009-MC1-123821-01 720 ILCS 5.0/2105 CRIM TRES TO STATE PROPERTY 5/13/09
720 ILCS 5.0/26-1-A-1 DISORDERLY CONDUCT
720 ILCS 5.0/31-1(A) RESISTING A PEACE OFFICER

Disp: Pending

Bail: \$1,000 I-Bond (personal recognizance bond)
Increased to \$25,000 D Bond on 3/21/12 arrested by Cook County Sheriff and jailed for 5 days, quashed 3/26/12
Arrested by Oak Lawn Police on 4/3/12 on invalid recalled warrant
Increased to \$5,000 D Bond on 5/29/12

Arresting Agency: Cook County Sheriff , complainant Sgt. Jennifer Griffith badge 1048

Circumstances: Virtually identical to above, except instead of going to Sheriff Dart's office, Shelton sat on bench outside of Judge Maddux's courtroom after Deputies refused to recover order illegally not given to Shelton in courtroom and instead taken down to 8th floor law division clerk's office. Case number was a filed different suit 2008 L 013289. Again I called Chicago Police and they came and refused to recover Shelton's documents. Again A/C Nolan illegally arrested Shelton. There was no resisting. Shelton could not walk and sat in hall because she was beginning an asthma attack and didn't feel well. A short while later an ambulance had to be called to the lock-up due to the asthma attack. Refusing to walk was NOT resisting arrest.

Again it is unlawful for a Sheriff deputy to refuse to enforce the law and then to cover up their misconduct with an unlawful arrest. This is also official misconduct, violation of civil rights under color of law, and an illegal penalty on the exercise of Constitutional rights, as well as unlawful arrest and malicious prosecution.

2009- MC1-258392 720 ILCS 5.0/2105 CRIM TRES TO STATE PROPERTY 7/6/09
720 ILCS 5.0/26-1-A-1 DISORDERLY CONDUCT
720 ILCS 5.0/31-1 RESISTING A PEACE OFFICER
720 ILCS 5.0/12-1(a) ASSAULT

Disp: Pending

Bail: \$1,000 D-Bail – paid \$100 (10 % cash)
 Increased to \$25,000 D Bond on 3/21/12 arrested by Cook County Sheriff and
 jailed for 5 days, quashed 3/26/12
 Arrested by Oak Lawn Police on 4/3/12 on invalid recalled warrant
 Increased to \$5,000 D Bond on 5/29/12

Arresting Agency: Cook County Sheriff, complainant D/S Angela Dodson badge 1196

Circumstances: Shelton went to the Daley Center to deliver complaints for Supervisory Orders from the Illinois Supreme Court (process) to several judges and Dorothy Brown per Illinois Supreme Court Rules which require that Petitioner serve the Respondents. At the entrance after successfully passing through security D/S Dodson assaulted Shelton by grabbing her walker and stating that she had to wait for an armed escort as she was on a "list" of persons who could not be in the building without an escort. She claimed that Shelton was in the "book". Shelton stated to cease and desist the assault and that there was no legal "book" and that she didn't have to be escorted, there was no judicial order requiring such nonsense and that the deputy was violating the law, especially as Shelton was serving official process and therefore the Deputy was committing the crime of interference with a process server. 720 ILCS 5/31-3, "Obstructing Service of Process"

Both senior Sheriff staff and the office of Chief Judge Evans have signed affidavits that there is no "book" or other list of persons not allowed in the Daley Center without an escort. This is fantasy made up by A/C Nolan and his senior staff and used for several months to purposely harass Shelton every time she came in the Daley Center. There was absolutely no legal reason to "escort" or tail Shelton while she was in the Daley Center. This also amounts to per se defamation of Shelton's character.

Shelton was then unlawfully arrested for the above allegations, all of which are bogus. Again the Sheriff staff committed crimes including official misconduct, assault and battery of Shelton, interference with service of process., falsification of records, felony violation of civil rights, and an illegal penalty on the exercise of Constitutional rights.

Sgt. Griffin badge 1048 made false allegations of "assault" when Shelton, because Sgt. Griffin is constantly harassing and making false allegations against pro se litigants including Robert More and Shelton, said that she was going to "kick your ass in federal court when I sue you for civil rights violations!". Sgt. Griffin falsified her records and wrote that Shelton threatened to physically harm her. This is beyond silly as Shelton is a weak disabled woman who uses a walker and has spinal cord injuries with a partial right hemiparesis and congenitally weak arms, while Sgt. Griffin is a stout, strong, and large woman, who is clearly younger than Shelton. Sgt. Griffin is a bully and uses her police powers illegally to harass and falsely arrest those she doesn't like.

Disp: Pending

Bail: \$1,000 I-Bail (personal recognizance bond)
Increased to \$25,000 D Bond on 3/21/12 arrested by Cook County Sheriff and
jailed for 5 days, quashed 3/26/12
Arrested by Oak Lawn Police on 4/3/12 on invalid recalled warrant
Increased to \$5,000 D Bond on 5/29/12

Arresting Agency: Cook County Sheriff, Complainant - Cook County Supervising Asst.
Clerk Gloria Legette Criminal Clerk at 2650 S. California, 5th Floor

Circumstances: Shelton had ordered the record on appeal to be prepared from the clerk's office and came to the clerk's office to pick up the record. This was for the vendor fraud case above for which Shelton was acquitted.

Shelton had filed a notice of appeal that she was appealing the pre-trial order denying her motion for dismissal due to lack of jurisdiction of the court on the grounds the vendor fraud case had an insufficient indictment, the Illinois Attorney General had no legal authority to prosecute this type of crime per law, and that there was no charge stated as the alleged act was legal per the United States Medicaid Code and the supremacy clause of the Constitution. The United States Supreme Court on four cases had previously ruled that an appeal can proceed in a case where there has been an acquittal if there was still a justiciable issue and if the double jeopardy clause would not be invoked. That is the case in this instance.

Clerk Brown had illegally, in violation of statute and her oath of office refused to transmit the notice of appeal to the Illinois Appellate Court so Shelton hand delivered a file stamped copy to the Illinois Appellate Court three weeks later.

The Illinois Appellate Court had illegally dismissed the appeal based on a few sentence motion from the State Appellate Defender that had been illegally appointed by the Illinois Appellate Clerk over Shelton's objection as she was representing herself pro se. The SAD claimed a case where there was an acquittal could not be appealed. This is a violation of United States Supreme Court holdings and therefore a violation of due process.

Shelton was told that since there "no longer was a case" she had to pay \$200+ dollars for the record on appeal even though Shelton was declared indigent by the court. Shelton objected and insisted on talking to the supervisor, Ms. Legette who wouldn't budge on this issue. Shelton had a legal right to appeal the dismissal to the Illinois Supreme Court and then the United States Supreme Court. She obviously needed the record on appeal to appeal. Again this was a denial of Shelton's due process rights.

Shelton sat on the benches in the public area of the office and called Dorothy Brown's office to speak to her attorney to try to resolve the issue and obtain due process. Ms. Legette called the Sheriff's office and had them tell Shelton to leave. Shelton was not interrupting anyone, but just had insisted on her

constitutional rights as held by the United States Supreme Court, who had previously decided that indigent defendants have a right to waiver of fees in preparing records for appeal and transcripts.

Sheriff deputies came and told Shelton she had to leave and Shelton said she had business in the office so they arrested her illegally for trespass.

The Sheriff staff and Clerk violated their oaths of office, committed official misconduct, interfered with Shelton's exercise of her Constitutional rights, conspired to violated Shelton's Constitutional rights, assaulted Shelton, committed felony violation of civil rights under color of law, unlawfully arrested her and are maliciously prosecuting her.

2009-MC1-261096-01 720 ILCS 5.0/26-1-A-1 DISORDERLY CONDUCT 8/31/09

Disp: Pending

Bail: \$1,000 I-Bail (personal recognizance bond)
 Increased to \$25,000 D Bond on 3/21/12 arrested by Cook County Sheriff and
 jailed for 5 days, quashed 3/26/12
 Arrested by Oak Lawn Police on 4/3/12 on invalid recalled warrant
 Increased to \$5,000 D Bond on 5/29/12

Arresting Agency: Cook County Sheriff, complainant Inv. Cynthia Sofus badge 547

Circumstances: Shelton went to the jail to pick up the property of inmate MH who was being transferred out at the request of the Social Worker Robinson and MH. Shelton had called the Sheriff's office, the legal office, and the Executive Directors office and asked for an escort so she would not be falsely assaulted by staff and they all said there would be no problem picking up an inmate's property from Division 3 during visiting hours. Shelton went to the jail on 8/27/09 and picked up half of the property (several paper bags of papers). She told them she would return in a few days for the rest of the property.

When Shelton returned on 8/31/09 she was assaulted by Lt. Prescott in Div. 3 who stated she could not pick up anything in Div 3 and who wouldn't listen that Social Worker Robinson, etc., had arranged it and the pick-up was approved by all higher offices. Shelton was assaulted and battered by a number of deputies and told she couldn't pick up the property. Shelton went into a syncopal episode due to her medical problems and an ambulance was called, but Shelton had recovered in the ambulance and declined treatment. When she tried to re-enter to pick up the property she was arrested. Inv. Sofus made a false report stating that there was no property to pick up. Prof. Coyne of the Kent School of law, assigned to represent MH after Shelton filed a habeas petition on behalf of MH came and picked up the remaining property a few weeks later, proving that Inv. Sofus LIED.

Again this was official misconduct in filing a false arrest report, unlawful arrest, malicious prosecution, and assault on Shelton. This denied MH and Shelton the Constitutional right of equal protection as other inmates are allowed to have their property picked up. Also Prof. Coyne was allowed to pick up the property and later turn it over to Shelton. Sheriff staff cannot refuse to allow a person to do something legal that another person is allowed to do. This is also harassment of a federal witness (Shelton against Sheriff staff) as well as violation of rules of the jail.

2009-MC5-008136-01 720 ILCS 5.0/12-3 BATTERY 10/21/09

Disp: **Nolle Prosequi**

Bail: Excessive \$50,000 D-Bail - \$5,000 paid (10% cash)
 [Misdemeanor bail is generally \$1,000, unless serious prior convictions where it
 might go up to several thousand]

Arresting Agency: Cook County Sheriff Courtroom Services (officers who are friends of
Deputies Doran and Caliendo who committed perjury in case above and Sgt.
McCollum who participated in above arrest where these deputies committed
perjury.

Circumstances: Shelton was in courtroom of Judge Hyland and Bridgeview courthouse where she was
defending a fraudulent trespass charge. Shelton was representing herself pro se and therefore had the right
to speak up like an attorney. Judge Hyland may a statement that was an error of law and Shelton spoke up
politely to provide a correction. Judge Hyland had a temper-tantrum and yelled at Shelton for speaking up
(actually an assault by the judge on Shelton because she threatened to arrest her for contempt if she spoke
and Shelton had a legal right as pro se counsel to object to false statements in the court) and then through
her out of the courtroom.

When called back in Shelton held up a copy of a statute proving Judge Hyland had made a legal error and
that Shelton's statement correcting it was in fact legally correct. Deputy Norris then grabbed Shelton's
arm in an assault and apparent attempt to shut up Shelton. Shelton loudly stated "Stop assaulting me" and
the Judge again had a temper-tantrum yelling at Shelton. Deputy Stanislawski then placed himself in front
of Shelton's walker bumping into it and falsely accused Shelton of ramming him with her walker. He
said: "If you are charging her [Deputy Norris] with assault, I'm charging you with battery." Then Shelton
was arrested for battery.

When Shelton was in the lock-up she suffered an episode of choking, which caused respiratory distress
and a brief inability to talk. The Sheriff staff called an ambulance and in an act of defamation told the
paramedics that Shelton was a mental case. The paramedics abused Shelton along with the Sheriff staff
and this caused Shelton to go into a flashback (she suffers from PTSD due to previous attack on her by
Sgt. Salemi and becomes briefly out of touch with reality and flails her arm trying to protect herself from
Salemi's blows thinking she is being suffocated again – she also cries and cowers, she is a danger to no
one in this condition because her arms are weak and she is not able to defend herself). The paramedics
took Shelton to Palos ER where the doctor and nurses committed medical battery by immediately
injecting her with an overdose of sedatives (to which Shelton is known to have adverse reactions) without
checking into her medical history or allergies (medical papers were in her briefcase as always and her
father and doctors were available by phone). They held her in the ER for 22 hrs repeatedly injecting her
with these drugs producing adverse effects of confusion and agitation and terror (from repeatedly
inducing the flashbacks).

Judge Feerick illegally held a bond hearing while Shelton was in the ER and based on fraudulent
statements from the Asst. States Attorney that Shelton was a mental case with a history of violence and
four bail forfeitures she set a high and unreasonable bail. There are no bail forfeitures.

Shelton recently did an audit of over 35 criminal records in the Clerk's office and found an error rate of
about 37% regarding disposition reported to the Illinois State Police Criminal Database. Therefore, the
rap sheets that the States Attorney uses to tell the judges prior history are totally unreliable as illustrated by
the fact Shelton has NO bail forfeitures and the rap sheet says there are four. Four times Shelton was in
hospital or the Sheriff failed to take her to a court hearing resulting in a warrant and preliminary order for

bail forfeiture. All warrants and forfeitures were quashed but the Cook County Circuit Court Clerk failed to inform the ISP, as they are required by law, that the bail forfeitures had been quashed.

11 MC1 241978-01	720 ILCS 5/12-3-A-2	Battery simple	8/23/11
	720 ILCS 5/31-1-A	Resist/Obstruct Peace Ofc	
	720 ILCS 5/21-5	Crim Trespass to State Supp Land	
	720 ILCS 5/12-3-A-2	Battery simple	
	720 ILCS 5/26-1-A-1	Disorderly conduct	

Disp: **Pending**

Bail: \$1000 D Bond
Increased to \$30,000 D-Bond on 10/3/11 and arrested by Oak Lawn Police
Increased to \$25,000 D Bond on 3/21/12 arrested by Cook County Sheriff and jailed for 5 days, quashed 3/26/12
Arrested by Oak Lawn Police on 4/3/12 on invalid recalled warrant
Increased to \$5,000 D Bond on 5/29/12

Circumstances: Went as courier to divorce court to deliver an envelope that said "emergency letter to court from plaintiff due to accident at work and hospitalization. A party to the case was hospitalized and asked me to inform the judge he would not be in court by delivering this envelope. During court I went up to the clerk and quietly handed him the envelope. The court clerk, while the judge was on the bench handling a case, threw the envelope on the floor in front of the bench. I, disabled and using a walker, picked it up and handed it back to the clerk. He threw it on the floor again and I picked it up again. The judge then said to the deputies to throw me out of the courtroom and a deputy grabbed me. I then spoke up and said "Mr B asked me to inform you with this letter that he fell at work and is hospitalized, possibly with a broken spine, so he wants a continuance. The conduct of this court is outrageous.

Out in the hall the deputies insisted that I leave the building. A deputy sheriff, S Ateca, grabbed my walker and wouldn't let me move. I said you have no right to do that. I did not disturb anyone or violate the law and I have to go to the law library. I said OK I'll follow you downstairs. She walked in front of my walker and another deputy walked behind me. I accidentally bumped her with my walker wheel as she was walking too close to my walker and I am a bit unsteady and tremulous due to my neurological condition. On the 1st floor we were met by a half dozen deputies and a sergeant. I said that they had no right to limit my use of public access to the Cook Count law library. The Sgt then told them to let me go to the library. However, they kept escorting me. I decided this was harassment and that I would go to the Sheriff's office on the 7th floor and make a complaint. When I stopped the elevator there, the deputies said no, you can only go to the law library, which was an assault on me. I got off the elevator and walked to the Sheriff's office but they ran ahead of me and two deputies stood in the doorway of the double glass door that was half open and wouldn't let me in. A dozen or more deputies then crowded around me. I was forced to stand still. My medical condition (severe neurocardiogenic syncope) does not let me stand still or I pass out and can even go into cardiac arrest. I told them they were assaulting me and had no right to order me to leave the building and I wasn't leaving until they let me into the Sheriff's office to make a complaint. Then as I began to pass out they said I was under arrest for trespass and a large officer picked me up and carried me to the lock-up. See the following for description of why I get PTSD flashbacks.

In the lock-up Deputy Sheriff Ataca and her colleagues fabricated false charges against me for battery for accidentally bumping into her with my walker while she was walking in front of me, disorderly conduct for not leaving the building, trespassing and resisting arrest (do you see a pattern yet!!!!)

REASON I SUFFER FROM POST-TRAUMATIC-STRESS DISORDER REVOLVES AROUND SEVERAL EPISODES OF BATTERY OF ME BY POLICE AND MEDICAL BATTERY BY SOME INCOMPETENT AND NASTY DOCTORS WHO ACT WITHOUT THINKING BELIEVING WHATEVER A CORRUPT OFFICER SAYS:

I also have post-traumatic-stress disorder due to several times when the deputies in the jail and Chicago police heavily battered me (Correctional officers Levy, Connally, and Ruiz held me on the floor and kicked me with their boots, Sgt. Anthony Salemi sent away the female officer and in my cell in the jail grabbed me by the neck in my wheelchair, stumbled as the chair lurched backwards with the force of him lunging at me, then he flipped me out of the armless chair while ripping the chair out from under me, onto the floor, falsified his records and said I attacked him by "bumping" him with the wheelchair, charged me with felony battery of an officer, committed perjury, and I was convicted and sent to prison with a 2-yr sentence, Chicago Police officer in the police office at then Michael Reese Hospital handcuffed me and shackled me to the feet of a desk then got on the floor and pummeled me with his fist all about the body, Chicago Police officers when they were letting me go and gave me my possessions in the police station and I tried to take my mediations that they had been withholding from me while in the lock-up on an above false charge, allowed lock-up aid Shell to batter me and grabbed me and arrested me again for battering her – which I did not do – charges later dropped, officers have several times under illegal orders of corrupt doctors including Dr. David Carrington at Cook County Jail and Dr. Daniel Girzadas Jr at Christ Hosp ER to inject me with psychotropic drugs without investigating the truth of officers' false statements that I was ranting and crazy in violation of the Illinois Mental Health and Developmental Disabilities Act, - at Christ Hospital upon being tied to the stretcher in 4-pt restraints by the guard and illegally forcibly injected against my will with Haldol and Ativan after I had been given 10 mg Valium to sedate me for an MRI, despite my warning that this was contra-indicated because of my respiratory condition [I said to Dr. Girzadas "if you inject me I may die"] I went into respiratory arrest and had to be brought back with an emergency IV placement and drugs – this produced the initial PTSD because I really thought he was killing me and was frightened out of my mind - each episode of tying me down and illegally injecting me or battering me exacerbated this attack on me by Dr. Girzadas Jr – Christ hospital kicked me off of the staff when I asked for an investigation and discipline against Dr. Girzadas Jr. , because his father, Dr. Girzadas Sr was a board member at Advocate Christ hospital and they were protecting Girzadas. – now I am extremely claustrophobic and go into flashbacks crying and saying don't hit me and cowering in corners or under tables, not knowing where I am, when restrained and in back of police vehicles that are very tight or in small rooms with no windows or when tied down [always illegally in order to inject me and shut me up from complaining loudly or asking for a complaint form or supervisor]. I saw a psychiatrist for a year, Dr. Robert Galatzer-Levy for treatment of PTSD and he told me that I talk loudly and get verbally defensive just before I go into a flashback.

	Petty Offenses:	Cook County Circuit Court
03 MC5 002031-01	Municipal ordinance violation - disorderly conduct	3/4/03
Disp:	Nolle Prosequi	
Circumstances: Unlawfully arrested and maliciously prosecuted for coming to Clerk's office at Bridgeview courthouse and filing and trying to file a pleading as a pro se defendant after Chief of		

deputies in the building had illegally told Shelton she could not come to the building except to the courtroom.

No case number	Alleged violation of bail with no formal charge	5/13/05
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Disp: No formal charge ever written so jailed illegally. Bail order of "No Bond" overturned by Illinois Appellate Court on 12/31/-05 to \$10,000 I-Bond and immediately released from CCDOC.

Medically neglected, battered and abused at CCDOC. Ill when released but able to self treat at home.

Circumstances: Judge illegally and unethically issued arrest warrant 12/8/05 when Shelton did not appear in court after Shelton on 12/7/05 had informed court in writing that she had a hearing in federal court and would be late on 12/8/05. Shelton called co-defendant's on 12/8/05 after federal hearing and co-defendant told her that judge had failed to appear so they had re-scheduled hearing for 1/19/06. Judge came several hours late to court and despite agreement from co-defendant's attorney and prosecutor to continue hearing to 1/19/06 and despite written notice of federal hearing, judge issued arrest warrant. and on 12/13/05 refused to vacate it and ordered Shelton held on "No Bond" without notice, counsel, hearing, or formal charge in violation of her oath of office and constitutional due process rights.

No case number	Alleged violation of bail with no formal charge	1/6/06
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Disp: No formal charge ever written so jailed illegally. Bail order of \$500,000 overturned by Illinois Appellate Court on 1/20/06 to \$100,000 bail separate from battery case and immediately released from CCDOC when bond paid.

Medically neglected, battered and abused at CCDOC. Immediately taken by person picking up Shelton from jail to UIC ER and admitted for severe dehydration, electrolyte imbalances, contusions and joint pain, and inability to stand.

Circumstances: Judge illegally and unethically raised bail to \$500,000 form \$10,000 I-Bond fraudulently stating Shelton had lied to Appellate Court and that she was incarcerating Shelton because she refused to answer questions at illegally ordered fitness exam (a statutory right where the court is not permitted to change bail to achieve the exam) without notice, counsel, hearing, or formal charge in violation of her oath of office and constitutional due process rights.

ACC 070057-01	Criminal Contempt	4/13/07
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Disp: **Summary sentence of 30 days in CCDOC, APPEALING**
reduced to time served on 4/20/07

Medically neglected and abused in CCDOC, requiring ER treatment.

Circumstances: Judge Alonso made summary finding of contempt when Shelton told him upon him taking over case from Judge Pantle who had been transferred to Chancery Division from Criminal Division that the vendor fraud case was illegal bullshit, and Judge Pantle was Dishonorable for illegally failing to hear Shelton's fully briefed pleadings to dismiss case as void without jurisdiction for over two years.

The fact is that Judge Pantle had violated law extensively, was extremely corrupt, and the case against Shelton for vendor fraud was fraudulent, malicious, and state actors had consistently refused Shelton due process or a meeting for her to present evidence of such.

While in jail severely beaten by jail sheriff officers Levy, Ruis, and Connally who held me down and kicked me with their boots.

ACC 100083, 93, 93 Criminal Contempt

5/11/10

Disp: **Summary convictions and sentences, by Judge McHale sitting I for Judge Biebel, for 4, 6, and 6 months to run concurrently for 16 months with good time jail credits denied – later order to deny good time jail credits and for 1st and 2nd sentence to be concurrent was dismissed and had to serve 6 months of this totally unconstitutional and illegal sentence – APPEALING**

Circumstances: I had tried to file a next-friend petition for writ of habeas corpus to have heard before the presiding criminal division judge, but Judge Biebel kept not being available. He was substituted by Judge Kazmierski and Wadas who sent me to the trail judge Brosnahan – all of them refused to hear the habeas petition illegally stating that a non-attorney could not file it. Then I got to Judge McHale and he declared that filing it as a non-attorney was “illegal.” This is a violation of the Constitution’s Suspension Clause [the right of habeas corpus cannot be suspended except in times of war], U.S. Supreme Court rulings in *Boumediene v. Bush* 2008 [Boumediene is a Guantanamo Bay prisoner who the court held could have his father file a next-friend habeas petition to try to get him released], and Illinois Statute [736 ILCS Article X that states that a person other than the prisoner and a non-attorney – on behalf of the prisoner could file a habeas petition].

Over a protracted discussion and then hearing on the contempt over several days, when I protested and quoted the above law and case law, as well as said any judge who violates this was committing an act of treason and quoted the U.S. Supreme Court on their definition of treason which included knowingly and willingly violating their rulings, statutes or the constitution, he arrested me saying I had committed criminal contempt and incorrectly charged me with three “cases” and not “counts” of contempt. Annabel Melongo, on behalf of whom I filed a next-friend habeas petition, is still in jail as of today, 6-2-12 without a trial and without probable cause – so **this remains an act of treason by these judges**. For details read: <http://illinoiscorruption.blogspot.com/2011/12/cook-county-courts-total-lawlessness.html>

Although I am indigent and on SSI (social security disability), the Illinois Appellate Court, in violation of Illinois supreme Court rule 298 (requiring waiving of fees for indigent persons), and in violation of U.S. Supreme Court rulings that require criminal courts to waive fees for indigent criminal defendants, refused to waive fees and therefore dismissed my appeal when I did not pay the filing fee. The Illinois Supreme Court made the same error (I presume maliciously and purposely) and therefore cannot file with them. I am preparing a U.S. Supreme Court complaint for mandamus to correct this injustice that amounts to an act of treason by four (4) judges, in C[r]ook County, which is nationally known for corrupt judges [remember Graylord convictions?].

11 MC1 600086

Criminal Contempt

4/25/11

Disp: **Summary sentence of 1-day time served declared "void and for naught"
By Judge Burch on 8/26/11**

Bail: \$25,000 on 3/21/12 by incompetent, manic, crazy, and malicious Judge Chiampas when I got sick and went out into the hall and she got mad. She made bail orders of \$25,000 on all my pending cases – not bothering to read that this was not a pending case, but was just before her on my motion to correct the record from "purged" to "vacated and expunged by Judge Burch". I was taken into custody on all the warrants and kept in jail five (5) days during which I was tortured with withholding of my correct medication dose and other medical neglect. Then she reduced bail to "previous order to stand".

Circumstances: Judge Burch had verbally granted my request to waive Sheriff service fees for subpoenas and declared me indigent and told me to write up the orders. When I gave him the orders he declared I had committed contempt by writing that the sheriff deputies would serve the subpoenas. He said he only granted my motion to waive fees. I protested and wrote formal complaints against him and motions to quash, etc. He eventually recognized his error but tried to save face by stating on the record that I had apologized, which I did not and declared the case void. The clerk made an error and said that the sentence was "purged" on the docket.

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

Respectfully submitted,

Linda L. Shelton, Pro Se

June 2, 2012

Linda Lorincz Shelton, Ph.D., M.D.
9905 S. Kilbourn Ave
Oak Lawn, IL 60453-3539
708 952-9040

10/11/2027 (Court Date/Time) 3123259351 (Arresting Agency #)

Misdemeanor Complaint (This form replaces CCG-4633, CCMC-0222 & CCMC-0225)

CCCR N654-10M-19/10/06 (43480658)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

The People of State of Illinois,

Plaintiff

No. 07-206817

LINDA SHELTON

Defendant

SGT RACHEL WRIGHT / COOK COUNTY SHERIFFS DEPT.
(Complainant's Name Printed or Typed)

the Circuit Court of Cook County and states the following:

That: LINDA SHELTON
(Defendant)

of 4020 WEST 105TH STREET OAK LAWN IL
(Address)

has, on or about

10 OCT 07
(Date)

at the location of 555 W. HARRISON CHICAGO IL 60607
(Place of Offense)

committed the offense(s) of CRIMINAL TRESPASS TO STATE SUPPORTED LAND

in that s/he ENTERED DOMESTIC VIOLENCE COURT 555 W. HARRISON CHICAGO COOK COUNTY ILLINOIS AFTER RECEIVING PERMITS TO ENTRY NOTICE FROM NE GALE ALLEN, SGT DENISE PAVEL AND SGT LANA WILAT ALL REPRESENTATIVES OF THE COOK COUNTY SHERIFFS DEPARTMENT THAT SUCH ENTRY WAS PROHIBITED WITHOUT AWARD SEARCH AND SEIZURE OF EVIDENCE. SHERIFF RECALLED SEARCH AND SEIZURE TO LEAVE, INTERFERING WITH THE SHERIFFS lawful USE OF BONDING ISSUED BY THE STATE OF ILLINOIS

in violation of 720
(Chapter)

Illinois Compiled Statutes 5-0/21

(Act)

(Amended Section)

AOIC Code

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STATE OF ILLINOIS }
COOK COUNTY } 103

FILED
OCT 10 2007
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT

SGT RACHEL WRIGHT
(Complainant's Signature)

555 W. HARRISON CHICAGO IL 60607
(Complainant's Address)

312-325-9350
(Complainant's Telephone)

SGT RACHEL E. WRIGHT
(Complainant's Name Printed or Typed)

The complainant, being first duly sworn on oath, deposes and says that s/he read the foregoing complaint by him/her subscribed and that the same is true.

Subscribed and sworn to before me on this 10th day of October

(Complainant's Signature)

Dorothy Brown
(Judge's Signature)

October 2 2007
(Law Enforcement Officer's Badge No.)

I have examined the above complaint and the person presenting the same and have heard evidences thereon, and am satisfied that there is probable cause for filing same. Leave is given to the defendant.

SUMMONS ISSUED. Judge

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OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

1. Case Report Number
07-518557

2. Offense/Incident Criminal Trespass to Land		3. Classification Criminal Trespass to Land		4. UCR Code 1330		5. PAC 9007		6. Beat of Occurrence Front Door			
7. Address/Location of Occurrence 555 W Harrison Chgo IL 60607 (Township)			8. Type of Place of Occurrence Cook County Courthouse		9. Date of Occurrence 10 OCT 07		10. Time of Occurrence 1125 hrs.		11. Unit Assigned 9007		
12. Victim Name (Last, First, Middle) (Firm or Business Name)				13. Sex	14. Race	15. Date of Birth	16. Home Phone		17. Business Phone	18. Pager or Cell Phone	
19. Victim Address				20. Address of Employment				21. Sobriety of Victim HBD <input type="checkbox"/> Yes <input type="checkbox"/> No			
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At:		24. Treated By		25. Medical Examiner Notified <input type="checkbox"/> Released <input type="checkbox"/> DNA		Time Notified		26. <input type="checkbox"/> UNFOUNDED	

27. Person(s) Involved: V - Victim, W - Witness, G - Guardian, MP - Missing Person, C - Complainant, PN - Person Notified, S - Suspect, J - Juvenile, SP - Spouse, MJ - Missing Juvenile, P - Parent, O - Other (Specify)

Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address	Phone Numbers (Include A/C)
S	Shelton, Linda Lovincz	F	W	11/02/55	4020 W. 105th st. Oak Lawn, IL 60453	Home: Business or Pager:
						Home: Business or Pager:
						Home: Business or Pager:

28. Suspect or Missing Person Description		Hair		Complexion		Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information			
Code	Age	Wt	Ht	Build	Color	Style	Eyes		
S	51	160	5'09"		Wh		Br	Light	n/a

29. Vehicle Information										Message Number		DISPERN		Type 3	
Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle Identification Number (V.I.N.)	Towed	Hold				
										<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No				
										<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Code	Distinguishing Damage/Characteristics				Insured By:		Code	Distinguishing Damage/Characteristics				Insured By:			

30. Weapon(s) <input type="checkbox"/> Used <input type="checkbox"/> Displayed <input type="checkbox"/> Club or Bludgeon Instrument <input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife/Other Cutting Instrument				31. Other Means of Attack (or Possible Tool)			
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32. Property Taken by Offender <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)		33. Property Recovered <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)		34. Evidence Taken By R/O <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Hold for Seizure Action	
Inventory Number(s)		Inventory Number(s)		Inventory Number(s)	

35. Arrestee(s)	Name	Sex	Race	DOB	Charges (Section)	(Description)	AB Number
	Shelton, Linda L	F	WHT	11/2/55	720 ILCS 5.0/21-5	Criminal Trespass to Land	

36. Narrative

In summary, on above date at approximately 1125 hrs, R/O Vargas #3222 was called to the first floor by Sgt. D. Parker #260. R/O arrived in front of the clerks office on the first floor where Sgt. Wright #310, Sgt. Parker #260 and A/C Allen #94 were standing by a white female later known to R/O as Dr. Linda Shelton. It was relayed to R/O by Sgt. Wright that Dr Shelton was refusing to cooperate with the screening process and being searched, was warned 3-4 times to leave the building, which she refused to do at which point and time Sgt Wright then asked Dr. Shelton to place her hands behind her back because she was being arrested for Criminal Trespass to State Supported Land. Dr Shelton was screaming that she wanted all present officers names and badge numbers and Sgt Wright told Dr. Shelton she would get her all the information she was asking for. Dr Shelton was not responding to Sgt Wright's verbal commands to place her hands behind her back.

Case Report Number
07-518557

37. Name/Star No. of Investigator Notified DNA		Time Notified DNA Hrs.		38. Name/Star No. of Investigator on Scene DNA		Time Arrived DNA Hrs.		39. Name/Star No. Of Supervisor on Scene DNA		Time Arrived DNA Hrs.	
10. Reporting Officer Name/Star No. (Print) D/S Elizabeth Vargas		41. Assigned By: <input type="checkbox"/> OCC <input type="checkbox"/> Supv. <input checked="" type="checkbox"/> On View <input type="checkbox"/> Citizen		42. Date and Time Assigned 10 Oct 07 1125 Hrs.		43. Date and Time Report Approved 10 Oct 07 1630 Hrs.					
14. Reporting Officer's Signature <i>Elizabeth Vargas</i>		45. Date and Time Arrived 10 Oct 07 1125		46. Date and Time Report Completed 10 Oct 07 1230 Hrs.		47. Supervisor Approving (Signature/Star No.) <i>Sgt. Parker #260</i>					

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Sgt Wright continued to tell Dr Shelton to stop resisting and then Dr Shelton finally complied with Sgt Wright handcuffing her. R/O took possession of Dr. Shelton's property and Sgt Wright, D/S Hughes #5215 and R/O escorted Dr Shelton to main lock up for processing. Sgt. Wright searched Dr. Shelton and read her her miranda rights and R/O inventoried her property. Dr. Shelton freely stated to D/S Hughes and R/O that she would probably need medical attention. Sgt Wright then called for paramedics at 1154 hrs. Ambulance #84 arrived at 1200 hrs and after speaking with Dr. Shelton, she refused medical attention. Subject was then processed on the charges of Criminal Trespass to Land. Subject was then taken to Branch 46 and bond was set at \$25,000D for case #07-206817 with a return court date of 19 Nov 07. Case # 05crl2718 was held on call with a return date of 11 Oct 07, 9a.m. in room 702 at 26th and California.



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

1. Case Report Number
07-518557

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19. Victim Address			20. Address of Employment							
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At:		24. Treated By:		25. Medical Examiner Notified <input type="checkbox"/> Release <input type="checkbox"/> DNA		Time Notified	26. <input type="checkbox"/> UNFOUNDED	

27. Person(s) Involved
 Identifier Codes: V - Victim, S - Suspect, W - Witness, J - Juvenile, G - Guardian, SP - Spouse, MP - Missing Person, MJ - Missing Juvenile, C - Complainant, P - Parrot, PN - Person Notified, O - Other (Specify)

Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address	Phone Numbers (Include A/C)
S	Shelton, Linda Lovincz	F	W	11/02/55	4020 W. 105th St, Oak Lawn il 60453	Home: Business or Pager:
						Home: Business or Pager:
						Home: Business or Pager:

28. Suspect or Missing Person Description

Code	Age	Wt	Ht	Build	Hair Color	Style	Eyes	Complexion	Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information
S	51	160	5'09"		whi		br	lgt	n/a

29. Vehicle Information

Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle Identification Number (V.I.N.)	Message Number:	<input type="checkbox"/> ISPERN	<input type="checkbox"/> Type 3
											<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
											<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

30. Weapon(s) Used Displayed Club or Bludgeon Instrument Handgun Rifle Shotgun Knife/Other Cutting Instrument

31. Other Means of Attack (or Possible Tool)

32. Property Taken by Offender Yes No (Describe in Narrative)

33. Property Recovered Yes No (Describe in Narrative)

34. Evidence Taken By R/O Yes No Hold for Seizure Action

35. Arrested(s)

Name	Sex	Race	DOB	Charges (Section)	(Description)	AB Number
Shelton, Linda L	F	WHT	11/2/55	720 ILCS 5.0/21-5 Criminal Trespass to Land		

36. Narrative

In summary, on above date at approximately 1125 hrs, R/D Vargas #3222 was called to the first floor by Sgt D. Parker #260. R/D arrived in front of the clerks office on the first floor where Sgt. Wright #310, Sgt. parker #260 and A/C Allen #94 were standing by a white female known to R/D as Dr. Linda Shelton. It was relayed to R/O by Sgt. Wright that Dr. Shelton was refusing to cooperate with the screening process and being searched was warned 3-4 times to leave the building, she still refused at which point and time Sgt. Wright then asked Dr. Shelton to place her hands behind her back because she was being arrested for Criminal Trespass to Land. Dr. Shelton was screaming that she wanted all present officers names and bedge numbers and Sgt. Wright told Dr. Shelton she would get her all the information she was asking for. Dr. Shelton was not responding to Sgt. Wright's verbal commands. Sgt Wright continued to tell Dr. Shelton to stop resisting and then Dr. Shelton finally

Case Report Number
07-518557

37. Name/Star No. of Investigator Notified

38. Name/Star No. of Investigator on Scene

39. Name/Star No. Of Supervisor on Scene

40. Reporting Officer Name/Star No. (Print)
Elizabeth Vargas #3222

41. Assigned By:
 OCC Supv. R/On View Citizen

42. Date and Time Assigned
10 OCT 07 1125 Hrs.

43. Date and Time Report Approved

44. Reporting Officer's Signature
Elizabeth Vargas

45. Date and Time Arrived
10 OCT 07 1125hrs

46. Date and Time Report Completed
10 OCT 07 1230hrs.

47. Supervisor Approving (Signature/Star No.)

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complied with Sgt. Wright handcuffing her. R/D took possession of Dr. Shelton's property and Sgt. Wright, D/S Hughes #5215 and R/D escorted Dr. Shelton to main lock up for processing. Sgt. Wright searched Dr. Shelton and R/D inventoried her property. Dr. Shelton freely stated to D/S Hughes and R/D that she would probably need medical attention. Sgt. Wright then called for paramedics at 1154 hrs. Ambulance #84 arrived at 1200 hrs and after speaking with Dr. Shelton, she refused medical attention. Subject was then processed on the charges of Criminal Trespass to Land. On above date at approximately .

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**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
OFFENSE/INCIDENT
SUPPLEMENTAL REPORT**

Original CR Number:
07-518557

Original Offense/Incident Classification: Criminal Trespass to Land	Original UCR Code: 1330	Original PAC Code: 9007
Reclassified as (if applicable): DNA	Original Reporting Officer: DS Lisa Vargas	Star No: 3222

SUPPLEMENTAL REPORT INFORMATION

Officer Competing Supplemental Report: Sgt. Rachel E. Wright	Star No: 310		
Date Supplemental Completed: 10 Oct 07	Time Supplemental Completed: 1730	PAC Code: 9007	Beat of Occurrence: Front Door/Lobby
<input type="checkbox"/> Narrative (Continued from original)	<input type="checkbox"/> Witness Statement		
<input type="checkbox"/> Court Appearance (Officer Notification)	<input type="checkbox"/> Victim Statement		
<input type="checkbox"/> Court Appearance (Officer Report)	<input type="checkbox"/> Other:		

On the above date at approximately 1125hrs. the R/Sgt. was called via radio to respond to the first floor lobby by Sgt. Demond Parker #270. Upon arrival the R/Sgt. viewed a white female later known to the R/Sgt. as Dr. Linda Shelton standing by the entrance to the Clerk's office. A/C Allen #94, Sgt. Demond Parker #270, DS Renee Hughes #5215, and DS Frank Candir #4589 were on scene. Dr. Shelton was yelling loudly that she was not going to go back through security. The R/Sgt. was told that Dr. Shelton was refusing to comply with the public search protocol for entering the Domestic Violence facility. The R/Sgt. spoke to Dr. Shelton and requested that she go through security screening and once that was done she could conduct whatever business she needed to in the building. Dr. Shelton continued to yell that she was not going to go back through security and that she was being harassed. Dr. Shelton was yelling that A/C Allen and sgt. Parker were thugs and that the R/Sgt. needed to get these males away from her. A/C Allen and the R/Sgt. repeatedly asked Dr. Shelton to go back through security. A/C Allen and the R/Sgt. repeatedly told Dr. Shelton that no member of the public could gain entry to the building without being properly screened. Dr. Shelton continued to yell and refused to go through screening. The R/Sgt. then explained to Dr. Shelton that if she refused to be screened that she would need to vacate the building. Dr. Shelton then told the R/Sgt. that she was not going through screening and she would not leave the building until she did what she came to do in the Clerk's office. The R/Sgt. then explained to Dr. Shelton that if she refused to comply that she would be placed under arrest for Criminal Trespass to State Supported Land. Dr. Shelton continued to argue attempting several times to walk past the R/Sgt., A/C Allen, and Sgt. Parker. The R/Sgt. then informed Dr. Shelton that she was being placed under arrest for trespass. The R/Sgt. began to handcuff Dr. Shelton who was passively resisting the R/Sgt. The R/Sgt. gave Dr. Shelton several verbal directs to stop resisting which she finally complied with. The R/Sgt., DS Vargas #3222, and DS Hughes then proceeded to escort Dr. Shelton to the main lock up of the facility. The R/Sgt. read Dr. Shelton her Miranda Rights per pre printed card and searched Dr. Shelton's person. DS Vargas inventoried Dr. Shelton's property and Dr. Shelton was then processed. Dr. Shelton mentioned to DS Hughes that she might need medical attention, and the R/Sgt. called paramedics at approximately 1155. Ambulance #84 arrived at approximately 1200hrs. Dr. Shelton refused medical attention. Dr. Shelton appeared in branch 46 where bond was set at \$25,000.00D with a return date of 19Nov 07 (07-206817). Case # 05CR12718 was held on call for 11 Oct 07, 9a.m., 26th and California.

Continued

Reporting Officer's Name (print): SGT RACHEL E WRIGHT	Reporting Officer's Signature: <i>[Signature]</i>	Star No: 310	Date: 10 Oct 07
Supervisor's Name (print): A/C GARY S. ALLEN	Supervisor's Signature: <i>[Signature]</i>	Star No: 94	Date: 11 Oct 07

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**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
OFFENSE/INCIDENT
SUPPLEMENTAL REPORT**

Original CR Number:
07-518557

Original Offense/Incident Classification: Criminal Trespass To Land		Original UCR Code: 1330	Original PAC Code: 9007
Reclassified as (if applicable): DNA	Original Reporting Officer: D/S Elizabeth Vargas		Star No: 3222

SUPPLEMENTAL REPORT INFORMATION

Officer Competing Supplemental Report: Sgt. Demond Parker			Star No: #260
Date Supplemental Completed: 10 OCT 07	Time Supplemental Completed: 1545 hrs.	PAC Code: 9007	Beat of Occurrence: Front Door Screening
<input type="checkbox"/> Narrative (Continued from original) <input type="checkbox"/> Court Appearance (Officer Notification) <input type="checkbox"/> Court Appearance (Officer Report)		<input type="checkbox"/> Witness Statement <input type="checkbox"/> Victim Statement <input checked="" type="checkbox"/> Other:	

In summary on above date at approx. 1115 hrs. R/Sgt. observed Ms. Linda Shelton causing a disturbance at the front door. Upon R/Sgt. arrival on scene D/S Suggs informed A/C Allen #94 and R/Sgt. that Ms. Shelton had a prohibited item and refused to have it inventoried. Ms Shelton then proceeded to enter the metal detector, sounding the alarm. Ms. Shelton then snatched her bags from D/S Suggs #4195 and entered the lobby doors. R/Sgt. then instructed Ms. Shelton to return to the screening area to be searched and have her items inventoried. Ms. Shelton stated, "I'm not doing that shit any more." A/C Allen then displayed his star and ID, stating he was the Chief of the facility. A/C Allen instructed Ms. Shelton that she must comply with the screening procedures. Ms. Shelton refused several requests by A/C Allen to comply with the security procedures. Sgt. Wright #310 then arrived on scene and again instructed Ms. Shelton to comply with the screening process and get searched, and that we would inventory her property. Ms. Shelton stated, "No. I'm not doing that again, and you're not searching me again." She then stated, "This is harassment, get these fucking thugs away from me." A/C Allen and Sgt. Wright then informed Ms. Shelton that she must leave the building or be arrested for criminal trespass to land. This verbal warning was given three to four times, which Ms. Shelton did not comply with, and was placed under arrest by Sgt. Wright for criminal trespass to land.

Continued

Reporting Officer's Name (print): Sgt. Demond Parker	Reporting Officer's Signature: <i>[Signature]</i>	Star No: #260	Date: 10 OCT 07
Supervisor's Name (print): A/C Gary Allen	Supervisor's Signature: <i>[Signature]</i>	Star No: #94	Date: 10 OCT 07

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**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
OFFENSE/INCIDENT
SUPPLEMENTAL REPORT**

Original CR Number:

07-518557

Original Offense/Incident Classification: CRIMINAL TRESPASS TO LAND	Original UCR Code: 1330	Original PAC Code: 9007
Reclassified as (if applicable):	Original Reporting Officer: DEPUTY SHERIFF ELIZABETH VARGAS	Star No: 3222

SUPPLEMENTAL REPORT INFORMATION

Officer Competing Supplemental Report: DEPUTY SHERIFF SHATAKA SUGGS		Star No: 4195
Date Supplemental Completed: 10 OCT 07	Time Supplemental Completed: 1340	PAC Code: 9007
<input type="checkbox"/> Narrative (Continued from original) <input type="checkbox"/> Court Appearance (Officer Notification) <input type="checkbox"/> Court Appearance (Officer Report)		<input type="checkbox"/> Witness Statement <input type="checkbox"/> Victim Statement <input checked="" type="checkbox"/> Other
Beat of Occurrence: Front Door Screening		

IN SUMMARY, ON THE ABOVE DATE AND APPROXIMATELY 1115 HRS, R/D ASSIGNED TO FRONT DOOR SECURITY SCREENING AT 555 W. HARRISON OBSERVED A WHITE FEMALE, LINDA SHELTON, ENTERING THE BUILDING AGITATED YELLING AND SCREAMING THAT SHE WAS ALMOST RAPED WHEN SHE WAS LOCKED UP AT THE JAIL AND THAT WE HAD BEAT HER UP AT THE JAIL THE LAST TIME. MS. SHELTON WALKED UP TO THE FRONT DOOR SCREENING AREA PLACED TWO BAGS ON THE CONVEYOR BELT. R/D INFORMED MS. SHELTON THAT SHE HAD SEVERAL PROHIBITED ITEMS INSIDE ONE OF THE BAGS AT WHICH TIME SHE BECAME INCREASINGLY MORE AGITATED STATING, "YOU ARE NOT GOING TO TAKE ANYTHING FROM ME AND MY ITEMS ARE NOT PROHIBITED." MS. SHELTON, THEN, THREW HER WALKING CANE ON THE CONVEYOR BELT AND ENTERED THE MAGNETOMETER SIGNALING AN ALERT SOUND. MS. SHELTON SNATCHED HER BAG FROM R/D HAND PREVENTING R/D FROM FURTHER SEARCHING THE BAG AS WELL AS SNATCHING ALL OF HER OTHER ITEMS OFF OF THE CONVEYOR BELT AND PROCEEDED TO THE LOBBY AREA. R/D IMMEDIATELY NOTIFIED SGT. PARKER #260 AND A/C ALLEN #94 WHO WERE WALKING IN THE DIRECTION OF THE SECURITY SCREENING AREA. SGT. PARKER, A/C ALLEN, D/S WHITE #5176 AND R/D FOLLOWED MS. SHELTON REQUESTING THAT SHE RETURNED TO THE SECURITY SCREENING AREA AND COMPLY WITH THE SECURITY SCREENING PROCEDURES. MS. SHELTON ADAMANTLY REFUSED TO COMPLY STATING AGAIN, "THE SHERIFFS HAD BEATEN ME UP WHEN I WAS IN JAIL AND I ALMOST GOT RAPED BY MY CELL MATE AND I ALREADY HAVE ALL OF YOUR NAMES WRITTEN DOWN." A/C ALLEN INSTRUCTED MS. SHELTON TO COMPLY WITH SECURITY SCREENING AND IF SHE REFUSED TO COMPLY WITH SECURITY SCREENING THAT SHE MUST LEAVE THE BUILDING. SGT. WRIGHT #310 ARRIVED ON THE SCENE AND REQUESTED MS. SHELTON TO COMPLY WITH THE SECURITY SCREENING PROCEDURES. MS. SHELTON CONTINUED TO REFUSE TO COMPLY WITH SECURITY SCREENING AND REFUSED TO LEAVE THE BUILDING AFTER SEVERAL REQUESTS FROM SGT. WRIGHT AND A/C ALLEN. R/D THEN RETURNED TO R/D ASSIGNMENT TO SCREEN OTHER MEMBERS OF THE PUBLIC.

Continued

Reporting Officer's Name (print): D/S SHATAKA SUGGS #4195	Reporting Officer's Signature: <i>[Signature]</i>	Star No: 4195	Date: 10 OCT 07
Supervisor's Name (print): Sgt. DEMON PARKER	Supervisor's Signature: <i>[Signature]</i>	Star No: 260	Date: 10 OCT 07

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**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
OFFENSE/INCIDENT
SUPPLEMENTAL REPORT**

Original CR Number:
07-518557

Original Offense/Incident Classification: Criminal Trespass to Land		Original UCR Code: 1330	Original PAC Code: 9007
Reclassified as (if applicable):	Original Reporting Officer: D/S Elizabeth Vargas		Star No: 3222
SUPPLEMENTAL REPORT INFORMATION			
Officer Completing Supplemental Report: D/S Benjamin Sullivan			Star No: 2627
Date Supplemental Completed: 10 OCT 07	Time Supplemental Completed: 1130	PAC Code: 9007	Beat of Occurrence: Front Door
<input type="checkbox"/> Narrative (Continued from original) <input type="checkbox"/> Court Appearance (Officer Notification) <input type="checkbox"/> Court Appearance (Officer Report)		<input type="checkbox"/> Witness Statement <input type="checkbox"/> Victim Statement <input checked="" type="checkbox"/> Other:	

On the above date at approximately 1115 hrs, R/D Benjamin Sullivan #2627 was assigned to the front door at the Domestic Violence Courthouse and observed a female subject, now known to be Dr. Linda Shelton, being screened for entry by D/S Shataka Suggs #4195. R/D observed D/S Suggs inquiring about a prohibited item in subject's bag. Subject became agitated and stated "You aren't gonna take my things, and last time I was in custody, someone tried to rape me. I'm not putting up with this shit." Subject became increasingly agitated and shouted various profanities before removing her bag from the X-ray screening machine and then proceeded to enter the building before entry screening had been completed. Subject was then stopped by Sergeant Demond Parker #260 and Assistant Chief Gary Allen #94, both of whom informed the subject that she must comply with entry screening procedures before entering the building. Subject continued to be argumentative in her conversation with Sgt. Parker and Assistant Chief Allen and refused to submit to screening. Sergeant Rachel Wright #310 and D/S Elizabeth Vargas #3332 then responded to the scene. Sgt. Wright informed the subject several times that she must comply with entry screening procedures before entering the building, and the subject continued to refuse. Sgt. Wright then informed the subject several times that if she refused to submit to screening, then she must leave the building or be subject to criminal charges. After being given several opportunities to leave, the subject refused to do so. The subject was then taken into custody by Sgt. Wright and D/S Vargas for Criminal Trespass to Land.

Continued

Reporting Officer's Name (print): D/S BENJAMIN SULLIVAN #2627	Reporting Officer's Signature: <i>[Signature]</i>	Star No: 2627	Date: 10 OCT 07
Supervisor's Name (print): Sgt. Demond Parker	Supervisor's Signature: <i>[Signature]</i>	Star No: 260	Date: 10 OCT 07

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**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
OFFENSE/INCIDENT
SUPPLEMENTAL REPORT**

Original CR Number:

07-518557

Original Offense/Incident Classification: Criminal Trespass To Land	Original UCR Code: 1330	Original PAC Code: 9007
Reclassified as (if applicable): DNA	Original Reporting Officer: D/S E Vargas	Star No: 3222

SUPPLEMENTAL REPORT INFORMATION

Officer Completing Supplemental Report: D/S Willa White		Star No: 5176
Date Supplemental Completed: 10 OCT 07	Time Supplemental Completed: 1445 hrs.	PAC Code: 9007
<input type="checkbox"/> Narrative (Continued from original) <input type="checkbox"/> Court Appearance (Officer Notification) <input type="checkbox"/> Court Appearance (Officer Report)		<input type="checkbox"/> Witness Statement <input type="checkbox"/> Victim Statement <input checked="" type="checkbox"/> Other:

On 10 OCT 07 at approximately 1115 hrs. at the Domestic Violence Courthouse, R/D W. White #5176 observed a female subject walk in the building agitated, ranting and raving. She was saying she has been beat up at the jail and almost raped. The female subject threw her bag and cane on the conveyer belt, and entered screening. D/S Suggs #4195 informed the female subject that there were prohibited items in her bag. When the female subject then proceeded to walk through the screening machine, when it began to beep. The female subject continued ranting ranting and raving. D/S Suggs informed the female subject that the prohibited items could be inventoried, and held at the front door until she left the building. The female subject snatched her bag out of D/S Suggs hand, and walked through the separating door after several requests to return to security screening. A/C Allen #94 and Sgt. Parker #260 were informed of the incident, they both informed the female subject she must return to security screening. The female subject continued to refuse. Sgt. Wright #310 walked over and talked to the female subject, who said, "I will talk to you, but get those fucking thugs out of my face." The female subject was referring to A/C Allen and Sgt. Parker. R/O then returned to assignment at front door screening.

Continued

Reporting Officer's Name (print): D/S Willa White	Reporting Officer's Signature: <i>Willa White</i>	Star No: #5176	Date: 10 OCT 07
Supervisor's Name (print): Sgt. Demond Parker	Supervisor's Signature: <i>Demond Parker</i>	Star No: #260	Date: 10 OCT 07

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**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
OFFENSE/INCIDENT
SUPPLEMENTAL REPORT**

Original CR Number:

07-518557

Original Offense/Incident Classification: Criminal Trespass to Land		Original UCR Code: 1330	Original PAC Code: 9007
Reclassified as (if applicable):	Original Reporting Officer: E. Vargas		Star No: 3222

SUPPLEMENTAL REPORT INFORMATION

Officer Competing Supplemental Report: Tracy Cavanaugh			Star No: 5254
Date Supplemental Completed: 10 Oct 07	Time Supplemental Completed:	PAC Code: 9007	Beat of Occurrence: Front Door
<input type="checkbox"/> Narrative (Continued from original) <input type="checkbox"/> Court Appearance (Officer Notification) <input type="checkbox"/> Court Appearance (Officer Report)		<input checked="" type="checkbox"/> Witness Statement <input type="checkbox"/> Victim Statement <input type="checkbox"/> Other:	

In summary on above date at approx 1120hrs R/D was entering the court facility through male screening when R/D noticed a female subject now known as Shelton, Linda entering the facility through female screening. At this time A/C Allen and Sgt. Parker #94 were telling Ms. Shelton she needed to stop and come back through screening. R/D then stepped in front of Ms. Shelton asked her to stop and told her she needed to step back outside and complete the screening process. Ms. Shelton then began arguing stating she had already completed the screening process. At this time A/C Allen and Sgt. Parker began explaining to Ms. Shelton why she needed to go back through screening and R/D returned to her assigned courtroom.

Continued

Reporting Officer's Name (print): Tracy Cavanaugh	Reporting Officer's Signature: 	Star No: 5254	Date: 10 Oct 07
Supervisor's Name (print): SGT S. RENKA S	Supervisor's Signature: 	Star No: 305	Date: 11 OCT. 07

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PEOPLE OF THE STATE OF ILLINOIS

VS

NUMBER 07120681701

LINDA

SHELTON

CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County/Local Prosecutor has filed a complaint with the Clerk of the Circuit Court.

Charging the above named defendant with:

720-5/21-5

M

The following disposition(s) was/were rendered before the Honorable Judge(s):

10/10/07 FNDG PROB CAUSE
OCASIO RAMON III

\$ 25000

10/10/07 BAIL AMOUNT SET
OCASIO RAMON III

10/10/07 TRANSFERRED
OCASIO RAMON III

11/19/07 9143

11/19/07 CONTINUANCE BY AGREEMENT
MOT ANA TRIAL

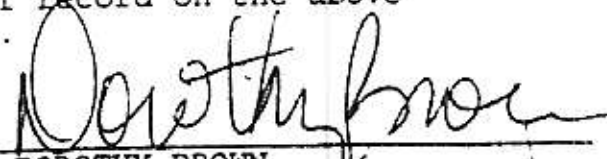
12/17/07 9143

12/17/07 NOLLE PROSEQUI
LUCKMAN, MARVIN P.

C001

12/17/07 DEF DEMAND FOR TRIAL
LUCKMAN, MARVIN P.

I hereby certify that the foregoing has been entered of record on the above captioned case.
Date 06/02/08



DOROTHY BROWN
CLERK OF THE CIRCUIT COURT OF COOK COUNTY

912

1 STATE OF ILLINOIS)
2 COUNTY OF C O O K) SS:

3

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 COUNTY DEPARTMENT - SIXTH MUNICIPAL DISTRICT

6 THE PEOPLE OF THE)
7 STATE OF ILLINOIS,) Case No. 02 CR 28530-01
8 vs.) Charge: Resisting a Peace
9 LINDA SHELTON.) Officer

10 BENCH TRIAL

11 REPORT OF PROCEEDINGS of the hearing had
12 before the Honorable JAMES L. RHODES on the 23rd
13 day of August, 2005, in Markham, Illinois.

14 APPEARANCES:

15 HON. RICHARD A. DEVINE,
16 State's Attorney of Cook County, by:
17 MS. JAIME SMITH, and
18 MS. JAIME VOIGT,
19 Assistant State's Attorneys,
20 appeared for the People;
21 MR. EDWIN A. BURNETTE,
Public Defender of Cook County, by:
MS. KIMBERLY MALONE-LOCKETT,
Assistant Public Defender,
as stand-by Counsel for the Defendant;
DR. LINDA SHELTON,
appeared pro se.

22 Nicola Peel Vogelgesang
23 No. 084-001241
24 Official Court Reporter
16501 S. Kedzie Parkway
Markham, Illinois 60426

1 THE COURT: Recalling People versus Shelton. Both
2 sides ready?

3 MS. VOIGT: We are ready.

4 THE COURT: State have an opening statement?

5 MS. VOIGT: Very briefly, Your Honor.

6 MS. MALONE-LOCKETT: Give me two seconds to give
7 this to her in the lock up?

8 THE COURT: Sure.

9 (Pause.)

10 MS. MALONE-LOCKETT: Alright. Thank you.

11 THE COURT: Thank you. Opening statement.

12 MS. VOIGT: Thank you. Your Honor, the State
13 believes that the evidence will show that on October
14 22nd of 2002, at the Bridgeview court house,
15 approximately 10:15 a.m., Deputy Doran was working
16 security at the door. At about that time, the
17 defendant approached Becky Doran; and where the deputy
18 was working was the area where individuals needed to
19 put any personal belongings in bags up on a table so
20 they could then be transferred to the conveyer belt
21 before passing through security.

22 Deputy Doran told the defendant to place her
23 bag up on the table, and we believe the evident will
24 show that the defendant refused. The defendant was

1 then told that she would not be allowed entrance into
2 the building if she would not comply with the
3 sheriff's requests. The defendant announced that she
4 was going in, anyway; took her bag, and proceeded to
5 try to enter through the motion detector despite the
6 sheriff's telling her no.

7 You'll hear from Deputy Doran that she stood
8 in front of the metal detector in an effort to keep
9 the defendant from entering the building and was
10 pushed by the defendant over and over again.

11 Deputy Doran will tell you that after she was
12 able to keep the defendant from entering the building,
13 that the defendant then struck Deputy Doran a number
14 of times, resulting in an injury to her arm.

15 Your Honor, we believe that at the close of
16 all of the evidence, after hearing the testimony of
17 Deputy Doran and Deputy Caliendo, that you will find
18 the defendant guilty as charged. Thank you.

19 THE COURT: Alright. Thank you. Defense have an
20 opening statement?

21 DR. SHELTON: Uhm, I believe the evidence is going
22 to show that I was ordered by Judge Welter to come to
23 Court on October 22nd for a hearing on a trespass case
24 for which I was later found not guilty, trespass to

1 Christ Hospital.

2 I entered the building, went to the security
3 area, and Deputy Doran was standing there. And that
4 what happened was I asked the deputy to assist me with
5 my bag. I had a heavy brief case. This was about a
6 year-and-a-half after extensive neurosurgery in my
7 back for a right-sided partial paralysis, called a
8 hemiparesis, and ten days after I suffered a herniated
9 lumbar disk, where I briefly lost all movement and
10 feeling below the waist, was found on the floor after
11 an hour, taken by ambulance to the hospital. And the
12 result of that was severe pain for several months and
13 a loss of function on the right leg. So I was told
14 not to lift anything.

15 When I got to the security entrance, Deputy
16 Duran told me to lift my bag. I told her at least a
17 dozen times: I can't lift it, I need some assistance.
18 She said: I'm not your slave. And then she ordered
19 me to leave the building if I wouldn't lift it up.

20 I think evidence will show that I attempted to
21 comply by asking them to assist me. That I actually
22 put my keys and a gold medal from the Republican party
23 that I had been given that it was going to show the
24 Judge my good character, in the basket. I was walking

1 with a cane in pain. And at least a half a dozen
2 deputies came. Her Sergeant came and told her not to
3 assist me. And then I said: Well, I can't leave the
4 building, that would be violating a judge's order, so
5 I'm going to have to come in.

6 I left my bag on one side of the security
7 gate, and I said: I'll leave my bag here, if you
8 won't help me. I walked through the security gate
9 with my cane on the table. I had to struggle through
10 a little bit. Evidence will show Deputy Duran pushed
11 me back.

12 I went outside again. I asked if I could use
13 a phone to call Judge Welter and tell him they
14 wouldn't let me up. They denied me the use of a
15 phone, a bald deputy did. And then said I said:
16 Well, I have to come in. I don't want to disobey the
17 Judge's order. And I walked in slowly, taking my bag
18 in my right hand and my cane and my medal and keys. I
19 said: Please help me, numerous times. I said at
20 least a half dozen times: Deputies, please don't
21 violate the American's with Disabilities Act. You
22 have to help me.

23 And when I walked through the gate, Deputy
24 Doran stepped in front of me; and I bumped into her.

1 I have very poor balance. And I kept kind of moving
2 towards her because I couldn't just stop. And then
3 the evidence will show she pushed me with her hands.
4 I lost my balance. Arms went flailing. At least one
5 arm hit against her. I believe she also was trying to
6 strike me or grab me. I'm not sure which. And at
7 which point, I lost a little touch with reality. My
8 sympathy problems hit (sic), and I got a little
9 confused. I don't remember about a period of time
10 afterwards. Next thing I know, I was ten or 20 feet
11 from the security entrance with somebody pushing and
12 pulling my arms behind my back, and I was arrested.

13 And that the charge of disobeying a peace
14 officer is not valid because any order has to be
15 legal. An order to hurt yourself, violate a Judge's
16 order, is not legal. The charge of simple battery is,
17 I presume, although I'll have to see what they
18 present, is when my arm hit against her while I was
19 trying to get my balance.

20 So I think you will find that the evidence
21 does not show beyond a reasonable doubt that I'm
22 guilty of either one of these charges.

23 THE COURT: Alright, thank you. State, you may
24 call your first witness.

1 MS. SMITH: Your Honor, People call Deputy Becky
2 Doran.

3 (Witness sworn.)

4 THE COURT: Please be seated. You may proceed
5 when you're ready.

6 DEPUTY DORAN,
7 called as a witness on behalf of the People of the
8 State of Illinois, having been first duly sworn, was
9 examined and testified as follows:

10 DIRECT EXAMINATION

11 By MS. SMITH:

12 Q Will you please introduce yourself to the
13 Court by stating your name and spelling your last name
14 for the Court Reporter?

15 A Deputy Sheriff Rebecca Doran. Star Number
16 4828. Cook County Sheriff's Department. Bridgeview
17 court house.

18 Q How long have you worked as a deputy sheriff?

19 A Seven years.

20 (Discussion held off record.)

21 THE WITNESS: Doran, D-o-r-a-n.

22 MS. SMITH: Q How long have you been a deputy
23 sheriff?

24 A Seven years.

1 Q And have you received training in becoming a
2 deputy sheriff?

3 A Yes.

4 Q What type of training?

5 A Eleven weeks Academy classes where you're
6 trained for security, to screen the front doors, work
7 in courtrooms, prisoner searches, et cetera. Plus we
8 go every year for an in-service training to reiterate
9 each year.

10 Q In your seven years as a deputy sheriff, where
11 have you been assigned?

12 A The main lock up and front door security and
13 courtrooms.

14 Q I'd like to direct your attention to October
15 22nd of 2002 to about 10:00 a.m., 10:15 a.m. in the
16 morning. Were you working on that date and at that
17 time?

18 A Yes.

19 Q And I'll direct your attention to the
20 Bridgeview court house.

21 A Yes.

22 Q Were you working at the Bridgeview court
23 house?

24 A Yes. I was working at the Bridgeview court

1 house at Post One, which is the front door.

2 Q What are the general duties of the front door?

3 A To screen people's persons and their property,
4 their bags, to make sure that there isn't any illegal
5 items such as guns, weapons, or contraband such as
6 drugs.

7 Q And what is the purpose of that screening?

8 A To maintain security in the court house. To
9 make sure that the Judges and the public, also the
10 deputies, are safe.

11 Q Can you describe for the Court the front
12 portion of the Bridgeview court house?

13 A It's very similar to this court house. It's
14 the main entrance. There's a glass partition so that
15 people can't just walk straight through. They have to
16 be either directed to the right or the left. If you
17 walk in and go to the left, that's the employee
18 entrance. To the right is where the public comes in.
19 There are two magnetometers or metal detectors.

20 Q If I could just slow you down?

21 A Sure.

22 Q Generally speaking, when an individual from
23 the public comes in, how do they generally get into
24 the court house?

1 A There's a revolving door or a handicapped door
2 to come through. And then they turn to the right.
3 And there's either a male line or a female line. And
4 there's a partition in between, like a rope, to make
5 them go around to the directed line.

6 Q What side of the partition are you on?

7 A I'm on the female side.

8 Q And generally how do females get in the court
9 house?

10 A They walk up to the table. There's a table in
11 between the two magnetometers. A deputy is assigned
12 at that table. There's also a deputy assigned to wand
13 or direct people through the magnetometer. And then
14 there is also someone at the x-ray machine.

15 Q In order to enter into the building, what does
16 someone from the public have to do?

17 A After they come up to -- the deputy there
18 directs them to remove any keys or cell phones out of
19 their purses, to place them into the tray on the
20 table, and then put their -- either a bag or their
21 purse on the table for us to then take the bag, put it
22 on the x-ray machine behind us, and then wait for the
23 other deputy to direct them through.

24 Q Do you actually lift their bags and put them

1 on the table for them?

2 A No.

3 Q Have you ever done that?

4 A No.

5 Q And why don't you do that?

6 A Uhm, for us to exit through the magnetometer
7 to the other public side, would cause a delay in the
8 process of stopping. That also would cause us to be
9 very vulnerable.

10 Q When you say you'd be vulnerable, what do you
11 mean?

12 A We'd be vulnerable in the aspect that it would
13 be a security issue for us, that we would be having
14 our back towards the public with our weapons
15 vulnerable on that side when we bent down to pick up
16 other people's bags.

17 Q After a person picks up their bags and places
18 it on the table, what happens next generally?

19 A The deputy there looks through the basket to
20 see if there's anything on the key rings or anything
21 within wallets or anything that they might put in the
22 basket. And then the bag is lifted from the table for
23 about a second to behind us to the x-ray machine.

24 Q And then it's screened?

1 A And then it's screened from another deputy,
2 whereas if they deem it safe, they give it back.

3 Q Are individuals allowed in the court house
4 without having their property screened?

5 A Never.

6 Q And why is that?

7 A It's too much of a security risk. We don't
8 know what is in their bag. And it's -- we can't pick
9 and choose who would not be screened and who would be.

10 Q Now, you indicated that there are usually
11 three positions at the front door?

12 A Correct.

13 Q And what are those positions?

14 A The table at the front to check the baskets.
15 Someone who holds the wand, the hand wand. After the
16 person comes through and rings, they get wanded, hand
17 searched. And then there's someone who works the
18 x-ray machine.

19 Q And on October 22nd of 2002, what was your
20 role?

21 A We rotate each day, so that day I was working
22 the front table at the baskets.

23 Q And who else were you working with?

24 A Deputy Sheriff Maureen Caliendo and Deputy

1 Sheriff Helen Davison.

2 Q What were their roles?

3 A Deputy Sheriff Caliendo was hand searching
4 with the hand wand, and Deputy Sheriff Davidson was
5 working the x-ray machine.

6 Q How close are you to one another?

7 A Probably two feet apart.

8 Q Do you see anyone in court today that you saw
9 on October 22nd, 2002, about 10:00 o'clock in the
10 Bridgeview court house?

11 A Yes.

12 Q Would you please point to that individual and
13 identify an article of clothing she's wearing?

14 A Sitting at the Defense table in the white
15 suit. Linda Shelton.

16 MS. SMITH: Your Honor, may the record reflect the
17 in-court identification of the defendant?

18 THE COURT: Record may so reflect.

19 MS. SMITH: Q Deputy, will you please tell the
20 Court how it is that you came into contact with the
21 defendant?

22 A By working at the front door.

23 Q And when did you first notice her?

24 A Previous to that day, or just that day?

1 Q That day.

2 A That day she came through the front doors and
3 walked up to the front table.

4 Q And did she have a bag on her person at that
5 time?

6 A She had it on a cart.

7 Q Will you please describe what she looked like?

8 A She walked up to the table, pulling a -- like
9 a hand cart with a bag strapped down to it.

10 Q Did she have a cane on her person at that
11 time?

12 A No.

13 Q Did she have any braces on her ankles or legs
14 or anything like that?

15 A Not that I saw, no.

16 Q You indicated she walked up to where you were
17 at; correct?

18 A Yes.

19 Q And what happened?

20 A She stated -- I asked her to do as with
21 everybody else. I asked her to remove her keys and
22 cell phone out of her bag and empty out her pockets
23 into the basket and then to place her bag on the table
24 so it could be screened.

1 Q And did she do that?

2 A No.

3 Q Tell the Court what happened.

4 A She said that she wanted me to come around and
5 pick up her bag to put on the x-ray machine.

6 Q When the defendant said that to you, what did
7 you do next?

8 A I said that's not our policy, that she needed
9 to do that.

10 Q And then what happened?

11 A She insisted that I come around and pick up
12 her bag and said she would not do it.

13 Q After you had that conversation with her, what
14 happened next?

15 A She became very irate. She started screaming
16 that she wasn't -- that I had to come and do it or she
17 wasn't -- uhm, or she was not going to put her bag on
18 the table herself.

19 Q Did you inform her that access to the Court
20 house would be denied if her bag was not screened?

21 A Yes.

22 Q When did you do that?

23 A I told her that -- she said she wasn't going
24 to get her bag, I said: Then you can't come in the

1 building. That's just our policy. And she insisted
2 and said that she was going to come in, anyway.

3 Q And after she told you she was going to come
4 in anyway, what did she do?

5 A I said that she could not. And she started,
6 proceeded to grab her cart and to start walking
7 towards the magnetometer.

8 Q When she is walking toward the magnetometer,
9 will that give her access to the court room?

10 A Correct. Into the court house. Correct.

11 Q Excuse me. Were you by that machine?

12 A I was right directly next to it, the table,
13 and then there's the magnetometer. So I took two
14 steps over in to block the entrance of the
15 magnetometer and insisted that she step back.

16 Q When you say you blocked the entrance, will
17 you tell the Court how you did that?

18 A I just stood in the entryway. It's as though
19 it's like a doorway, the magnetometer. So I just
20 placed myself to block that area so that she would not
21 illegally gain access to the court house.

22 Q Why did you do that?

23 A Because she had not been screened and I was
24 unaware of what would have been on her person or in

1 her bag.

2 Q Did you push her at any time?

3 A No.

4 Q Did you make physical contact with her at any
5 time?

6 A I did. After she initially made contact with
7 me by trying to push past me.

8 Q Explain to the Court exactly how she did that?

9 A She proceeded to insist that she was coming
10 through. I kept telling her: Back up, and she was
11 not coming through until she was searched, and blocked
12 her way through; and she was pushing me.

13 Q How many times would you say she pushed you?

14 A It was for at least a minute she was pushing
15 me. At that time, I was losing my balance and felt
16 that I was going to fall backwards. So to brace
17 myself, I placed my arms up. (Indicating.) Like
18 this.

19 MS. SMITH: Your Honor, may the record reflect the
20 witness is indicating both her arms up at shoulder
21 level with her hands clasped in front of her body.

22 THE COURT: (Shrugging.)

23 MS. SMITH: May the record so reflect?

24 THE COURT: Record will reflect that you've

1 indicated what the witness is doing.

2 MS. SMITH: Thank you.

3 THE COURT: And that there's been no other
4 indication that she's doing anything different.

5 MS. SMITH: Thank you.

6 Q You indicated that she pushed you for
7 approximately a minute; correct?

8 A Correct.

9 Q Did the defendant have any trouble moving at
10 that time?

11 A No.

12 Q And after she was pushing you, what happened
13 next?

14 A I kept telling her to step back. Finally, I
15 was able to remove her or just push her backwards, I
16 guess to so to speak, to get her out of the
17 magnetometer by starting to walk while I was blocking,
18 I guess, to walk her backwards to get her out of the
19 magnetometer.

20 Q Was that before or after she pushed you?

21 A This was after.

22 Q And as you walked her back, what happened?

23 A I got her out of the magnetometer, I went on
24 public side instead of the -- I was on the public side

1 then as I walked her backwards out of it; I had her
2 backed onto the glass partition.

3 Q And is it the same partition that you
4 described earlier?

5 A Correct.

6 Q As you walked her back, what was her demeanor
7 at that time?

8 A She was yelling. She was saying that she was
9 coming through. I just kept telling her to stop and
10 to listen to my directions. At that time, I got her
11 out and I had taken a step back, and she started
12 swinging.

13 Q When you say, "she started swinging," what did
14 she do?

15 A She started swinging, flailing her arms at me
16 with an open fist, making contact with me.

17 Q By an "open fist" you mean an open hand?

18 A Correct. An open hand.

19 Q You indicate she was flailing at you; correct?

20 A Yes.

21 Q Did she strike you?

22 A Yes.

23 Q Where did she strike you?

24 A In the arm. Both arms. And just with my

1 upper body, but mostly my arms. Because I was
2 actually blocking. I was blocking the strikes.

3 Q And how many times would you say she struck
4 you?

5 A Five or six.

6 Q Had you ever -- had you ever struck her up to
7 this point?

8 A No.

9 Q Up to this point, did she ever complain about
10 any physical problems that she may have had?

11 A No.

12 Q What happened after the defendant struck you?

13 A I was telling her to stop. Stop hitting me.
14 I was trying to grab her hands just to protect myself.
15 I did -- was able to grab her arms and just hold them
16 so that she would stop hitting me. My partner, Deputy
17 Caliendo, came through the magnetometer to try and
18 help me, just to stop her from hitting me. And at
19 that time, Miss Shelton started yelling that I was
20 assaulting her.

21 MS. SMITH: Your Honor, showing the opposing
22 Counsel what I previously marked as People's Exhibit
23 Number One and Two for Identification.

24 DR. SHELTON: Your Honor, I have to ask that these

1 be not allowed. They were not shown to me. They were
2 not given to me in discovery. This is discovery
3 violation. There's other photographs that are pretty
4 much the same. I mean, I'm being picky, but shows the
5 same stuff as the other photos; but these were not
6 shown to me. These were not given to me in discovery,
7 and they shouldn't be allowed.

8 MS. SMITH: Your Honor, Your Honor, we did show
9 those photos to the defendant.

10 DR. SHELTON: No, you didn't. I have the photos
11 you showed me. And it's not those.

12 MS. SMITH: Your Honor, it's our position that we
13 showed those photos to the defendant.

14 DR. SHELTON: This is the first time I've ever
15 seen those photographs. I have seen this photo.
16 These photos. I have not seen those. You want to use
17 this, go ahead. These.

18 THE COURT: So, you have some photos that the
19 State gave you?

20 DR. SHELTON: Yeah. After about two years of
21 asking for discovery, they finally gave me some
22 photos; but not those photos. I don't mind using --

23 THE COURT: Were those photos included in the
24 photos that --

1 MS. SMITH: I believe there was.

2 DR. SHELTON: No, they were not. You can see the
3 photos that are included. You can see the ones that
4 should not be entered into evidence at all, because
5 those are not the ones. These are the ones.

6 THE COURT: She looked at those?

7 MS. SMITH: If I may.

8 DR. SHELTON: I'm being picky. They show the same
9 thing. So if they want to show the ones that I was
10 given, fine; but I'm going to be very picky about
11 misconduct of the prosecutor.

12 MS. SMITH: Your Honor, if I may. I do believe
13 these are photographs of the same thing.

14 THE COURT: They're photos of the same thing?

15 MS. SMITH: Yes.

16 THE COURT: Inasmuch as they're photos of the same
17 thing, I'm going to allow you to use their One and
18 Two.

19 DR. SHELTON: Okay.

20 MS. SMITH: I'm going to show them again to
21 opposing Counsel.

22 (Pause.)

23 DR. SHELTON: That's fine, but I respectfully
24 disagree and object. I don't think any evidence not

1 shown to me should be allowed, even if it's the same.

2 THE COURT: I agree with that. And if there was
3 something new on them, I would certainly give you all
4 the time you needed to examine them or whatever. But
5 since they show the same thing, I'll note your
6 objection and note that I would have sustained it; but
7 I'm going to allow them to use it.

8 DR. SHELTON: Okay.

9 THE COURT: You may proceed.

10 MS. SMITH: May I approach the witness?

11 THE COURT: Yes, you may.

12 MS. SMITH: Q Deputy, I'm showing what you I've
13 marked as People's Exhibits Number One and Two for
14 Identification. Can you take a look at those?

15 A Okay.

16 Q Do you recognize those?

17 A Yes.

18 Q How do you recognize them?

19 A They were taken the day on the 22nd of
20 October.

21 Q Where were they taken?

22 A In my Chief's office.

23 Q Who was present?

24 A Chief Lyons and myself.

1 Q And what is depicted in those photos?
2 A My arms where Miss Shelton struck me.
3 Q Do those photos fairly and accurately
4 represent the way that you looked?
5 A Yes, correct.
6 Q I'd like to draw your attention for now to
7 People's Exhibit Number One for Identification.
8 A Okay.
9 Q What exactly is depicted in that photo?
10 A Okay. The inside of my arm, my forearm. And
11 there's --
12 Q Go ahead.
13 A There's just a picture of my forearm, I guess,
14 where it would be where she scratched me. Not very
15 easy to see it, too.
16 Q It's not very clear in that photo?
17 A No.
18 Q Now, I'd like to draw your attention to
19 People's Number Two for Identification.
20 A Okay.
21 Q What exactly is depicted in that photo?
22 A The inside of my arm by the elbow where she
23 scratched me. And it was bleeding.
24 Q And are those injuries you sustained at the

1 hands of the defendant?

2 A Yes.

3 MS. SMITH: At this time I'd ask to retrieve the
4 exhibits. I'd ask they be entered into evidence as
5 People's Exhibit Number One and Two, striking the
6 identification marks.

7 THE COURT: You may retrieve them.

8 (Pause.)

9 MS. SMITH: At this time, Judge --

10 THE COURT: Is there any argument as to the issue
11 as to the motion to have them admitted?

12 DR. SHELTON: I don't believe they should be
13 admitted, Your Honor, because it's a discovery
14 violation. It's very clear cut. I have not been
15 shown those photographs. I've been shown these
16 photographs. I have no objection to these being
17 entered; but those, no. This is discovery violations.
18 A little late to be showing the evidence.

19 THE COURT: Could the State show me those photos
20 and the ones that you gave a copy of to the defendant?

21 DR. SHELTON: I don't mind.

22 (Pause.)

23 THE COURT: I'm going to tender those back to the
24 State. Your objection is overruled. They show the

1 same thing in approximately the same proportion, and I
2 don't see any harm or injury that would accrue to your
3 case by having these admitted as opposed to those. So
4 your objection will be overruled.

5 DR. SHELTON: Okay.

6 THE COURT: Exhibits will be admitted.

7 MS. SMITH: Q Deputy Doran, after taking these
8 photos, did you go to the hospital?

9 A Yes.

10 Q And were you treated?

11 A Yes.

12 Q What were you treated for?

13 A Just that they cleaned the cuts, placed
14 bandages, and I received a tetanus shot.

15 MS. SMITH: If I may have one moment.

16 THE COURT: Yes, you may.

17 (Pause.)

18 DR. SHELTON: I have to object to the characteri-
19 zation of these as cuts.

20 THE COURT: Sustained.

21 MS. SMITH: Q Deputy Duran, you indicated you
22 were treated at the hospital; correct?

23 A Correct.

24 Q What type of treatment did you undergo?

1 A They cleaned the scrapes and placed bandages
2 on them and gave me a tetanus shot.

3 Q When did you notice -- when did you notice
4 that you were bleeding?

5 A After we had placed the defendant into
6 custody. We had walked her into the office. At the
7 time during, I didn't know that I was cut. After we
8 sat her down on the couch, I looked; and my arm was
9 bleeding.

10 Q Did it hurt?

11 A At that time, yes. When I noticed it.

12 Q Did it hurt when you were being pushed?

13 A I didn't even know that I was -- that I was
14 cut. It didn't hurt at that time, no.

15 Q I'd like to take you back to the point when
16 the defendant was pushing you.

17 A Okay.

18 Q And did that hurt when she was pushing you?

19 A Well, I could feel that she was pushing me. I
20 guess the adrenaline, I wasn't really paying attention
21 to see if I was getting wounded.

22 Q And now I'd like to take you forward to the
23 point when the defendant you indicated was flailing
24 her arms at you?

1 A Yes.

2 Q She was striking you?

3 A Yes.

4 Q And that hurt when she struck you, correct?

5 A Oh, it hurt me, yes.

6 Q At any time did you ever give this defendant
7 any permission to push you, to strike you, to do
8 anything physical to you?

9 A No.

10 MS. SMITH: With what, we tender the witness.

11 THE COURT: Alright, thank you. Is there any
12 cross examination?

13 DR. SHELTON: Oh, definitely.

14 CROSS EXAMINATION

15 BY DR. SHELTON:

16 Q Good day, Deputy.

17 A Hello.

18 Q You stated that I was not walking with a cane?

19 A Not that I'm aware of, no.

20 Q When you take someone into custody, do you
21 inventory their property? Is that the policy of the
22 Sheriff's department?

23 A Whoever processes you, yes.

24 Q One moment.

1 (Pause.)

2 Deputy Duran, what are the procedures in
3 inventorying a prisoner's possessions?

4 A There is a printed form that the deputy
5 follows. All property is then looked through,
6 inventoried, searched, and then the person is
7 searched.

8 Q So are you familiar with the forms that are
9 used in this inventory?

10 A Yes.

11 DR. SHELTON: Your Honor, may my assistant
12 approach the witness? I would like to show her, show
13 them first, an inventory form taken on that day. This
14 is going to be my Exhibit One. I'll just label it
15 Exhibit One.

16 MS. MALONE-LOCKETT: Yes.

17 (Pause.)

18 THE COURT: Leave to approach granted.

19 MS. SMITH: Your Honor, at the time the State's
20 objecting. This is improper impeachment. This
21 indicates that the items were inventoried by an
22 individual named Fitzgerald, who is not the witness on
23 the stand. Therefore, any impeachment through
24 somebody else's document is improperly before this

1 Court.

2 THE COURT: Overruled.

3 DR. SHELTON: Q Deputy Doran, could you identify
4 what kind of form this is?

5 A It's a Court Services Department property
6 inventory sheet.

7 Q Can you identify the date on that form?

8 A 22 October of '02.

9 Q Can you identify the prisoner whose property
10 was inventoried?

11 A Linda Shelton.

12 Q Can you state what it says under
13 "miscellaneous" is the first item inventoried?

14 A Cane.

15 DR. SHELTON: Thank you.

16 Q Could you also identify on there, can you read
17 the rest of what was inventoried under
18 "miscellaneous"?

19 A Brief case, pull cart. I don't know what the
20 other word is. Hair -- I'm not sure what the word is.

21 Q Hair accessories?

22 A Hair accessories, okay, gold medal. Palm
23 three.

24 (Discussion held off record.)

1 THE WITNESS: Palm three. I can't understand,
2 either.

3 DR. SHELTON: That is sufficient. Thank you.

4 Q Deputy, you earlier said that I was not
5 walking with a cane.

6 A I don't recall you walking with a cane.

7 Q And you said that I didn't have -- I may be
8 incorrect -- I think you said there were no other
9 possessions other than a brief case? Am I incorrect?
10 I'm sorry.

11 A You had a pull cart with a brief case on it.

12 Q Deputy Doran, when I approached the security
13 entrance and asked you -- and you told me to put
14 things in the little basket and put my brief case up,
15 did I ask you to assist me?

16 A No. You told me to assist you.

17 Q How many times did I ask you to assist me?

18 MS. SMITH: Objection, assumes facts not in
19 evidence. The deputy just testified she told her.

20 THE COURT: It's cross examination. You may
21 answer.

22 THE WITNESS: Okay. Uhm, you told me to assist
23 you by coming around to pick up your bag probably
24 three times.

1 DR. SHELTON: Q Deputy, did I tell you that I was
2 unable to pick up my bag?

3 A Not that I recall. Not that I recall.

4 Q Did I tell you that it was a violation of the
5 Americans with Disabilities Act not to assist a
6 handicapped person?

7 A No.

8 Q Did I tell you that it could be a criminal act
9 of yours not to assist a person?

10 A No, you didn't.

11 Q Deputy Doran, who took me into custody?
12 Actually handcuffed me?

13 A Sergeant Patricia McCollum.

14 Q Were you involved in the arrest?

15 A Yes, I was.

16 Q In what way?

17 A I held your arms while she handcuffed you.

18 Q When -- I believe you said you took us, took
19 me into the office?

20 A Yes, ma'am.

21 Q Who escorted me into the office?

22 A Myself and Sergeant McCollum.

23 Q Did I have any difficulty walking on the way
24 to the office?

1 A Not at that time.

2 Q Did I ask you to please slow down because I
3 was stumbling?

4 A I don't recall.

5 Q Deputy, did I have anything in my hands
6 besides the cart handle and the cane?

7 A I don't know.

8 Q Deputy, did I place my keys and a gold medal
9 in the basket after you requested me to put objects in
10 the basket?

11 A Yes.

12 Q Deputy, would you say that was an attempt to
13 comply with your order to participate in screening?

14 A It started off to be.

15 Q Deputy, were you aware of my medical problems?

16 A No.

17 DR. SHELTON: Your Honor, that will be all the
18 questions at the moment. That will be all the
19 questions. That will be all the questions for the
20 moment. I reserve the right to recall Deputy Doran in
21 my defense case.

22 THE COURT: Alright. Thank you. Is there any
23 redirect examination?

24 MS. SMITH: No, Your Honor.

1 THE COURT: I have a couple of questions.

2 THE WITNESS: Yes, sir.

3 EXAMINATION

4 BY THE COURT:

5 Q The -- what do you call this?

6 A Magnetometer?

7 Q That's what you walk through?

8 A The metal detector.

9 Q And so it just detects metal?

10 A Yes.

11 Q What does the x-ray machine do?

12 A It x-rays the bags or wallets or whatever we
13 put through to determine what is inside of them,
14 having to hand search every purse or bag.

15 Q Was this a busy day?

16 A Uhm, yes. It was around the -- I don't --
17 just about the 10:30 call; so there are certain times
18 it gets busier than others.

19 Q Now, if someone pulled a cart through the
20 metal detector and entered the side that you were on,
21 could you then lift it up without exposing your weapon
22 to people?

23 A Yes.

24 THE COURT: Alright, thank you. Any further

1 questions?

2 DR. SHELTON: Yes. I have just a couple of
3 questions.

4 RE CROSS EXAMINATION

5 BY DR. SHELTON:

6 Q Deputy Doran, during your training, are you
7 trained, were you trained to assist handicapped
8 persons?

9 A No.

10 Q Pardon?

11 A No.

12 Q In any of your yearly training, were you ever
13 given instructions on how to assist and search
14 handicapped persons at the security entrance?

15 A No.

16 Q Were you aware of Federal law, the Americans
17 with Disabilities Act, at the time that requires other
18 facilities to assist people with handicaps?

19 A Well, yes; but I didn't know you were
20 handicapped.

21 Q Deputy Doran, my cane is metal. When I
22 dropped it and it fell to the floor, it makes a very
23 loud bang. Did you not hear that?

24 A I don't remember you dropping your cane,

1 because I don't remember you having one.

2 Q Deputy Doran, are you aware of any memos from
3 your supervisors concerning my health or my behavior?

4 A No.

5 DR. SHELTON: That's all the questions.

6 THE COURT: Thank you. Any further questions from
7 the State?

8 MS. SMITH: No, Your Honor.

9 THE COURT: Alright, thank you. You're free to go
10 at this time. The State will let you know.

11 THE WITNESS: When to come back?

12 THE COURT: Well, when and if you need to come
13 back. They've agreed they will let people know. And
14 with that, the defendant's indicated that she intends
15 to call you on Defense case. So please don't discuss
16 your testimony with anyone.

17 THE WITNESS: Yes, sir.

18 (Witness excused.)

19 THE COURT: Alright, thank you. You may call your
20 next witness.

21 MS. VOIGT: Your Honor, at this time, the State
22 would call Deputy Maureen Caliendo.

23 THE COURT: When you get to the top of the stairs,
24 please raise your right hand to be sworn.

1 (Witness sworn.)

2 THE COURT: Please be seated. You may proceed
3 when you're ready.

4 MS. VOIGT: Thank you, Your Honor.

5 DEPUTY CALIENDO,
6 called as a witness on behalf of the People of the
7 State of Illinois, having been first duly sworn, was
8 examined and testified as follows:

9 DIRECT EXAMINATION

10 By MS. VOIGT:

11 Q Deputy, could you please introduce yourself to
12 the Court, stating your name and spelling your last
13 name for the benefit of the Court Reporter?

14 A I'm Deputy Sheriff Maureen Caliendo. C-a-l-
15 i-e-n-d-o.

16 Q By whom are you employed?

17 A Cook County Sheriff's Department.

18 Q How long have you been employed by the Cook
19 County Sheriff?

20 A Ten years.

21 Q And where do you currently work?

22 A Currently I work at Bridgeview court house.

23 Q I'd like to direct your attention back to
24 October 22nd of 2002. Were you working on that day?

1 A Yes, I was.

2 Q Where were you working?

3 A I was working the front door, Post One.

4 Q And that's at the Bridgeview court house?

5 A Correct.

6 Q And where is the Bridgeview court house

7 located? What is the address?

8 A It's 10220 West -- or South 76th Avenue.

9 Q Now, you said that you were working at the

10 front door; correct?

11 A Correct.

12 Q And what was your specific assignment that

13 day?

14 A That day I was wandering.

15 Q Could you explain to the Court what that

16 means?

17 A We have these -- if they ring when they come

18 through the magnetometer, we have what they called a

19 wand. And it will pick up any metal that the person

20 may have on them. And what we do is, we scan their

21 body and their jackets or the clothing, depending on

22 what they're wearing, just to detect if there's any

23 metal on them at that time.

24 Q Who else was working at the front door that

1 day?

2 A Deputy Doran and Deputy Davidson. And there
3 were two male deputies. And I don't recall who they
4 were at that time.

5 Q And where were these two male deputies
6 assigned?

7 A Post One, also.

8 Q Now, I'd like to draw your attention
9 specifically to just after 10:00 o'clock in the
10 morning. You said that you were working at that time;
11 is that correct?

12 A Correct.

13 Q Do you see anyone in court today who you saw
14 on that date and time at that location?

15 A Yes, I do.

16 Q Could you please point to that individual and
17 describe for the Court an article of clothing they're
18 wearing?

19 A Dr. Shelton, and she's got a white jacket on.
20 (Indicating.)

21 MS. VOIGT: May the record reflect the in-court
22 identification of the defendant?

23 THE COURT: It may so reflect.

24 MS. VOIGT: Q When did you first see the

1 defendant on that morning?

2 A As she was coming through the front door.

3 Q Did the defendant have anything with her when
4 you saw her coming through the door?

5 A Yes, she did.

6 Q What was that?

7 A She had a -- it would be a carrying case, a
8 carrier with a brief case or a luggage almost.

9 Q Was this something that she pulled along with
10 her?

11 A Yes, it was.

12 Q Was it on wheels?

13 A Yes, it was.

14 Q Where did the defendant go after you saw her
15 enter the front door?

16 A She came up to the front table where Becky
17 Doran was working.

18 Q How far away from Deputy Doran were you at the
19 time?

20 A Approximately two feet.

21 Q What happened when the defendant got to the
22 table where Deputy Doran was working?

23 A Deputy Doran advised her to put keys, phone,
24 and pager that were in her bags, place them in the

1 tray. Place her bags on the table. And anything she
2 had in her pockets, to empty them.

3 Q What did the defendant do when Deputy Doran
4 asked the defendant to place items on the table?

5 A She told Becky that she could not, or that she
6 would not, she would to have do it for her.

7 Q What happened next?

8 A Becky advised her that we do not put any type
9 of cases on the table, that she would to have do it
10 herself.

11 Q Did the defendant then comply with the
12 deputy's request?

13 A No, she did not.

14 Q What did she do?

15 A She got very aggravated, refused to put it on
16 the table, told Deputy Doran she would have to do it.

17 Q Now, Deputy, if an individual will not comply
18 and place their items, their property on the table,
19 are they allowed to enter the building?

20 A No, they are not.

21 Q How many times was the defendant asked to
22 place her items on the table?

23 A Several.

24 Q Did the defendant ever comply?

1 A No, she did not.

2 Q What happened next?

3 A At that point, she was refused entry to the
4 building. And she told Deputy Doran that she was
5 coming in no matter what.

6 Q What happened after that? Where did the
7 defendant -- what did the defendant do next?

8 A She stepped over the magnetometer with her
9 baggage and tried to come through the magnetometer.

10 Q And by "magnetometer," you mean the metal
11 detector; is that correct?

12 A Correct.

13 Q Where did Deputy Doran go when the defendant
14 said she was coming in anyway?

15 A Deputy Doran stepped inside the magnetometer,
16 not to permit her in the building.

17 Q What did the defendant do when Deputy Doran
18 stepped inside the magnetometer?

19 A She became -- she began pushing Deputy Doran.

20 Q Describe for the Court how the defendant was
21 pushing Deputy Doran?

22 A She was leaning up against her, trying to push
23 her way through the magnetometer.

24 Q Did you, prior to this time, did you hear the

1 defendant complain of any injuries?

2 A No, I did not.

3 Q When you saw the defendant trying to push her
4 way past Deputy Doran, where did you go?

5 A I stepped behind Deputy Doran.

6 Q Why did you do that?

7 A Just to make sure she could not get through
8 Deputy Doran.

9 Q What happened after you say the defendant
10 repeatedly pushed Deputy Doran?

11 A After a minute or so, then she started
12 swinging her arms at her and striking Deputy Doran.

13 Q Where were the defendant and Deputy Doran when
14 the defendant struck her?

15 A They were still -- they were inside the
16 magnetometer, but it was closer to the outside of the
17 screening zone.

18 Q Could you describe what else is in that area?

19 A We have a glass partition to our right, which
20 would be the left of the magnetometer. And
21 approximately -- I would say there's about six feet,
22 eight feet to the other -- to the actual other glass.
23 It's not a glass partition, but it's the glass wall
24 that leads to the outside.

1 Q So were the defendant and Deputy Doran near
2 the partition at the time she began swinging or
3 flailing her arms?

4 A Yes, she was. Yes, they were.

5 Q So they had moved from directly inside the
6 magnetometer at that time?

7 A Yes, they were.

8 Q Describe for the Court exactly what you saw
9 the defendant do when she began flailing her arms or
10 swinging?

11 A She struck Deputy Doran a couple of times.
12 And still kind of continued pushing at her and
13 swinging.

14 Q What happened next?

15 A Deputy Doran finally gained control of the
16 subject and was subdued.

17 Q What do you mean by -- how do you mean that
18 she finally gained control of the defendant?

19 A Well, as the subject was flailing her arms and
20 stuff, Deputy Doran grabbed -- tried to grab her arms
21 to try to hold onto her so she couldn't continue to
22 strike Deputy Doran.

23 Q Was Deputy Doran eventually able to grab the
24 defendant's arms?

1 A Yes, she was.

2 Q And at that time, what happened?

3 A At that time, she held her. Our Sergeant,
4 Sergeant McCollum, arrived on the scene, asked Deputy
5 Doran what was taking place. Deputy Doran explained
6 to her that she had been struck by the subject.
7 Sergeant McCollum asked if she was going to press
8 charges, and Deputy Doran said yes, she was.

9 Q Once Deputy Doran said she was going to press
10 charges against the defendant, was the defendant
11 placed under arrest?

12 A Yes, she was.

13 Q Deputy, I want to take you back for one
14 second. Could you tell the Court what were you --
15 what was your uniform like on the date this incident
16 happened?

17 A The same uniform I'd be wearing today, short
18 sleeves.

19 Q And what kind of uniform -- what was Deputy
20 Doran wearing on that day?

21 A Short sleeves.

22 Q And that's the Cook County Sheriff's uniform;
23 is that correct?

24 A Yes, it is.

1 MS. VOIGT: Your Honor, at this time we have no
2 further questions and tender the witness.

3 THE COURT: Alright, thank you. Is there any
4 cross examination?

5 DR. SHELTON: Yes.

6 CROSS EXAMINATION

7 BY DR. SHELTON:

8 Q Deputy Caliendo, were you aware of any medical
9 problems that I had at the time?

10 A No, I was not.

11 Q You were -- were you -- did you notice a cane?

12 A No, I did not.

13 Q Are you familiar with the procedures for
14 inventorying prisoners' possessions?

15 A Yes, I am.

16 Q What is done?

17 A To inventory a prisoner's possessions, I
18 particularly do not do that. It's taken -- it's taken
19 down to the lock up where it's inventoried down in our
20 lock up area.

21 DR. SHELTON: Your Honor, may I show this Exhibit
22 One to Deputy Caliendo?

23 THE COURT: Yes, you may.

24 MS. VOIGT: Your Honor, we're going to object at

1 this time to this exhibit being shown to this witness.
2 We believe it is not impeaching. As Counsel
3 previously argued, this document was manufactured by
4 another individual, not the witness testifying. We
5 don't believe that anything on that piece of paper is
6 impeaching of what this witness testified to. She
7 testified that she did not see a cane. She did not
8 testify that the defendant did not have a cane.

9 DR. SHELTON: She just said she wasn't aware of
10 any medical problems. A cane is medical problems.

11 THE COURT: Overruled.

12 (Pause.)

13 DR. SHELTON: Q Deputy Caliendo, could you please
14 identify what kind of form this is?

15 A It's our inventory property sheets from the
16 lock-up area.

17 Q Can you identify the date, please?

18 A October 22nd.

19 Q Can you identify the prisoner whose
20 possessions were inventoried?

21 A Linda L. Shelton.

22 Q Under "miscellaneous," could you please read
23 the first possession that was inventoried?

24 A Cane.

1 Q Could you read the next four items, also?

2 A Brief case, pull cart, hair accessories.

3 Q Can you read some more?

4 A Gold medal palm.

5 Q Yes, thank you. Are there any keys listed
6 there?

7 A (Pause.) No, I do not see "keys." Yes, I do.
8 I'm sorry. "Keys" had been checked off.

9 Q Thank you. Would you return the exhibit?
10 Deputy, when I came to the security entrance,

11 Deputy Doran asked me to put things in the basket.

12 Did I put anything in the basket?

13 A I don't recall.

14 Q When Sergeant McCollum came, did she approach
15 me?

16 A Yes. She helped with the arrest.

17 Q Can you define "helped with the arrest,"
18 please, a little more specifically?

19 A I believe that she was the one who cuffed you.
20 I can't be sure.

21 DR. SHELTON: That's Exhibit One. I would like to
22 show the State and the witness my Exhibit Two, a
23 memorandum written by Deputy Caliendo.

24 Q Deputy Caliendo, did you write any memorandums

1 or documents about this incident?

2 A Yes, I did.

3 Q Could you please look at this document and see
4 if this is the memorandum that you wrote?

5 (Pause.)

6 I'm marking that Defense Exhibit Number Two.
7 I'll put it.

8 A Yes, I remember writing this document.

9 Q What date is it marked?

10 A 22nd October, 2002.

11 Q Could you please read the first three sentence
12 that you wrote?

13 MS. VOIGT: Object to hearsay at this time. The
14 contents of the witness's police reports are hearsay.

15 THE COURT: I'll overrule that objection until
16 she's read it.

17 THE WITNESS: About 10:15 on the above date, the
18 RS was performing her duties at the front door. Miss
19 Shelton entered the front door, was asked to put her
20 bags on the table. Subject said she would not do
21 that, someone would have to do that for her.

22 DR. SHELTON: Thank you. How many times --

23 THE COURT: Objection is sustained.

24 DR. SHELTON: Okay.

1 Q Deputy Caliendo, how many times did I say I
2 was unable to do that, someone would have to do that
3 for me?

4 A I don't recall. You were asked several times
5 to put your bags on the table.

6 Q You don't recall how many times I asked for
7 assistance with the bag?

8 A No. Several times, I'm sure.

9 Q You're sure several times. Deputy, did I
10 ask -- did I tell you I couldn't lift -- why I
11 couldn't lift my bag?

12 A No.

13 Q You recall me telling you that I have back
14 injuries and I cannot or I would permanently injury
15 myself?

16 A No.

17 Q Do you recall me telling you that it's a
18 violation of the Americans with Disabilities Act not
19 to help a handicapped person?

20 A No, I do not.

21 Q Do you recall me putting my keys, my gold
22 medal in the basket?

23 A No, I do not.

24 Q Did you hear the sound of the cane drop when I

1 dropped it?

2 A No.

3 Q When I was pushed? Did you hear the sound of
4 this heavy gold medal hit the floor?

5 A No.

6 Q Did you hear the keys hit the floor?

7 A No.

8 Q It was very -- was it very crowded?

9 A At 10:15 it could have been.

10 Q Do you recall how many people were there?

11 A No.

12 Q When Sergeant McCollum came in, how did she
13 approach the entrance?

14 A I believe she came out of the office, which
15 would be from behind the post.

16 Q Which way did she come around the magnetometer
17 or towards us?

18 A She came through the male magnetometer, which
19 is right next to the female magnetometer.

20 Q Did she touch me?

21 A I believe she did.

22 Q What did she do?

23 A I believe she cuffed you.

24 Q Did she do anything before she cuffed me?

1 A No.

2 Q Did she say anything to Deputy Doran?

3 A She asked Deputy Doran if she was going to
4 press charges or not. And Deputy Doran said yes.

5 Q Before that, when she initially came in, did
6 Deputy Doran ask her, did she say anything before
7 that? Strike the last.

8 A Before what?

9 Q Before she asked Deputy Doran: Do you want to
10 press charges, did Sergeant McCollum say anything to
11 you and Deputy Doran?

12 A She asked what had happened.

13 Q Did she say anything else?

14 A No.

15 MS. VOIGT: Objection, asked and answered.

16 THE COURT: Overruled.

17 THE WITNESS: No.

18 DR. SHELTON: No. Okay.

19 Q You said there were two male deputies, but you
20 don't recall?

21 A I recall one, but I do not recall the other.
22 It was Deputy Spino.

23 Q Deputy Spino. Is Deputy Spino bald?

24 A Bald?

1 Q Very little hair?

2 A No.

3 Q Now, Deputy Caliendo, during your training,
4 how much training do you get to be a sheriff?

5 A The initial training was approximately
6 three-and-a-half months. That's the Academy training.
7 And then we go for in-service every year.

8 Q During your training, are you taught to assist
9 handicapped persons?

10 A No. No.

11 Q During your yearly updates, are you taught to
12 assist handicapped persons?

13 A We do not have a class on that, no.

14 Q Are you aware of the Federal Americans with
15 Disabilities Act?

16 A No, I'm not.

17 Q Were you aware of who picked up my cane and my
18 gold medal and my keys after I was cuffed and removed,
19 who picked it up?

20 A No, I don't recall.

21 Q Were you not in the area, or you just don't
22 recall?

23 A I believe I was not in the area at that time.

24 Q How would you describe the way I moved my arms

1 after I was pushed backwards?

2 A You were fighting. You were swinging.

3 (Indicating.)

4 Q Would you say swinging with fists?

5 A I don't believe so.

6 Q Would you say flailing just randomly?

7 A No. I would say you were swinging.

8 Q Swinging. What's the difference between
9 swinging and flailing?

10 A Swinging, you were directing your power at the
11 deputy. Flailing your hands would have not have been
12 towards the deputy as much.

13 Q Are you aware of any memorandum from your
14 supervisors concerning my health?

15 A No, I am not. I'm not.

16 Q Were you aware of any memorandum from your
17 supervisor concerning my behavior or previous
18 incidents?

19 A No.

20 Q Had you ever seen me before this date?

21 A Yes.

22 Q Under what conditions did you see me?

23 A The same conditions, coming through the front
24 door.

1 Q Was I cooperative?

2 A I believe so.

3 Q Now, Deputy Doran, you said that -- Callendo,
4 excuse me for calling you the wrong name -- you said
5 that Deputy Doran stepped into the magnetometer and I
6 walked through. Did I at the time say: Please help
7 me with my bag?

8 A No, you did not.

9 Q Prior to doing that, did I leave my bag
10 outside and come through, saying: I'll leave my bag
11 and go up to court?

12 A I'm sorry. I don't understand your question
13 again.

14 Q Prior to the time where Deputy Doran stepped
15 in front of me?

16 A Yes.

17 Q Did I say: Look, I have to come in the
18 courtroom. I'll leave any bag here, because I can't
19 lift it. And then did I then walk through the
20 magnetometer?

21 A I believe you had the bag with you when you
22 tried to come through.

23 Q How about the second time?

24 A You only tried to come through one time that

1 day.

2 Q Did you put your hands on me at any point?

3 A I may have.

4 Q When?

5 A After Becky -- after Deputy Doran, after you
6 swung at Deputy Doran, I believe that after she had
7 control of you, I just kind of -- we were just holding
8 you up against the glass partition.

9 Q Which partition are you talking about?

10 A Right next to the magnetometer.

11 Q East or west?

12 A It would be west.

13 Q Okay.

14 A There's only one glass partition. The other
15 one's a window that leads to the outside.

16 Q When I stepped through the magnetometer the
17 second time, did I push against her arm?

18 A Yes. I believe you only tried to come through
19 the magnetometer once. That's when the scuffle
20 occurred.

21 Q Did I ask at any time to use a phone? To call
22 the court room and say that I couldn't come up?

23 A Not that I recall.

24 Q Did I approach any of the male deputies at the

1 little side desk?

2 A I do not recall that.

3 Q Were you aware of why I was in the court
4 house?

5 A Only that you had a case in the court house.

6 Q Were you aware I had a criminal case in the
7 court house and I was a defendant?

8 MS. VOIGT: Objection, relevance.

9 THE COURT: Overruled.

10 THE WITNESS: I was aware you had a case in the
11 court house. That's all I know.

12 DR. SHELTON: Q On previous occasions where I
13 collapsed at the security entrance and -- several
14 previous occasions, I think there were two, where an
15 ambulance were called, were you involved in those
16 incidents?

17 MS. SMITH: Objection, relevance. They're prior
18 occasions, not the date in question.

19 THE COURT: Overruled.

20 THE WITNESS: Sorry. Can you repeat the question?

21 DR. SHELTON: Q On the two occasions I collapsed
22 at the front entrance and ambulances were called and I
23 had to be evacuated to the hospital, were you aware of
24 those incidents?

1 A Yes, I was.

2 Q So what did you know about my health?

3 A That you had asthma.

4 Q Were you present when I collapsed at those two
5 other incidents?

6 A I believe I was present at one of them.

7 DR. SHELTON: That will be all. Thank you.

8 THE COURT: Alright, thank you. Any redirect?

9 MS. VOIGT: No further questions from the State,
10 Your Honor.

11 THE COURT: I have a couple of questions.

12 THE WITNESS: Okay.

13 EXAMINATION

14 BY THE COURT:

15 Q The wand that you use?

16 A Yes.

17 Q What does it do?

18 A I detects any type of metal that the person
19 may have on them. It will pick up a zipper. It will
20 pick up snaps on pants. It will pick up keys. It
21 will pick up a gum wrapper that's in a pocket.

22 Q Will it pick up a toe ring?

23 A If the person was wearing heavy shoes,
24 probably not. If the person was wearing sandals, it

1 probably would.

2 Q What about just regular shoes?

3 A I have never had the incident where we've --
4 usually if their feet ring it's usually because they
5 have shoes that have a metal support in the soles.
6 But as far as a toe ring goes, we wouldn't know that;
7 because if she's wearing shoes, I would not know she
8 was wearing a toe ring.

9 Q When you say "metal supports inside of shoes,"
10 what do you mean?

11 A A lot of the shoes have -- they have metal
12 supports inside the soles. If you were to x-ray --

13 Q The sole would?

14 A If you would x-ray them, you would see a metal
15 object in those shoes.

16 Q But if you use the wand, you just hear an
17 alert?

18 A Yes. It will have -- has some time of ring or
19 tone to it that tells us exactly where that metal is
20 at.

21 THE COURT: Alright. Thank you.

22 THE WITNESS: You're welcome.

23 THE COURT: Does that raise any other questions
24 from either side?

1 MS. VOIGT: No, not from the State, Your Honor.

2 DR. SHELTON: Your Honor, I reserve the right to
3 recall her as a defense witness.

4 THE COURT: Alright, Deputy, please don't discuss
5 your testimony with anyone else. And you may be
6 recalled. The State will let you know.

7 THE WITNESS: Okay, thank you.

8 THE COURT: Thank you. You may call your next
9 witness.

10 MS. VOIGT: Your Honor, at this time, the State
11 would ask to publish our two exhibits to the Court.
12 With that, we would rest.

13 THE COURT: Any objections?

14 DR. SHELTON: No.

15 THE COURT: They may be published. Thank you.

16 MS. VOIGT: You're welcome.

17 THE COURT: State rests? Defense, you may call
18 your witnesses.

19 DR. SHELTON: Your Honor, at this point, I would
20 ask for a directed finding of not guilty. Both of
21 these deputies don't remember a cane when -- I mean,
22 they're not credible witnesses. The inventory report
23 shows a cane.

24 Both these deputies, one of them said, I

1 believe Duran, that I put my keys, my gold medal, in
2 the basket. The other one doesn't remember it.

3 On the charge of disobeying a peace officer, I
4 think there's some doubt here as to whether I was
5 really not trying to cooperate with procedures.

6 Both deputies said they were unaware of any
7 problems. Then Deputy Caliendo said, oh, she was
8 there when I had an asthma attack and an ambulance had
9 to be called. They both seemed to have selective
10 memories. I believe they have not proved their case
11 beyond a reasonable doubt. I think that alone is
12 enough to show that the testimony may not be
13 completely credible.

14 But then in addition, they both admit they
15 have had no training in complying with Federal law,
16 the Americans with Disabilities Act, in helping
17 handicapped people. With a cane, I'm clearly
18 handicapped. When it says -- I didn't even have to
19 bring my doctors and find out I was walking with a
20 cane. It says it on the inventory report.

21 I don't see any need to go much further
22 because I don't think they have proven their case
23 beyond a reasonable doubt. I think there's enough in
24 their testimony that is conflicting, disturbing, and

1 not noticing something as obvious as someone walking
2 with a cane, not hearing a cane drop, keys, or the
3 gold medal drop, yet one of them said I put it in the
4 basket.

5 Both of them say it was a busy day. You can
6 excuse their conduct, perhaps, to some extent; but I
7 think this shows they have selective memory and that
8 their testimony is not credible.

9 THE COURT: Thank you. Any response from the
10 State?

11 MS. SMITH: Yes, Judge. Your Honor, taking the
12 evidence in the light most favorable to the State, you
13 heard from both deputies today. They told you that
14 the defendant was told she couldn't come into the
15 court house without having her bags screened. It was
16 at that time that she pushed through. She pushed
17 Deputy Duran for approximately a minute. Then after
18 that, she began to strike Deputy Doran.

19 I think, Your Honor, you also, excuse me, have
20 the photos before you that show the injuries sustained
21 at the hands of the defendant. We would ask that you
22 deny the motion.

23 THE COURT: Alright, thank you. Any rebuttal
24 argument?

1 DR. SHELTON: Again, I think it's so obvious from
2 the inventory list that I had a cane, so obvious that
3 they both admit they don't even know about the
4 Americans with Disabilities, although Deputy Caliendo
5 said she sort of knew about it. This is not *ifs,*
6 *ands,* or *buts.* That's Federal law. That has to be
7 complied with.

8 I think there's enough just from that
9 reasonable doubt in terms of at least the charge of
10 disobeying a peace officer, and enough from what they
11 said that I asked them to help with my bag. They both
12 admitted that. Whether they characterize it as
13 ordering them to help me with my bag or asking them, a
14 person walking with a cane asking someone to help them
15 with their bag, I think that's evidence that I was
16 trying to comply with the orders. Deputy Doran said I
17 put my keys in the basket. That's evidence I was
18 trying to comply with the orders. So for them to both
19 say I refused to comply with their orders, is
20 disingenuous.

21 And also to be found guilty of disobeying a
22 peace officer, there has to be a legal order.
23 Ordering me as a handicapped person to lift up a heavy
24 bag when I'm walking with a cane, at least, even if

1 you don't have the medical evidence yet, that's enough
2 reasonable doubt to at least throw out that charge.

3 THE COURT: Well, you're not charged with
4 disobeying. You're charged with resisting.

5 DR. SHELTON: I was told I was charged with
6 disobeying. They had altered it to disobeying a peace
7 officer. I'm not charged with resisting a peace
8 officer.

9 THE COURT: You're charged with resisting.

10 DR. SHELTON: That's not what I was told when they
11 reduced the charge.

12 MS. VOIGT: Actually, Your Honor, I believe there
13 is a transcript in the court file from the day it was
14 reduced from a felony to a misdemeanor that reflects
15 what the charges were amended from and to.

16 THE COURT: What were they amended to?

17 MS. VOIGT: It was to amended to resisting a peace
18 officer, is my understanding.

19 THE COURT: That's my understanding, too. At
20 least that's what it says.

21 DR. SHELTON: Not what I've been told.

22 THE COURT: Well, taking this case in the light
23 most favorable to the State, the Officer says she
24 stood like this, with her arms. One photo shows no

1 injury to the arm. Now, whether it was this way or
2 this way; but the point being, that the other one said
3 that she was doing something with her hands and that
4 it looked like she was swinging; but the photographs
5 and the testimony seem inconsistent.

6 If the cut is over here, in here somewhere,
7 and inside of the elbow, and she was standing like
8 this with her arms, and that's the testimony.

9 One thing is clear, that if you can wave a
10 wand on a shoe and tell that there's metal, then you
11 can wave it at a brief case and tell if there's metal
12 in there. So if you could walk to the metal detector
13 that detects metal, that's kind of hard to understand
14 why they didn't just say: Well, walk in here and then
15 we'll be able to search this bag without exposing our
16 weapons to the public or anything else. I don't
17 understand why they wouldn't do this with somebody
18 walking with a cane.

19 Further, they were thoroughly impeached on the
20 cane issue. They have an inventory for a cane. And
21 they're saying she just walked normally and perfectly
22 fine, she didn't have a cane. And they inventoried
23 the cane.

24 So, in the light most favorable to the State,

1 the witnesses were thoroughly impeached, and there
2 will be a finding of not guilty.

3 DR. SHELTON: Thank you, Your Honor.

4 THE COURT: Thank you.

5 (Which were all the proceedings had in
6 the above-entitled cause.)

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Cook County Sheriff Deputies

Posts About Cook County Sheriff Staff Good & Bad – Submissions Accepted See "About"

Posts Tagged 'Deputy Doran'

Dr. Linda Shelton found not guilty due to perjury by Deputies Rebecca Doran and Maureen Caliendo

with 3 comments

For a transcript of the trial: State of Illinois v. Linda Shelton, case number 02 CR 28530 where Dr. Shelton was falsely arrested for battery of deputy sheriff Rebecca Doran and was found NOT guilty click [here](#). Note despite clear evidence of perjury by Deputy Sheriff Rebecca Doran, she was never arrested. Past Cook County Sheriff Sheahan and present Sheriff Dart have ignored this blatant perjury, as did past Cook County State's Attorney Richard Devine and present States Attorney Anita Alvarez (who was in charge of the division prosecuting official misconduct at the time). The FBI has been informed and has done NOTHING! This illustrates the "Myth of American Justice"!

Deputy Cook County Sheriffs Rebecca Doran and Maureen Caliendo falsely alleged I battered deputy Doran when she actually battered me, falsely arrested me, and was maliciously prosecuting me from 2002-2005. Assistant States Attorneys Jaime Smith and Jaime Voigt on behalf of then Cook County States Attorney Richard Divine suborned their perjury when they flat out lied on the witness stand at trial.

Judge James L. Rhodes, on August 23, 2005, at trial at the Markham courthouse fortunately saw through their lies and made a finding of not guilty in response to my motion to dismiss for failing to prove their case beyond a reasonable doubt at the end of the State's case in chief and before I put on any witnesses. I had asked for a bench trial [no jury].

Then SA Devine was informed of their perjury, given the evidence, and refused to prosecute them. I have now, in March 2009 informed the new SA Alvarez of their perjury and she probably won't do anything because the three year statute of limitations for prosecuting them has passed and there is no evidence that she won't continue to cover-up criminal conduct of deputies who commit perjury.

I am hopeful the U.S. Attorney will indict them as the federal statute of limitations for felony violationn of civil rights under color of law is five years. I have told the FBI recently of this incident.
<http://cookcountysheriffdeputies.wordpress.com/tag/deputy-doran/>

H120
11/23/2012

I was falsely charged with aggravated battery of an officer, when on October 22, 2002, I went to Bridgeview courthouse and was attacked by Deputy Doran when I walked through the security entrance. I had gone to the courthouse to appear in a courtroom with a large briefcase carrying heavy papers on a luggage cart. The deputies knew that I had pending accusations against other Sheriff deputies for misconduct and that I had evidence of corruption against other county officials. They knew I had serious medical problems as I walked with a cane and collapsed twice previously at the entrance, causing them to call an ambulance.

I am disabled due to spinal cord injury and other medical problems and walk with a cane. A week before this incident I had herniated a disc and was told by the doctor not to lift anything more than 5 or so lbs.

When attempting to enter the courthouse I complied with security procedures, but told Deputy Doran and her partner Deputy Caliendo, that I was disabled and unable to lift my briefcase up on the table to be scanned through the X-ray machine. Deputy Doran said "I'm not your slave," and "you can't come in unless you put your bag on the table." Everybody standing in line backed off a bit because they talked loud and hostile, so I didn't want to ask anyone to assist me and put the wrath of the deputies against anyone assisting me.

I simply, firmly, and politely, at least three times, told the deputies that the Americans with Disabilities Act REQUIRES them to assist the disabled and modify their procedures. They firmly refused to assist. I was required to be in court, so I had no choice but to try to come in. I did not have my cell phone with me so I could not call my standby public defender or the judge to assist me. Therefore, I told the deputies I would leave my bag at the entrance and go up and ask the judge to order the bag be brought up to the courtroom. The deputies would not allow me to leave my bag at the entrance. So, I told them I was coming through the magnetometer and they could then assist in lifting the bag up closer to the X-ray machine.

When I walked through the magnetometer, Deputy Doran pushed both my shoulders firmly causing me to lose my balance while starting to fall backwards. [This was an aggravated battery of a handicapped person and a violation of the Americans with Disabilities Act] At that point my arms started to flail a bit to get my balance and I saw Deputy Doran raise her right arm as if she was going to hit me so I raised my right arm to block the blow. I had my keys in my right hand that I had removed from the basket I put them in and when she hit my arm she scrapped her inner arm on my keys and received a 2 mm X 3 mm abrasion and a 1 " red mark on her arm (per ER report).

Then I felt dizzy and blacked out for a few moments. This is not unusual for me as I suffer from some medical problems and this has happened before. (I suffer from a heart condition called malignant neurocardiogenic syncope which causes me to briefly lose consciousness and go into a brief 20-60 sec cardiac arrest, or when stressed to briefly gray out – CPR has been started on me five times including by a State Trooper in the Thompson Center who received an award for saving my life in 2007) The next thing I remember is being about 10' away from the magnetometer next to a glass wall with deputies surrounding me, my elbows painfully squeezed together firmly behind my back and someone yelling "do you want to charge her," and then hearing "yes," and "cuff her."

At trial on August 23, 2005 Deputy Doran and Deputy Caliendo committed perjury as follows quoted directly from the trial transcript:

Q What happened"

ALZ1

DORAN ... I asked her to remove her keys and cell phone out of her bag and empty out her pockets into the basket and then to place her bag on the table so it could be screened.

Q And did she do that?

DORAN No.

Q Tell the Court what happened.

DORAN She said that she wanted me to come around and pick up her bag to put on the x-ray machine.

Q ... what did you do next?

DORAN I said that's not our policy, that she needed to do that....

Q After you had that conversation with her, what happened next?

DORAN She became very irate. She started screaming that she wasn't — that I had to come and do it or she wasn't — uhm, or she was not going to put her bag on the table herself....I told her that —she said she wasn't going to get her bag, I said: Then you can't come in the building....

Q And after she told you she was going to come in anyway, what did she do?

DORAN I said that she could not. And she started, proceeded to grab her cart and to start walking towards the magnetometer....I just stood in the entryway....I just placed myself to block that area so that she would not illegally gain access to the court house....

Q Did you make physical contact with her at any time?

DORAN I did. After she initially made contact with me by trying to push past me.

Q Explain to the Court exactly how she did that?

DORAN She proceeded to insist that she was coming through. I kept telling her: Back up, and she was not coming through until she was searched, and blocked her way through; and she was pushing me.

Q How many times would you say she pushed you?

DORAN It was for at least a minute....I placed my arms up [indicating folding her arms in front of her like a football player]

Q What happened next?

DORAN Finally, I was able to remove her or just push her backwards, I guess to so to speak, to get her out of the magnetometer by starting to walk while I was blocking, I guess, to walk her backwards to get her out of the magnetometer....I was on the public side....I had her backed onto the glass partition....I got her out and I had taken a step back, and she started swinging....flailing her arms at me with an open fist, making contact with me....

Q Where did she strike you?

DORAN In the arm. Both arms....five or six times....
<http://cookcountysheriffdeputies.wordpress.com/tag/deputy-doran/>

#122

Q Up to this point, did she ever complain about any physical problems that she may have had?

DORAN No....

Photographs introduced in evidence with a grinning and nearly laughing Deputy Doran showing the inside of her arms, which revealed a pin point red area near the elbow. [ER report said there was a 2 mm X 3 mm abrasion. The judge took off his glasses and said he had difficulty seeing any injury in the picture.

H123



H124



Q BY SHELTON You stated that I was not walking with a cane.

DORAN Not that I'm aware of, no....

Q BY SHELTON Deputy Doran, could you identify what kind of form this is?

DORAN It's a Court Services Department property inventory sheet....[pertaining to prisoner Shelton dated 10/22/02]....

Q BY SHELTON Can you state what it says uinder "miscellaneous" is the first item inventoried?

DORAN Cane....

Q BY SHELTON Did I tell you that it was a violation of the Americans with Disabilities Act not to assist a handicapped person?

DORAN No.

Q BY SHELTON Did I tell you that it could be a criminal act of your not to assist a person?

DORAN No, you didn't....

Q BY SHELTON Deputy, did I place my keys and gold medal in the basket after you requested me to put objects in the basket?

DORAN Yes.

Q BY SHELTON Deputy, would you say that was an attempt to comply with your order to participate in screening?

DORAN It started off to be....

QUESTIONS TO DEPUTY CALIENDO:

Q [As she was coming through the front door] Did the defendant have anything with her when you saw her coming through the door?

CALIENDO Yes, she did....a carrier with a brief case....pulled along with her....Becky advised her that we do not put any type of cases on the table, that she would have do it herself.

Q Did the defendant then comply with the deputy's request?

CALIENDO No....She got very aggravated, refused to put it on the table....she told Deputy Doran that she was coming in no matter what....

Q What did the defendant do when Deputy Doran stepped inside the magnetomer?

CALIENDOshe began pushing Deputy Doran....leaning up against her....After a minute or so, then she started swinging her arms at her and striking Deputy Doran....

H125

CALIENDO Yes....

Q BY SHELTON Deputy Caliendo, were you aware of any medical problems that I had at the time?

CALIENDO No, I was not.

Q BY SHELTONdid you notice a cane?

CALIENDO No, I did not....

Q BY SHELTON Under "miscellaneous," [on the prisoner inventory form] could you please read the first possession that was inventoried?

CALIENDO Cane....

Q BY SHELTON Deputy, when I came to the security entrance, Deputy Doran asked me to put things in the basket. Did I put anything in the basket?

CALIENDO I don't recall....

Q BY SHELTON You recall me telling you that I have back injuries and I cannot or I would permanently injure myself?

CALIENDO No.

Q BY SHELTON Do you recall me telling you that it's a violation of the American with Disabilities Act not to help a handicapped person?

CALIENDO No, I do not....

Q BY SHELTON On previous occasions where I collapsed at the security entrance and -- several previous occasions I think there were two, where an ambulance were called, were you involved in those incidents?....

CALIENDO Yes, I was....I believe I was present at one of them.

ARGUMENT BY SHELTON FOR A DIRECTED FINDING OF NOT GUILTY

I would ask for a directed finding of not guilty. Both of these deputies don't remember a cane when -- I mean, they're not credible witnesses. The inventory report shows a cane.

Both these deputies, one of them said, I believe Doran, that I put my keys, my gold medal, in the basket. The other one doesn't remember it....

Both deputies said they were unaware of any problems. Then Deputy Caliendo said, oh, she was there when I had an asthma attack and an ambulance had to be called. They both seemed to have selective memories. I believe they have not proved their case beyond a reasonable doubt. I think that alone is enough to show that the testimony may not be completely credible....I am clearly handicapped....

JUDGE JAMES RHODES

H126

Well, taking this case in the light most favorable to the State, the Officer says she stood like this, with her arms [indicating folded arms in front of her]. One photo shows no injury to the arm. Now, whether it was this way or this way; but the point being, that the other one said she was doing something with her hands and that it looked like she was swinging; but the photographs and the testimony seem inconsistent.

If the cut is over here, [indicating inside elbow]....standing like this with her arms, and that's the testimony [arms folded in front of her].

One thing is clear, that if you can wave a wand on a shoe and tell that there's metal, then you can wave it at a brief case and tell if there's metal in there. So if you could walk to the metal detector that detects metal, that's kind of hard to understand why they didn't just say; Well, walk in here and then we'll be able to search this bag without exposing our weapons to the public or anything else. I don't understand why they wouldn't do this with somebody walking with a cane.

Further, they were thoroughly impeached on the cane issue. They have an inventory for a cane. And they're saying she just walked normally and perfectly fine, she didn't have a cane. Ant they inventoried the cane.

So , in the light most favorable to the State, the witnesses were thoroughly impeached, and there will be a finding of not guilty.

Deputies Doran and Caliendo were supervised by Sgt. Patricia McCollum. They were all supervised by Assistant Chief Kevin Lyons. I believe that Sgt. McCollum and A/C Lyons helped devise the lies told on the stand by Deputies Doran and Caliendo.

I believe Deputies Doran and Caliendo, Sgt. McCollum, and A/C Lyons, along with ASAs Smith and Jamie Voigt should all be charged and convicted of subornation of perjury, falsification of records, official misconduct, conspiracy to violate federal civil rights under color of law, and violation of federal civil rights under color of law. If it is beyond the State statute of limitations of three years for felonies, then the U.S. Attorney should prosecute this case as the federal statute of limitations, I believe, is five years.

Written by Linda Shelton

June 6, 2009 at 5:28 pm

Posted in [Assistant Chief Kevin Lyons](#), [Deputy Maureen Caliendo](#), [Deputy Rebecca Doran](#), [Uncategorized](#)

Tagged with [Assistant Chief Lyons](#), [Assistant States Attorney Jaime Voight](#), [Asstant States Attorney Jaime Smith](#), [Battery of Handicapped Person](#), [Conspiracy to Violate Civil Rights](#), [Cook County Sheriff](#), [Corrupt Officers](#), [Corrupt Officials](#), [Deputy Caliendo](#), [Deputy Doran](#), [Excessive Force](#), [False Arrest](#), [Government Corruption](#), [Malicious Prosecution](#), [Maureen Caliendo](#), [Official Misconduct](#), [Perjury](#), [Perjury by Officers](#), [Rebecca Doran](#), [Sergeant McCollum](#), [States Attorney Alvarez](#), [States Attorney Devine](#), [Violations of Civil Rights](#)

H127



**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
USE OF FORCE REPORT**

DATE 22 Oct 02

TIME 1015 hrs

REPORTING OFFICER'S NAME Rebecca M. Duran STAR # 4828

TYPE OF FORCE USED (CHECK)

PHYSICAL FORCE BATON OC SPRAY OTHER (EXPLAIN) _____

TYPE OF INCIDENT Battery to a Peace Officer

LOCATION OF INCIDENT 5th dist. Post I

OFFICER/WITNESS PRESENT D/S Maureen Caliendo, D/S Helen Davidson, D/S Sam Spino, Karen Buoseio, D/S Dave Wilger, Sgt. Patricia McCollom, D/S John DeCaro

PERSON(S) FORCE WAS USED AGAINST
NAME Linda Shelton CHARGE(S) _____

NAME _____ CHARGE(S) _____

SUBJECT CLASSIFICATION: PASSIVE RESISTER ACTIVE RESISTER ASSAILANT

DESCRIBE WHY THE USE OF FORCE WAS NECESSARY Miss Shelton attempted to enter the facility without going through proper security measures. Miss Shelton tried to push pass R/O and in attempt to deter entry, R/O blocked her. Miss Shelton then struck R/O with her hand three times in the arm causing it to bleed. Miss Shelton was detained by Sgt. McCollom.

IF OC SPRAY WAS USED, LIST ACTION TAKEN BY OFFICER TO MITIGATE THE EFFECTS OF THE SPRAY

WHEN Not WHERE _____

WAS FIRST AID REQUIRED? NO _____ YES _____ BY WHOM _____

WAS MEDICAL ATTENTION REQUIRED? NO _____ YES _____ BY WHOM _____

REPORTING OFFICER'S SIGNATURE Rebecca Duran #4828 DATE 22 Oct 02

WATCH COMMANDER/SUPERVISOR'S SIGNATURE _____

(I)

**MICHAEL F. SHEAHAN
SHERIFF OF COOK COUNTY
MEMORANDUM**

TO: Chief Kevin Lyons	DATE: 22 October 2002
FROM: D/S Rebecca Doran #4828	
SUBJECT: Combative female at Post 1	

On the above date, approximately 1015 hrs. R/O was assigned to post I. Linda Shelton walked up to enter through security, Miss Shelton had a duffel bag on a pull cart and told R/O to pick it up for her. R/O refused to do so and told Ms. Shelton to pick up her bag and place it on the table so it could be screened. Ms. Shelton said she wasn't going to do it and she would just leave the bag there. R/O informed Shelton that she could not do that and that until her bag was screened: She was denied access. Shelton then became enraged and said that she was coming into the building anyway. Shelton grabbed her cart and proceeded to attempt to enter. R/O stepped in front of the magnetometer to prevent Shelton's entry. At this time, Shelton attempted to push pass R/O. R/O repeatedly told Shelton to back out of the machine and that she was not allowed to enter. Shelton continued to push R/O even after the orders and in attempt to defer entry, R/O blocked Shelton. D/S Caliendo assisted R/O in trying to prevent Shelton from entering illegally. Shelton then struck R/O with her hands in the arm three times causing R/O left arm to bleed. Shelton continued to struggle, R/O attempted to grab her hands in order not to get hit again. R/O called for Sgt. McCollom. Sgt. McCollom asked R/O if R/O wanted to press charges. R/O said yes and Shelton was handcuffed by Sgt. McCollom. R/O escorted Shelton into the office without further incident.

D/S Rebecca Doran #4828
D/S Rebecca Doran #4828

APPROVED:

(I 2)



EMPLOYEE'S ACCIDENT REPORT

MUST BE FILLED OUT COMPLETELY BY EMPLOYEE

PRINT NEATLY OR TYPE

Report Date: 22 Oct 02 Accident Date: 22 Oct 02 Time of Accident: 1015 hrs

Name: Rebecca M. Doran Sex: Female DOB: 07 Sep 76

Address: [Redacted] City: Chicago State and ZIP: IL 60655

S.#: [Redacted] Job Title: Deputy Sheriff

Department No. and Name: 230 Sheriff Dept. Supervisor: Sgt. Patricia McCollom

Address/Specific Location of Accident: 5th dist. courthouse Post 1

Scheduled Days off: S M T W Th F S (circle days off) Employee No: 247203

Complete Description of How the Accident Occurred: (Provide Details. Complete Reverse Side if Necessary):

In attempt to deter an illegal entry into the building by Post 1, R/O was struck by offender three times in the left arm causing it to bleed.

Describe all parts of body injured: inside left arm, outside left arm (forearm), scratches down inside forearm.

Have you injured these body parts previously? NO If so, when and how? _____

Did you receive medical treatment for those parts of your body? Yes No If yes, name of doctor(s),

hospital and addresses. _____

Was the accident witnessed? YES If yes, list all witnesses (Full name, title, relationship, if any, to witness).

Sgt. Patricia McCollom, Karen Puccio (social services), Dis Helen Davidson, Dis Sam Spino, Dis John DeCaro

Are you presently employed at another job? NO If yes, list name and address of other employer. _____

Name and address of family/treating physician. [Redacted]

I have read the above and the same is true and correct.

Signature: [Signature] Date: _____

Phone No.: (work) _____ (home) _____



SUPERVISOR'S INVESTIGATION REPORT

MUST BE COMPLETED BY EMPLOYEE'S SUPERVISOR

PRINT NEATLY OR TYPE

Report Date: 22 OCT 02 Accident Date: 22 OCT 02 Time of Accident: 1015 HRS

Name of Injured Employee: REBECCA DORAN Sex: F DOB: [REDACTED]

Address: [REDACTED] City: CHGO State and ZIP: IL 60655

Security No.: [REDACTED] Telephone No: (Work) [REDACTED]

Date Employed: _____ Job Title: DEPUTY SHERIFF Department: COURT SERVICES

Address/Specific Location of Accident: 10220 S 76TH AVE POST 1 FRONT DOOR

Scheduled Days off: M T W Th F S (circle days off) Employee No: [REDACTED]

Specific Job Task Performing at Time of Injury: SEARCHING FEMALES UPON ENTRY TO BUILDING

In Employee's own words, how did accident happen? Please describe in detail: AFTER A VERBAL ALTERCATION WITH A FEMALE, SAID FEMALE TRIED TO PUSH HER WAY INTO THE BUILDING. D/S DORAN BLOCKED HER ENTRY AND THE FEMALE PROCEEDED TO SWING HER ARMS AND STRIKE D/S DORAN ON HER LEFT ARM TO ALARM.

Did anyone witness the accident? If so, provide full names, addresses and phone numbers - if known. D/S CALIENSO, D/S DAVIDSON, D/S STINO, D/S DECARO 10220 S 76TH AVE 914-6810 CIVILIAN WITNESS: JONAN GREEN - [REDACTED]

Did you examine the accident area? If no, why not? [REDACTED] KATINA MARRIS [REDACTED] KARYN BILONGIA [REDACTED] yes, describe what you observed at the accident area. _____

Name of machine, tool, substance, or object most closely connected with the accident (type of machine, tool, appliance, furniture, gas, liquid, etc.) involved: DNA

Was the Safety Coordinator informed of the equipment defect? Yes ___ No ___ If yes, to whom and date noted. If no, why? DNA

Describe what part and how the equipment was defective. DNA

Disposition of equipment - (repaired or replaced) Explain in detail: DNA

Extent of Injuries - Describe Part(s) of Body Injured. LEFT ARM

Was immediate medical treatment rendered? Yes No If so, where? [REDACTED]

Include names of physicians and medical facilities, addresses and phone numbers. [REDACTED]

Form completed by: Name: PATRICIA McCollum Signature: [Signature]

Position Title: SERGEANT Address: 10220 S 76TH AVE

Phone No.: [REDACTED] Date: 22 OCT 02

14



WITNESS STATEMENT REPORT

(PRINT NEATLY OR TYPE)

Name of Injured Employee: Rebecca Dorgan
Report Date: 22 Oct 02 Date of Accident: 22 Oct 02 Time of Accident: 10:15
Relationship to Injured Employee (Please check one): Co-Worker: Supervisor: Other (Specify):

What were you doing at the time of the accident? I was ~~conducting~~ performing my duties at the front door.

Did you observe the accident? If yes, please describe in detail what you observed.
R/O observed D/S Dorgan stop Ms. Shelton at the maggotom. D/S Dorgan was pushed and struck by Ms. Shelton a few times. D/S Dorgan and Sgt McCallam cuffed Ms. Shelton.

Witness Name: Manceen Caliendo
Signature: Manceen Caliendo
Date: 22 Oct 02
Address: _____
Phone No.: _____
Job Title: Deputy Sheriff
Official Security No.: _____

I 5

**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
MEMORANDUM**

TO: A/C LYONS

DATE: 22 OCT 02

FROM: D/S Sam Spino #5172

SUBJECT: COMBATIVE FEMALE

On 22 OCT 02 at approximately 1005 HRS, R/O was stationed at Post 1 of District Five Courthouse. R/O observed Linda Shelton try to breach security and strike P/s Rebecca Doran #4828. D/s Doran told Linda Shelton that she must go through security to enter the Facility when Linda Shelton began to push her way through security. P/s Doran refused Linda Shelton access to the Facility without being screened. Then, Linda Shelton began to strike D/s Doran about the chest area. R/O then began to move the public out of area.

D/S Sam Spino #5172

D/S Sam Spino #5172

Approved:

(Ilb)



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

1. Case Report Number
004103

2. Offense/Incident: **Aggravated Battery to a Peace Officer**

3. Classification: **Court House Entrance**

4. UCR Code: **220**

5. Location Code: **220**

6. Beat of Occurrence: **9905**

7. Address/Location of Occurrence (Township): **10220 S. 76th Ave. Bridgeview**

8. Type of Place of Occurrence: **Court House Entrance**

9. Date of Occurrence: **22 Oct 02**

10. Time of Occurrence: **10 05 hrs.**

11. Unit Assigned: **9905**

12. Victim Name (Last, First, Middle) (Firm or Business Name): **Duran Rebecca**

13. Sex: **F**

14. Race: **Wht**

15. Date of Birth: **9-7-76**

16. Home Phone: **(773) 881-7186**

17. Business Phone: **(708) 974-6810**

18. Pager or Cell Phone:

19. Victim Address: **10952 S. Trumbull**

20. Address of Employment: **10220 76th Ave Bridgeview**

21. Sobriety of Victim: **HDD** Yes No

22. Victim Injured: Yes No

23. Treated At: **Palos Community Hosp.**

24. Treated By: **Dr. Goldberg** Released DNA

25. Medical Examiner Notified: DNA

26. Time Notified:

27. Person(s) Involved: **V - Victim**

UNFOUNDED

Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address	Phone Numbers (Include A/C)
S	Shelton, Linda L	F	Wht	09-22-55	4020 W. 105th St. 3N Oak Lawn Il. 60453	Home: (708) 422-9123 Business or Pager:
V	Duran, Rebecca	F	Wht	9-7-76	10952 S. Trumbull Apt. 2L	Home: (773) 881-7186 Business or Pager: (708) 974-6810
W	MAKRIS, KATINA	F	H	4-15-83	408 S. Center Bensenville Ill. 60106	Home: 630-595-2479 Business or Pager:

28. Suspect or Missing Person Description

Code	Age	Wt	Ht	Build	Hair	Color	Style	Eyes	Complexion	Nickname or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information

29. Vehicle Information

Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Message Number	Vehicle Identification Number (V.I.N.)	<input type="checkbox"/> ISPERN <input type="checkbox"/> Type
											<input type="checkbox"/> Towed <input type="checkbox"/> Hold

30. Weapon(s) Used Displayed Club or Bludgeon Instrument Knife/Other Cutting Instrument

Handgun Rifle Shotgun

31. Other Means of Attack (or Possible Tool)

32. Property Taken by Offender Yes No (Describe in Narrative)

33. Property Recovered Yes No (Describe in Narrative)

34. Evidence Taken By R/O Yes No Hold for Seizure Action

35. Arrestee(s)

Name	Sex	Race	DOB	Charges (Section)	(Description)	AB Number
Shelton, Linda L	F	Wht	09-22-55	720 5/12-4(B)(6)		331510

36. Narrative:

In Summary, R/O answered a radio call to the front door (Post 1) regarding a disturbance. Upon arriving, R/O saw D/s Duran being pushed repeatedly by a white female trying to get through the magnetometer. As D/s Duran attempted to restrain the offender she was pushed and struck several more times. D/s Duran, D/s Davidson and D/s Calendo were repeatedly telling the offender to back away and stop.

37. Name/Star No. of Investigator Notified: **David Wilger #4949**

38. Name/Star No. of Investigator on Scene: **David Wilger #4949**

39. Name/Star No. of Supervisor on Scene: **Sgt. McCullum**

40. Reporting Officer Name/Star No. (Print): **David Wilger #4949**

41. Assigned By: CC Supv. On View Citizen

42. Date and Time Assigned: **22 Oct 2002 10:05 hrs.**

43. Date and Time Report Approved: **22 Oct 2002 15:00 hrs.**

44. Reporting Officer's Signature: **David Wilger #4949**

45. Date and Time Arrived: **22 Oct 2002 10:05 hrs.**

46. Date and Time Report Completed: **22 Oct 2002 15:00 hrs.**

47. Supervisor Approving (Signature/Star No.): **Sgt. McCullum 1500**

Case Report Number: **004103**

17

CR# 004103

struggling and fighting. Sgt McCullum was called to the scene, the offender was restrained, placed in handcuffs and taken into custody. All this occurred at approximately 10:05 hrs.

IS

735 ILCS 5/5-105 Sec. 5-105. **Leave to sue or defend as an indigent person.**

(d) The court shall rule on applications under this Section in a timely manner based on information contained in the application unless the court, in its discretion, requires the applicant to personally appear to explain or clarify information contained in the application. If the court finds that the applicant is an indigent person, the court shall enter an order permitting the applicant to sue or defend without payment of fees, costs, or charges. If the application is denied, the court shall enter an order to that effect stating the specific reasons for the denial. **The clerk of the court shall promptly mail or deliver a copy of the order to the applicant.** [emphasis added]

(1)

GENERAL INFORMATION

CB: IR: SID: FBI: RD: 1049797

ATTORNEY INFORMATION -- NO ATTORNEYS ASSOC W/CASE --

CHARGE INFORMATION

NBR	A TYPE	CLASS	CHAPTER/SECTION	DESCRIPTION
001	Q		9 3 13	L1049797

DISPOSITION INFORMATION

030403	BOND SET BY RULE OF COURT	032603	0582
	BRIDGEVIEW ROOM 202	900 AM	
032603	MOTION DEFT - CONTINUANCE - MD	042803	0582
	LYNCH, DANIEL J		
	BRIDGEVIEW ROOM 202	900 AM	
042803	CONTINUANCE BY ORDER OF COURT	053003	0582
	WHITE, LABRENDA E		
	BRIDGEVIEW ROOM 202	1030 AM	
53003	CONTINUANCE BY AGREEMENT	060403	0582
	WELTER, DANIEL G		
	BRIDGEVIEW ROOM 202	1030 AM	
060403	NOLLE PROSEQUI		C001
	WHITE, LABRENDA E		
	BRIDGEVIEW ROOM 202		

END OF FILE

I HEREBY CERTIFY THE ABOVE TO BE CORRECT.
DATE: 4-13-03 [Signature]

CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

This order is the command
of the Circuit Court and
violation thereof is subject
to the penalty of the law.



(KI)



L1-049-797

PLAINTIFF'S NAME
 A CORP. PLAINTIFF
 INDIVIDUAL
IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DISTRICT 5 PEOPLE OF THE STATE OF ILLINOIS

DEPENDANT'S NAME
Shelton Linda Lianos

ADDRESS (NO. STREET) CITY STATE ZIP
3815 W 95th Evergreen Park IL 60422

SEX RACE BIRTH DATE MONTH DAY YEAR
F W 09 02 1965

EMPLOYER'S NAME (PRINT)
Soc. Sec. # 355-503166

BUSINESS ADDRESS (INCL. CITY STATE) OCCUPATION
4000 W 105th Oak Lawn

COLOR HAIR EYES WEIGHT HEIGHT PHONE NO. BUS. HOME
BRO Brown 170 5 422-8025

DRIVER'S LICENSE NO. OR OTHER ID (TYPE & NO.)

CHAPTER SECTION CHAPTER SECTION CHAPTER SECTION
9-3-13

OF THE MUNICIPAL CODE ILLINOIS COMPACT STATUTE

THE COMPLAINANT ON OATH STATES THAT THE DEPENDANT DID THEM AND THERE VIOLATE

OFFENSE COMMITTED IN THAT (DESCRIBE ACTION)
Disorderly Conduct Subject attempted to push through security area of 5th Dist. Ct. refusing to submit to search and escort per CCSPD rule

ON 03, 04, 03, 4:30 PM AT 10220 S. 76 Ave

IN SAID MUNICIPALITY, COOK COUNTY, ILLINOIS

COMPLAINANT'S SIGNATURE
Christophide #3209

STAR NO. UNIT
139 814

COURT APPEARANCE FAILURE TO APPEAR IN COURT WILL RESULT IN ARREST
YOU MUST APPEAR IN COURT ON MONDAY DAY YEAR TIME
03, 26, 2003 9:00

OFFICER'S SIGNATURE
Refused

DEPENDANT'S SIGNATURE

COURT BRANCH/ROOM ADDRESS
5-120 - Rm 122
10220 S. 76 Ave

I ACKNOWLEDGE RECEIPT OF THIS NOTICE
CT. SGT. TO HANDLE R.D. NO.
 YES NO

ADDRESS
10220 S. 76 Ave
Bridgeview IL 60455

Subscribed and sworn to before me on _____ 199__

Clerk of the Circuit Court Deputy Clerk

COMPLAINT

K2



**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
USE OF FORCE REPORT**

DATE 4 MAR 03

TIME 1615 HRS

REPORTING OFFICER'S NAME D/S B. Miernicki STAR # 4163

TYPE OF FORCE USED (CHECK)

PHYSICAL FORCE BATON OC SPRAY OTHER (EXPLAIN) Handcuffed restraint

TYPE OF INCIDENT Irrate, uncooperative, disorderly individual

LOCATION OF INCIDENT 5th DIST, Post 1

OFFICER/WITNESS PRESENT D/S N. Christofidis #3309

PERSON(S) FORCE WAS USED AGAINST

NAME Shelton, Linda CHARGE(S) Disorderly Conduct

NAME _____ CHARGE(S) _____

SUBJECT CLASSIFICATION: PASSIVE RESISTER ACTIVE RESISTER ASSAILANT

DESCRIBE WHY THE USE OF FORCE WAS NECESSARY refusal to exit building,
And to be escorted to clerk's office, physically pushing
through security

IF OC SPRAY WAS USED, LIST ACTION TAKEN BY OFFICER TO MITIGATE THE EFFECTS OF THE SPRAY

WHEN _____ WHERE _____

WAS FIRST AID REQUIRED? NO YES _____ BY WHOM _____

WAS MEDICAL ATTENTION REQUIRED? NO YES _____ BY WHOM _____

REPORTING OFFICER'S SIGNATURE B. Miernicki #4163 DATE 4 MAR 03

WATCH COMMANDER/SUPERVISOR'S SIGNATURE SGT. John Kon #250

K3



**SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
USE OF FORCE REPORT**

DATE 04 Mar 03
Approximately
TIME 11:15 hrs.

REPORTING OFFICER'S NAME As N. Christofidis STAR # 3309

TYPE OF FORCE USED (CHECK)

PHYSICAL FORCE _____ BATON _____ OC SPRAY OTHER (EXPLAIN) Loaded Pish / Restained

TYPE OF INCIDENT Belligerent, uncooperative, disorderly subject

LOCATION OF INCIDENT 5th Dist., Post 1

OFFICER/WITNESS PRESENT As B. Miernicki # 4163

PERSON(S) FORCE WAS USED AGAINST

NAME Shelton, Linda CHARGE(S) Disorderly Conduct

NAME _____ CHARGE(S) _____

SUBJECT CLASSIFICATION: _____ PASSIVE RESISTER ACTIVE RESISTER _____ ASSAILANT

DESCRIBE WHY THE USE OF FORCE WAS NECESSARY Refusing escort, physically pushing through security, + refusal to exit the building.

IF OC SPRAY WAS USED, LIST ACTION TAKEN BY OFFICER TO MITIGATE THE EFFECTS OF THE SPRAY

WHEN DNA WHERE DNA

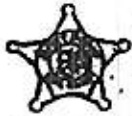
WAS FIRST AID REQUIRED? NO YES _____ BY WHOM _____

WAS MEDICAL ATTENTION REQUIRED? NO YES _____ BY WHOM _____

REPORTING OFFICER'S SIGNATURE S. Nicolette Christofidis DATE 04 Mar 03

WATCH COMMANDER/SUPERVISOR'S SIGNATURE Sgt. John Kon # 250

KY



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S COURT SERVICES DEPARTMENT

1. Case Report Number
DNA

2. Offense/Incident ARREST		3. Classification		4. UCR Code 0470		5. PAC 9005		6. Beat of Occurrence 45				
7. Address/Location of Occurrence 10220 S. 76th AVE.			(Township) North		8. Type of Place of Occurrence 5th District Court		9. Date of Occurrence 04Mar03		10. Time of Occurrence 1615		11. Unit Assigned	
12. Victim Name (Last, First, Middle) (Firm or Business Name)				13. Sex	14. Race	15. Date of Birth		16. Home Phone		17. Business Phone		18. Pager or Cell Phone
19. Victim Address				20. Address of Employment						21. Sobriety of Victim ICD <input type="checkbox"/> Yes <input type="checkbox"/> No		
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At:		24. Treated By <input type="checkbox"/> Released		25. Medical Examiner Notified <input type="checkbox"/> DNA		Time Notified		26. <input type="checkbox"/> UNFOUNDED		
27. Person(s) Involved Identifier Codes:		Y - Victim S - Suspect	W - Witness J - Juvenile	G - Guardian SP - Spouse	MP - Missing Person MJ - Missing Juvenile		C - Complainant P - Parent		PN - Person Not O - Other (Specify)			

Code	Name (Last / First / Middle)	Sex	Race	Date of Birth	Address	Phone Numbers (Include A/C)
						Home: Business or Pager:
						Home: Business or Pager:
						Home: Business or Pager:

28. Suspect or Missing Person Description					Hair		Complexion		Nicknames or Alias/Clothing/Distinguishing Marks, Tattoos, Piercings/Place Employed/Other Phone Number/Associates/Places Known to Frequent, or Other Pertinent Information		
Code	Age	Wt	Ht	Build	Color	Style	Eye				

29. Vehicle Information										Message Number:		<input type="checkbox"/> DISPERM <input type="checkbox"/> OT	
Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle Identification Number (V.I.N.)		Towed	Field	
											<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
											<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Code	Distinguishing Damage/Characteristics				Insured by:	Code	Distinguishing Damage/Characteristics				Insured By:		

30. Weapon(s)				31. Other Means of Attack (or Possible Tool)	
<input type="checkbox"/> Used	<input type="checkbox"/> Displayed	<input type="checkbox"/> Club or Bludgeon Instrument			
<input type="checkbox"/> Handgun	<input type="checkbox"/> Knife	<input type="checkbox"/> Knife/Other Cutting Instrument			

32. Property Taken by Offender <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)				33. Property Recovered <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)				34. Evidence Taken By R/O <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Hold for Seizure Action			
Inventory Number(s)				Inventory Number(s)				Inventory Number(s)			
35. Arrestee(s)		Name		Sex	Race	DOB	Charges (Section)		(Description)		Alt Number
Shelton, Linda				F	W	9/02/55	Disorderly Conduct				

36. Narrative
 On 04Mar03 at approx. 1615 hrs. subject Linda Shelton wanted entry to the courthouse saying she needed to go to the Clerk's office. At that time she was told she would have to be escorted (per Chief Judge's order.) The subject refused command & tried to force her way through security shoulder butting D/S Christofidia #3309. Subject was arrested & Bridgeview P.D. took charge.

37. Name/Star No. of Investigator Notified		Time Notified		38. Name/Star No. of Investigator on Scene		Time Arrived		39. Name/Star No. of Supervisor on Scene		Time	
		Hrs.				Hrs.		Sgt. Kon #250		DNA.	
40. Reporting Officer Name/Star No. (Print)			41. Assigned By:		42. Date and Time Assigned			43. Date and Time Report Approved			
			DCC E/M View C/Serv. D/Citizen								
44. Reporting Officer's Signature			45. Date and Time Arrived		46. Date and Time Report Completed			47. Supervisor Approving (Signature/Star No.)			
<i>KJ</i>								Sgt. John Kon #25			

SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
MEMORANDUM

TO: AIC Lyons

DATE: 04 MAR 03

FROM: D/S Elizabeth Aguirre #4735

SUBJECT: Incident at post 1 security.

On 04 Mar 03 at approx. 1615 hrs Rlo was working at post 1. When two females approached the post 1 security check. Female Deputies recognized one of the females as Linda Shelton, from a previous incident, at that time D/S Christofidis #3309 informed Sgt Kon #250. Linda Shelton became upset and Loud when informed that she needs to be escorted in the facility and she loudly said "you are not escorting me anywhere at that time D/S Miernicki #4163 and D/S Christofidis #3309 explained to Linda Shelton that if she did not comply.. she will have to leave the facility. At that point Linda Shelton pushed her way thru D/S Christofidis #3309 with her shoulder while holding her cane on her hand. The subject failed to cooperate. D/S Miernicki #4163 along with D/S Christofidis #3309 took subject into custod

Approved:

Sgt. John Kon #250

(CSD/CA 97.1)

as she was screaming to her companion "you are my witness". D/S Bailey # escorted the subjects female companion, out of the building. (Klo)

D/S Elizabeth Aguirre #4735
D/S Elizabeth Aguirre #4735

STATE OF ILLINOIS

DEPARTMENT OF CORRECTIONS
DIVISION OF SUPPORT SERVICES

JAIL AND DETENTION STANDARDS UNIT
Second Floor Gymnasium
1301 Concordia Court
P.O. Box 19277
Springfield, Illinois 62794-9277
217/522-2666, ext: 6018

REPORT OF EXTRAORDINARY OR UNUSUAL OCCURRENCE
County X Municipal _____

AUTHORITY: Illinois Compiled Statutes, 730 ILCS 5/3-15-2

INSTRUCTIONS:

1. Reports must be made on all extraordinary or unusual occurrences involving detainees.
2. Mail reports within 72 hours of occurrence to the Jail and Detention Standard Units. Whenever delay is unavoidable, make report by telephone and follow as soon as possible written report.
3. Forward the original of this report, retain a copy

1. Name of facility Bridgeview Court House - District #5

Address 10220 S. 76th Ave., Bridgeview, IL 60455

2. Date of occurrence 04March03 3. Time of occurrence 1615 hrs.

4. Type of occurrence:

Suicide _____ Suicide Attempt _____ Homicide _____ Homicide Attempt _____ Escape _____

Escape Attempt _____ Fire _____ Serious injury _____ Battery _____ Riot of Rebellion _____

Sex Offense _____ Other Disorderly Conduct

5. Detainees involved:

Name	Age	Date Confined	Charge
<u>Shelton, Linda</u>	<u>48</u>	<u>04Mar03</u>	<u>Disorderly Conduct</u>

6. If death resulting:

Name of deceased _____

Cause of death _____ Date and Time of Death _____

Prior to death, last seen by _____

Reported by _____

Was deceased examined by a physician? _____ When? _____

Did deceased give signs of illness? _____

(K7)

7. Detainees interviewed:

Name	Age	Reason admitted

7. Official interviewed:

Name	Title
N. Christofidis #3309	Deputy Sheriff
B. Miernicki #4163	Deputy Sheriff

8. Principle causes of occurrences:

Subject refused command and resorted to force.

9. Summary of details of occurrence:

On above date at approximately 1610 hrs. subject Shelton, Linda wanted entry to the courthouse saying she needed to go to the clerk's office. At that time she was told she would have to be escorted(per chief judges order.) The subject refused command & tried to force her way through security, shoulder butting D/S Christofidis #3309. Subject was arrested & Bridgeview P.D. took charge

10. Recommendations to prevent such occurrences:

Report date 04March2003
Sgt. John Kon #250
Reporting Officer's Signature

K8

SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
MEMORANDUM

TO: A/C Lyons

DATE: 04 MARCH 2003

FROM: D/S Lorraine H. Bailey #4461

SUBJECT: Incident AT Post 7

On Above date at approximately 16:15 hrs. R/O Bailey #4461 was assigned to X-ray machine. When R/O and D/S Aguirre #4735, observed two females attempting to enter through the metal detector. One of the two females, was recognized, by R/O as a subject named Ina previous memo, in misconduct with a judge and also threatening deputies. The subject was known as Linda Shelton. Ms Shelton was loud, and uncooperative to all of the deputies verbal commands. R/O notified immediate Supervisor Sgt. Kon #250. Sgt. Kon gave verbal command to escort Ms Shelton thro the Clerk's office, Ms Shelton replied loudly "No your not escorting me anywhere in this building." Intentionally, with force, directing her shoulder to strike D/S Christopher #3309 LEFT shoulder. Screaming to other female with her that you are my witness & this" R/O escorted other female out of building. Ms Shelton was placed in custody, and escorted down to lock-up

Approved:
Sgt. John Kon #250

D/S Lorraine H. Bailey #4461
D/S Lorraine H. Bailey #4461

K9

SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
MEMORANDUM

TO: AC LYONS

DATE: 04 MARCH 03

FROM: D/S MORLEY #4148

SUBJECT: INCIDENT AT FRONT DOOR

ON ~~ON~~ MARCH 03 AT APPROX 16¹⁵ HRS R/O WAS WORKING AT POST 1. TWO FEMALE DEPUTIES WERE SEARCHING A WOMAN LATER KNOWN AS LINDA SHELTON. D/S MIERNICKI #4165 AND D/S CHRISTOFIDIS #3309 TOLD MS SHELTON THAT SHE WOULD HAVE TO BE ESCORTED WHILE SHE WAS IN THE BUILDING. MS SHELTON REPLIED ANGRILY "NO YOUR NOT!" D/S MIERNICKI #4165 TOLD MS SHELTON THAT IF SHE REFUSED THE ESCORT SHE WOULD HAVE TO LEAVE THE BUILDING. MS SHELTON STARTED TO PUSH HER WAY PAST SECURITY HEADING TOWARDS THE CLERKS OFFICE. D/S MIERNICKI #4165 AND D/S CHRISTOFIDIS #3309 TOOK MS SHELTON INTO CUSTODY AND ESCORTED HER TO THE LOCK-UP

D/S John T Morley #4148

D/S JOHN T MORLEY #4148

Approved:

SGT. John Kon #250

KLO

SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
MEMORANDUM

TO: A/C LYONS DATE: 04 MAR 03
FROM: D/S L.V. ENRIQUEZ #4370
SUBJECT: INCIDENT AT FRONT DOOR

ON 04 MAR 03 AT APPROX 1610 hrs
R/D ENRIQUEZ #4370 WAS ASSIGNED TO POST # 1
MAIN ENTRY SECURITY WHEN R/D OBSERVED SUBJECT
LINDA SHELTON ATTEMPTING TO ENTER THE BUILDING
THRU THE FEMALE SIDE OF POST #1. D/S CHRISTOFIDIS #3309
& D/S MIERNICKI #4163 INFORMED SUBJECT LINDA SHELTON
THAT SHE COULD ONLY ENTER THE BUILDING IF SHE WAS
ESCORTED BY A SHERIFF'S OFFICER. R/D HEARD SUBJECT
LINDA SHELTON SAY "NO! YOU ARE NOT." AT THIS POINT
SHE PUSHED D/S CHRISTOFIDIS #3309. D/S MIERNICKI #4163
INFORMED SUBJECT LINDA SHELTON THAT IF SHE WOULD NOT
CONSENT TO BE ESCORTED SHE WOULD HAVE TO LEAVE THE
BUILDING. AT THIS TIME I NOTICED SUBJECT LINDA SHELTON
ATTEMPT TO PUSH PAST D/S MIERNICKI #4163 & D/S CHRISTOFIDIS
#3309. D/S MIERNICKI #4163 AT THIS TIME TOOK SUBJECT
LINDA SHELTON INTO CUSTODY. END OF REPORT

Approved:

SGT. John Kon #250

D/S L.V. Enriquez #4370

L.V. ENRIQUEZ #4370

K11

SHERIFF OF COOK COUNTY
COURT SERVICES DEPARTMENT
MEMORANDUM

TO: Chief Kevin Lyon's

DATE: 04 MARCH 03

FROM: Jerry Retelsky #3685

SUBJECT: Incident at Front Door

On 04 March 03 at approximately 1615 Hrs.
R/D Jerry Retelsky #3685 was working at
Post #1. Female Deputies were searching a
woman later known as Linda Shelton. D/S
Miernicki #4163 and D/S Christofidis #3309
said we have to escort you in the building. And
Ms. Shelton said "No your not". D/S Miernicki
said if we don't escort you, you have to
leave the building. Ms. Shelton started her way
to the Clerk's office pushing her way into
security. D/S Miernicki and D/S Christofidis
handcuffed subject and took Ms. Shelton
to lockup.

Jerry Retelsky #3685
Jerry Retelsky #3685

Approved:

SGT. John Kon #250

K12

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

People v. State of Illinois

No. 02 MC 5001557

v.

LINDA L. Shelton Ph.D. M.D. FAAP

ORDER

ENTERED
MAR 20 2003
DOROTHY BROWN
CLERK OF CIRCUIT COURT

This matter coming before the Court on [unclear] Motion for Order of Protection Against Cook County Sheriff and the Court being fully advised in the premises therein and having considered the arguments of counsel, hereby orders as follows:

- ① Motion for Emergency order of protection against Cook County Sheriff is **DENIED**
- ② The Defendant is allowed access to Bridgerview courthouse and Defendant need not be escorted by the Cook County Sheriff as long as Defendant's conduct is lawful and not disruptive to the administration of justice
- ③ The Defendant is permitted full use of the Cook County Law Library during normal business hours of the Library.
- ④ The Defendant is permitted to file any and all documents, pleadings, motions and materials with the Clerk of the Court
- ⑤ The Cook County Sheriff shall assist the Defendant with all courthouse procedures, in compliance with the Americans with Disabilities Act

Atty. No. : _____

Name: Richard A Devin

March 20, 2003

Atty. for: People of State of Illinois

ENTER:

Address: 10220 S. 76th Ave

City/State/Zip: Bridgman, Ill.

Daniel A. Natta 232
Judge Judge's No.

Telephone: 974-6220

(L)

By his ass't Peter J. [unclear]
DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

VS

NUMBER 04CR1757103

LINDA

SHELTON

CERTIFIED STATEMENT OF CONVICTION / DISPOSITION

I, DOROTHY BROWN, Clerk of the Circuit Court of Cook County, Illinois, and keeper of the records and seal thereof do hereby certify that the electronic records of the Circuit Court of Cook County show that:

The States Attorney of Cook County filed an INDICTMENT/INFORMATION		
02/18/09 DEFENDANT NOT IN COURT	00/00/00	
ALONSO JORGE LUIS		
02/18/09 BOND FORFEITURE	B001 00/00/00	
ALONSO JORGE LUIS		
02/18/09 NO BAIL	00/00/00	
ALONSO JORGE LUIS		
02/18/09 WARR ORD, WARR ISSUED	00/00/00	
ALONSO JORGE LUIS		
02/18/09 CONT FOR JUDMT ON FORFEITURE	03/20/09 1710	
ALONSO JORGE LUIS		
02/18/09 TRIAL COMENCED AND CONTINUED	02/19/09	
ALONSO JORGE LUIS		
02/18/09 WARRANT SENT TO POLICE AGENCY	00/00/00	
02/19/09 DEFENDANT NOT IN COURT	00/00/00	
ALONSO JORGE LUIS		
02/19/09 TRIAL COMENCED AND CONTINUED	02/20/09	
ALONSO JORGE LUIS		
02/19/09 WARR AUDITED - ELEC DOCK		
02/19/09 WARR AUDITED - COURT FILE		
02/20/09 DEFENDANT NOT IN COURT	00/00/00	
ALONSO JORGE LUIS		
02/20/09 MOTION DIRECT VERD OR FINDING	00/00/00 D	2
ALONSO JORGE LUIS		
02/20/09 TRIAL COMENCED AND CONTINUED	02/23/09	
ALONSO JORGE LUIS		
02/23/09 DEFENDANT NOT IN COURT	00/00/00	
ALONSO JORGE LUIS		
02/23/09 TRIAL COMENCED AND CONTINUED	02/24/09	
ALONSO JORGE LUIS		
02/24/09 RECALL/EXEC SENT TO POLICE AGY	00/00/00	
02/24/09 DEFENDANT NOT IN COURT	00/00/00	
ALONSO JORGE LUIS		
02/24/09 VERDICT OF NOT GUILTY	C001 00/00/00	
ALONSO JORGE LUIS		
02/24/09 WARRANT QUASHED	00/00/00	
ALONSO JORGE LUIS		
02/24/09 CHANGE PRIORITY STATUS	M 00/00/00	
ALONSO JORGE LUIS		

M/

COUNT II

The Grand Jurors chosen, selected and sworn, in and for the County of Cook, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths, aforesaid present that on or about June 2000 continuing through April 2002, at and within the County of Cook,

LINDA SHELTON

committed the offense of **VENDOR FRAUD (Class 1 Felony)**

in that the defendant, in furtherance of a single intention and design, on behalf of herself and/or Right Frame of a Mind, Inc., willfully, by means of false statements and representations, and to obtain payments under the Public Aid Code in amounts greater than that which the defendant and/or Right Frame of Mind, Inc., were entitled to, caused false billing invoices to be submitted to the Illinois Department of Public Aid, and based on said false billing invoices caused the Illinois Department of Public Aid to authorize payments to Right Frame of Mind, Inc., in a great amount than that to which the defendant and/or Right Frame of Mind, Inc., were entitled, said amount having an aggregate value in excess of ten thousand dollars (\$10,000.00), and further, that the submission of the false billing invoices consisted of a series of acts performed at different times, at least one of which acts occurred after July 31, 2001, in violation of the Illinois Compiled Statutes, Chapter 305, Section 5/3A-3(a), and contrary to the Statute and against the Peace and Dignity of the same People of the State of Illinois

0000051.0774

2004

4550.1
4550.1

Charge I.D. Code: 10236

000000
000000
000000

Exhibit A
Original Indictment

M2

caused false billing invoices to be submitted to the Illinois Department of Public Aid, and based on said false billing invoices caused the Illinois Department of Public Aid to authorize payments to the defendant in a greater amount than that to which the defendant was entitled, said amount having an aggregate value in excess of ten thousand dollars (\$10,000), and further, that the submission of the false billing invoices consisted of a series of acts performed at different times, at least one of which acts occurred after July 31, 2001, in violation of the Illinois Compiled Statutes, Chapter 305, Section 5/8A-3(a), and contrary to the Statute, and against the peace and dignity of the same People of the State of Illinois.

Amendment to Count II

With this motion, the State seeks to amend Count II so that it will read:

The Grand Jurors chosen selected and sworn, in and for the County of Cook, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths, aforesaid present that on or about June 2000 continuing through April 2002 at and within the County of Cook,

LINDA SHELTON

committed the offense of **VENDOR FRAUD (Class 1 Felony)**

in that the defendant, in furtherance of a single intention and design, on behalf of herself and/or Vernon Glass, willfully, by means of false statement and representations, and to obtain payments under the Public Aid Code in amounts greater than that which the defendant and/or Vernon Glass were entitled to, caused false billing invoices to be submitted to the Illinois Department of Public Aid, and based on said false billing invoices caused the Illinois Department of Public Aid to authorize payments to Vernon Glass in a greater amount than that to which the defendant and/or Vernon Glass were entitled, said amount having an aggregate value in excess of ten thousand dollars

EXH A2
AMENDED INDICTMENT

M-3

(\$10,000), and further, that the submission of the false billing invoices consisted of a series of acts performed at different times, at least one of which acts occurred after July 31, 2001, in violation of the Illinois Compiled Statutes, Chapter 305, Section 5/8A-3(a), and contrary to the Statute, and against the peace and dignity of the same People of the State of Illinois.

Legal Basis

The Illinois Code of Criminal Procedure allows the State to move to amend indictment to correct formal defects. 725 ILCS 5/111-5 states:

An indictment, information or complaint which charges the commission of an offense in accordance with Section 111-3 of this Code shall not be dismissed and may be amended on motion by the State's Attorney or defendant at any time because of formal defects, including:

- (a) Any miswriting, misspelling or grammatical error;
- (b) Any misjoinder of the parties defendant;
- (c) Any misjoinder of the offense charged;
- (d) The presence of any unnecessary allegation;
- (e) The failure to negative any exception, any excuse or proviso contained in the statute defining the offense; or
- (f) The use of alternative or disjunctive allegations as to the acts, means, intents or results charged.

Without amendment, the indictment improperly names Right Frame of Mind, Inc (RFM, Inc.) as the recipient of funds obtained by the fraud perpetrated by the defendants. The payments were actually remitted to the defendant Vernon Glass, doing business as Right Frame of Mind ('d/b/a RFM'). The mistake arose out of claims made by Glass to the Illinois State Police in an interview conducted May 15, 2003 (Exhibit B). In that interview, Glass claimed that he had incorporated RFM, Inc. in the Spring of 2000. The illegal conduct that the State alleges began at about that time. However, Articles of Incorporation, creating the legal entity RFM, Inc., were not filed until the end of April of 2002 (Exhibit C).

In fact, Glass and Shelton operated 'Right Frame of Mind' in several different formal

EXH ~~B~~ A3

MY



received
5/10/10
js

Case No. 2006-0425 RE

April 30, 2010

Linda L. Shelton, Ph.D., M.D.
4020 W. 105th Street, 3N
Oak Lawn, Illinois 60453

Dear Dr. Shelton:

This is in response to your April 6, 2006, Freedom of Information Act (FOIA) request for the applications and re-certifications of the Illinois Medicaid Fraud Control Unit issued to the Illinois State Police Medicaid Fraud Control Unit from 2000 through 2006.

The Office of the Inspector General (OIG) performed a search and located 256 pages of records responsive to your request, of which 248 are enclosed. I have determined to withhold eight (8) of the located pages, in their entirety, including three (3) pages of pre-decisional material under FOIA exemption 5, three (3) pages containing information that could identify individuals under FOIA exemptions 6 and 7(C), two (2) pages detailing types of investigations and how the investigations were conducted under FOIA exemption 7(E); and, portions of the released pages under FOIA exemptions 6, 7(C) and 7(E).

Exemption 5 permits the withholding of intra-agency records which are predecisional and contain staff advice, opinion and recommendation. This exemption is intended to preserve free and candid internal dialogue leading to decision-making. Exemption 6 permits the withholding of information that if released would constitute a clearly unwarranted invasion of personal privacy. Exemption 7(C) permits the withholding of records compiled for law enforcement purposes when disclosure could constitute an unwarranted invasion of personal privacy. Exemption 7(E) permits the withholding of records compiled for law enforcement purposes when disclosure would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

There are no charges for FOIA services, in this instance, because the fees are under our \$25.00 billing threshold.

NL



AUG - 9 2001

Don Thorpe, Director
Illinois State Police
Medicaid Fraud Control Unit
400 Isle Park Place, Suite 302
Springfield, Illinois 62718

Dear Mr. Thorpe:

As part of the recertification process, we have reviewed documentation submitted by your office including the Unit's Annual Report, the quarterly statistical reports, and the responses to the questionnaire previously forwarded to you. Also reviewed were the responses to the questionnaires submitted to the Office of Inspector General, Chicago Field Office and the Illinois Department of Public Aid, Office of Inspector General.

The information provided reflects that the Unit's activities during the last twelve month certification period have been directed towards combating fraud and abuse committed against the State's Medicaid program. The Unit has fulfilled the statutory requirement of sections 1903 (a)(6); 1903 (b)(3); and 1903 (1) of the Social Security Act, as amended by the Medicare-Medicaid Anti-Fraud and Abuse Amendments (P.L. 95-142) and section 336 of the Omnibus Budget Reconciliation Act of 1980, (P.L. 96-499).

The Illinois Unit is certified as meeting the Federal requirements applicable to the operation of a State Medicaid Fraud Control Unit (42 CFR, Part 1007). The certification period covers one year, ending June 30, 2002. In order for Federal financial participation to continue after that date, an application for recertification should be submitted for review to the State Medicaid Oversight and Policy Staff (SMOPS) no later than April 30, 2002.

If you have any questions concerning this recertification, please contact Dorothy James, Program Analyst, SMOPS, at (202) 619-2547.

Sincerely yours,

Frank J. Nahlik
Assistant Inspector General
for Investigative Oversight
and Support

N2



ILLINOIS STATE POLICE
Office of the Director

George H. Ryan
Governor

Sam W. Nolen
Director

July 26, 2001

Mr. Joseph Prekker
Director, State Medicaid Oversight and Policy Staff
U.S. Department of Health
and Human Services
Office of Inspector General
330 Independence Avenue S.W.
Room 5451, Cohen Building
Washington, D.C. 20201

Dear Mr. Prekker:

Enclosed you will find the annual report for the Illinois Medicaid Fraud Control Unit. This report was prepared using the rules and regulations of section 1903(a) (6), 1903(q) of the Social Security Act, as amended by the Medicare-Medicaid Anti-Fraud and Abuse Amendments and as required by 42 CFR 1007.1 through 23.

The Illinois State Police hopes that this report will complete all required submissions for recertification of the Illinois Medicaid Fraud Control Unit for the period July 1, 2001 through June 30, 2002.

Respectfully,

Sam W. Nolen
Director

By: Don Thorpe
Director
Medicaid Fraud Control Unit

DT:jg

125 East Monroe • Room 103
P.O. Box 19461
Springfield, IL 62794-9461
(217) 782-7263 (voice) • 1 (800) 255-3323 (TDD)

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1. Do the Unit investigators have law enforcement authority?

Yes. The Unit has 36 sworn Illinois State Police officers who have full law enforcement authority pursuant to 20 ILCS 2620/3. However, the Unit also has 11 contractual investigators who do not possess law enforcement powers, but who may act under the direction of a sworn Illinois State Police officer.

2. Do the Unit attorneys prosecute cases, or do they refer cases to other prosecutorial authorities? If the Unit does refer cases to other authorities for prosecution, describe the relationship with those authorities? Describe any problems currently hampering prosecution of Unit cases. Do you invite the SURS staff to participate in training sponsored by the Unit?

The Unit's legal advisor, who has been designated as a Special Assistant Attorney General, works in conjunction with seven contractual Assistant Attorneys General. Five of the attorneys are based in Chicago while the remaining two are based in Springfield. The attorneys both prosecute and refer cases for prosecution depending on the circumstances. However, there exists one significant point of contention in regards to the prosecution of state cases. The Attorney General cannot take exclusive power over the prosecution of those cases over which the State's Attorney also has authority. This stems from the Illinois Supreme Court's ruling in *State of Illinois v. Buffalo Confectionery Company*, 78 Ill.2d 447 (1980). In *Buffalo Confectionery*, the court reconciled two statutes dealing with the powers and duties of the State's Attorney and the Attorney General. Despite the Attorney General's lack of independent prosecutorial authority, there have not been any serious obstacles to prosecuting Unit cases. The Unit generally refers abuse and neglect cases to the appropriate State Attorney's Office with such referrals being monitored by the Attorney General's Office. If the severity and frequency of abuse and neglect allegations concerning a particular long term care facility give rise to an overall quality of care issue, the matter will be referred to the Attorney General's Office. The Unit is a member of three health care task forces operating in the Northern, Central, and Southern Districts of Illinois. Task force cases are investigated jointly by state and federal agents, and then prosecuted by the respective U.S. Attorney's Office. Overall, the Unit enjoys a good working relationship with all prosecutorial authorities operating within the state. Surveillance Utilization Review System staff are invited to monthly meetings of the Central Illinois Health Care Task Force.

3. Describe the Unit's training program. Include a list of training conferences or programs attended by staff during the past year.

The Unit has implemented a three phased training program. The first phase is a 20-hour Basic Medicaid/Medicare Fraud, Abuse, and Neglect Course to orient new personnel. The course is taught by senior Unit investigators and prosecutors. The second phase is the Basic Investigators Course which is a six-week course taught at the Illinois State Police Academy. Newly hired, non-sworn Unit investigators are required to satisfactorily complete this training. The third phase is one-week NAMPCU Basic Medicaid Fraud Training Program. This training will be conducted during the week of June 25th in Springfield, Illinois. Additional training is provided monthly during task force meetings. During each meeting, a guest speaker addresses issues that are germane to the duties and responsibilities of the task force.

IL Policy file
AG
AG has
no authority
to prosecute
fraud

This is fraud -
AG, Medicare
fraud
Medicare fraud
with FBI
US Atty or
states Atty

Including a case where the IL
Police Investigator Rebel fabricated
phony invoices and a case they
knew was a matter of ID theft
with NO PROBABLE CAUSE

NY

Below is a list of all training conferences or programs attended by Unit personnel during the period April 1, 2000, through March 31, 2001:

<u>MONTH/YEAR</u>	<u># PERSONS ATTENDING</u>	<u>NAME OF COURSE</u>
7/00	1	HCFA 2000 Region V Fraud Conference
8/00	2	Certified Fraud Examiner's Computer Training
9/00	3	NAMFCU 2000 Annual Conference
11/00	3	National Health Care Anti-Fraud Association 2000 Annual Training Conference
2/01	38	Basic Medicaid/Medicare Fraud, Abuse, and Neglect Orientation
3/01	1	LEADS 2000 Symposium
3/01	2	NAMFCU Director's Symposium

4. Describe the accounting system controlling Federal grant funds received from the Department of Health and Human Services, and the controls used by the Unit Director to review the expenditure of funds. If any reductions in State funds have been made, or have been formally proposed, what impact will they have on the Unit's mission?

The Illinois State Police Medicaid Fraud Control Unit's personal services are funded by monies in the State's General Revenue Fund (GRF). The Governor and the Bureau of the Budget approve monies appropriated from the GRF by the Illinois General Assembly. As with all State appropriations, the Unit adheres to all State rules and regulations pertaining to fiscal matters.

The Unit uses the Uniform Statewide Accounting System and complies with the mandates of the Illinois Purchasing Act. Prior to any Unit changes, the Unit Director must initiate the change using a Merchandise Request Form which describes the transaction, identifies the appropriate account code, and indicates whether the change was budgeted for and approved by the State and federal grantor. Upon the conclusion of every quarter, all expenditures are reviewed by the Illinois State Police, Office of Finance and Budget, and a reimbursement claim is then submitted to the U.S. Department of Health and Human Services for 75 percent of all qualifying expenses. The Unit's operating lines, including expenses related to Attorney General's Office legal support staff, are federally funded. Federal draw downs are completed monthly for expenditure reimbursement. Any remaining expenses are included in the quarterly fiscal report and are reimbursed at 75 percent.

MFCU Federally
FUNDED

NS

EY-2000

ILLINOIS STATE POLICE MEDICAID FRAUD CONTROL UNIT RESPONSE TO
RECERTIFICATION QUESTIONNAIRE FOR UNIT DIRECTORS

1. Do the Unit investigators have law enforcement authority?

Yes. The Unit has 13 investigators who are sworn officers with the Illinois State Police and have full law enforcement authority under 20 ILCS 2620/3. The Unit also employs eight contractual investigators who are not sworn and do not have law enforcement authority under Illinois law but who may act at the direction of a sworn Illinois State Police officer.

2. Do the Unit attorneys prosecute cases, or do they refer cases to other prosecutorial authorities? If the Unit does refer cases to other authorities for prosecution, describe the relationship with those authorities. Describe any problems currently hampering prosecution of Unit cases. Do you invite the SURS staff to participate in training sponsored by the Unit?

The Unit attorney has no independent authority to prosecute cases in Illinois courts; however, she is a Special Assistant U.S. Attorney in the Central District of Illinois and a Special Assistant Attorney General and may prosecute cases under the jurisdiction of these entities. The Unit refers cases to the Illinois Attorney General's Office, the various Illinois State's Attorneys' Offices, and the three U.S. Attorneys' Offices in Illinois.

The Unit contractually employs five Assistant Attorneys General who prosecute and/or assist in the prosecution of all Unit Medicaid fraud cases. Four of these attorneys are domiciled in Chicago, and one is domiciled in Springfield; however, they travel to the appropriate jurisdiction as necessary. Additionally, the Unit is a partner in the three district health care task forces operating in the Northern, Central, and Southern Districts of Illinois. In working with the various state and federal agencies represented on these task forces, if the Unit believes one of its cases merits federal adjudication, the prosecution of such case may be handled by the appropriate U.S. Attorney's Office. These cases are usually worked as a joint investigation with the state and federal agencies on the task force which has increased the efficiency of the Unit immeasurably. The Unit refers its health care abuse and/or neglect cases to the appropriate county's State's Attorney's Office for prosecution on a case-by-case basis, and these referrals are monitored by the Attorney General's Office. If the number of abuse and/or neglect allegations received regarding a particular facility gives rise to an overall quality of care/fraud issue, the case will first be referred to the Attorney General's Office.

The Unit training program is discussed in detail below.

3. Describe the Unit's training program. Include a list of training conferences or programs attended by staff during the past year.

The Unit has a three-part internal training program. The first part of the program is a basic investigations course. All sworn Illinois State Police personnel must satisfactorily complete

has IL ADMITS
authority to
prosecute
fraud

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OFFICE OF THE ILLINOIS ATTORNEY GENERAL
COOK COUNTY, ILLINOIS
CHICAGO , 60601

LISA MADIGAN
ATTORNEY GENERAL

CRIMINAL DIVISION
100 WEST RANDOLPH ST. 12TH FL
Chicago, Illinois 60601
(312) 814-5130

Linda Shelton

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RE: 04CR-17571

Ms. Shelton:

Please be advised that on July 15, 2004 you were indicted by the Cook County Grand Jury, Indictment No. 04 CR-17571, charged with Vendor Fraud/False Statement \$10,000+, etc. Your courtroom assignment has been set for August 5, 2004, at 9:00 A.M. before the Honorable Paul P. Biebel Jr., Room 101, 2600 South California Avenue, Chicago. Failure to appear in assigned courtroom may result in a warrant for your arrest.

SINCERELY,

LISA MADIGAN
ATTORNEY GENERAL OF ILLINOIS

BY:
JOSEPH L. PONSETTO
CHIEF, SPECIAL PROSECUTIONS BUREAU

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

KRISTINE R. COTE, BEING FIRST DULY SWORN ON OATH DEPOSES AND STATES that she served a copy of the above letter, properly addressed and stamped to the above named by depositing same in the United States mail chute at 2600 South California Avenue, Chicago, Illinois, within five days of this indictment.

Subscribed and sworn (or affirmed) to before me July 16, 2004

by .. *Kristine R. Cote* ..

Denise R. Aldenburger
.....
Notary Public

N7

COUNT II

The Grand Jurors chosen, selected and sworn, in and for the County of Cook, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths, aforesaid present that on or about June 2000 continuing through April 2002, at and within the County of Cook,

LINDA SHELTON

committed the offense of **VENDOR FRAUD (Class 1 Felony)**

in that the defendant, in furtherance of a single intention and design, on behalf of herself and/or Right Frame of a Mind, Inc., willfully, by means of false statements and representations, and to obtain payments under the Public Aid Code in amounts greater than that which the defendant and/or Right Frame of Mind, Inc., were entitled to, caused false billing invoices to be submitted to the Illinois Department of Public Aid, and based on said false billing invoices caused the Illinois Department of Public Aid to authorize payments to Right Frame of Mind, Inc., in a great amount than that to which the defendant and/or Right Frame of Mind, Inc., were entitled, said amount having an aggregate value in excess of ten thousand dollars (\$10,000.00), and further, that the submission of the false billing invoices consisted of a series of acts performed at different times, at least one of which acts occurred after July 31, 2001, in violation of the Illinois Compiled Statutes, Chapter 305, Section 5/8A-3(a), and contrary to the Statute and against the Peace and Dignity of the same People of the State of Illinois

NS

Charge I.D. Code: 10236

Shelton MD MD

My real signature

ALTERNATE PAYEE FORM

TO BE COMPLETED BY PRACTITIONER

Signature of Practitioner

DECEMBER 7, 2009

(Date)

(Provider #)

Printed Name

(SSN)

(Individual Medicare #)

TO BE COMPLETED BY PAYEE

Signature of Officer

DECEMBER 7, 2009

Date

Name of Hospital, School, Clinic, Group Practice

Printed Name

(Doing Business As name, if applicable)

Group Medicare #

Practitioner ID number required when using a group Medicare number

15142 S CHICAGO ROAD, DOLTON, IL 60419

Mailing address where payment is to be sent

G 58-2243640

(Tax #)

(DMERC #)

(Telephone #)

Check Box Practitioner Office Address should be changed to the Payee Address shown above.

This Alternate Payee Request is (Check One Box and Circle Affected Payee Number):

ADD CHANGE

PAYEE 1 3 4 5 6 7 8 9

PLEASE CHANGE DR. SHELTON TO OUR NEW FAX # 58-2243640

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received by Dr Shelton from AG Madigan in discovery for trial re: theft + Shelton innocent!

proving ID



Illinois Department of Public Aid

POWER OF ATTORNEY

received by L Shelton
from A & Madigan
in discovery
for trial

I, LINDA L. SHELTON, M.D.
(Practitioner's Name)

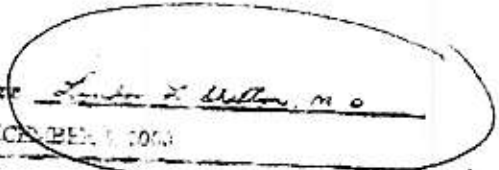
RIGHT FRAME OF MIND
(Name of Agency)

of hereby make and appoint
of my true and lawful attorney
*proving ID
that*

in fact solely for the purpose of affixing my name to the DPA 1443, Provider Invoice, or DPA 2360, Health Insurance Claim Form, as appropriate. I understand and acknowledge that the person appointed must be a trusted employee over whom I have direct supervision on a daily basis or the person is employed by the hospital and must sign my name to the DPA 1443 or DPA 2360 along with his/her initials. I understand and acknowledge that said person will be acting on my behalf, and that I will be bound by the certification statement on each DPA 1443 or DPA 2360. I understand and acknowledge that this Power of Attorney in no way limits my rights, liabilities or duties relating to the provision of services under the Illinois Department of Public Aid's Medical Assistance Program. I understand and acknowledge that I retain full responsibility for all claims submitted to the Department of Public Aid under my name.

LINDA L. SHELTON, M.D.
Practitioner Name
(Printed)

Signature *Linda L. Shelton, M.D.*
Date: DECEMBER 1, 2003



Forgery

RIGHT FRAME OF MIND
Address

15142 S CHICAGO ROAD

DOLTON, IL 60415

VERNON L. GLASS
Agent Name
(Printed)

Signature *Vernon L. Glass*
Date: DECEMBER 1, 2003

Completion of this form or compliance with instructions is voluntary; however, failure to do so may affect this Department's action. Form approved by the Forms Management Center.

N10

12/21/2003 11:04:16

**COOK COUNTY DEPARTMENT OF CORRECTIONS
INCIDENT REPORT**

Effective: 10/99

Please Print All Information

Division / Department: <u>CRIMINAL HALL</u>	Living Unit/Location: <u>3 EAST CELL 3162</u>
Incident Date: <u>16 MAR 01</u>	Incident Time: <u>1820</u>
Weapon(s) Involved <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Were <u>Restraints</u> / Force Used <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Property Damaged <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	I.A.D. Notified <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
IDO Notified <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Injuries</u> / Hospitalization <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Arrest(s) Made <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Was Contraband Found <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Name of Detainee(s) / Staff Involved: ID/Star#	Witnesses to Incident ID/Star#
<u>INMATE SHELTON LINDA 2005 0036523</u>	
<u>R/S SALEMI 910</u>	

Statement of Facts: (Narrative)

ON ABOVE TIME, AND DATE, OFC HALL NOTIFIED R/S SALEMI, THAT INMATE SHELTON LINDA #2005-0036523 WAS FLOODING HER CELL. R/S SALEMI RESPONDED R/S SALEMI OPENED SAID INMATES CELL DOOR AT WHICH TIME SAID INMATE CAME TO THE CELL DOOR AND STATED "I'M COMING OUT OF THIS CELL". AT WHICH TIME SAID INMATE INTENTIONALLY RAN HER WHEELCHAIR INTO R/S SALEMI CAUSING INJURIES TO R/S SALEMI'S LEGS. R/S SALEMI ATTEMPTED TO CONTROL SAID INMATE FROM EXITING THE CELL DOOR. SAID INMATE LEANED BACK IN HER WHEELCHAIR AND LIFTED HER LEGS UP, AND KICKED R/S SALEMI IN THE CHEST AREA R/S SALEMI FELL BACK AND SAID INMATE FELL OUT OF THE WHEELCHAIR. R/S SALEMI HANDCUFFED SAID INMATE. NURSE OGALI AND NURSE STARKS ATTEMPTED TO CONDUCT A MEDICAL EVALUATION ON SAID INMATE SAID INMATE REFUSED MEDICAL EVALUATION. CAPT JENNINGS NOTIFIED

Signature & Star # of Reporting Employee: [Signature] 910 Date: 16 MAR 01 Time: 1940

ON ABOVE TIME, AND DATE, OFC HAD NOTIFIED R/S SALEMI, THAT INMATE SHELTON LINDA # 2005-0036523 WAS FLOODING HER CELL. R/S SALEMI RESPONDED R/S SALEMI OPENED SAID INMATES CELL DOOR AT WHICH TIME SAID INMATE CAME TO THE CELL DOOR AND STATED "I'M COMING OUT OF THIS CELL". AT WHICH TIME SAID INMATE INTENTIONALLY RAN HER WHEELCHAIR INTO R/S SALEMI CAUSING INJURIES TO R/S SALEMI'S LEGS. R/S SALEMI ATTEMPTED TO CONTROL SAID INMATE FROM EXITING THE CELL DOOR. SAID INMATE LEANED BACK IN HER WHEELCHAIR AND LIFTED HER LEGS UP, AND KICKED R/S SALEMI IN THE CHEST AREA R/S SALEMI FELL BACK AND SAID INMATE FELL OUT OF THE WHEELCHAIR. R/S SALEMI HANDCUFFED SAID INMATE. NURSE OGALI AND NURSE STARKS ATTEMPTED TO CONDUCT A MEDICAL EVALUATION OF SAID INMATE. SAID INMATE REFUSED MEDICAL EVALUATION. CAPT JENNINGS NOTIFIED

Signature & Star # of Reporting Employee:
A SALEMI 910

01

COOK COUNTY
SHERIFF'S POLICE DEPARTMENT
SUPPLEMENTARY REPORT

1 AREA/BEAT 999		2 SUBURBAN COMPLAINT# DNA		CASE REPORT# 05-062621
4 ORIGINAL OFFENSE AND CLASSIFICATION Aggravated Battery			5 RECLASSIFIED TO	
6 VICTIM OR FIRM NAME Correctional Sergeant A. Salemi #908			7 TELEPHONE 773 869-3411	
8 LOCATION OF INCIDENT CCDOC/ Division #3/8			9 STATUS CLEARED <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> PENDING <input checked="" type="checkbox"/> FILED <input type="checkbox"/>	
10 IF CASE CLEARED, HOW CLEARED <input checked="" type="checkbox"/> ARREST & PROSECUTION <input type="checkbox"/> EXCEPTIONAL EXPLAIN:			11 DATE AND TIME OF ORIGINAL OCCURRENCE 16 May 05 1820 hr	
			12 DATE AND TIME INCIDENT REPORTED 16 May 05 1930	

THIS CASE IS CLEARED AND CLOSED BY ARREST

DATE/TIME ASSIGNED: 16 May 05 /1930 hrs./ by Sgt. Fitzgerald #35

VICTIM: Correctional Sergeant A. Salemi #908

OFFENDER: Inmate Linda Shelton
ID #05-0036523
F/W DOB: 09-02-55
IR #1527850

LOCATION: CCDOC/DIV3/8
2800 S. California

DAY/DATE/TIME: Monday / 16 May 05 / 1820 hours

MANNER/MOTIVE: Offender ran wheelchair into victims legs and then leaned back in wheelchair and kicked victim in the chest with her right foot.

INJURIES: Abrasions to both shins (legs) and soreness to chest area

NOTIFICATION: Sgt. R. Fitzgerald #35
Inv. C. Sofus #547

PERSONNEL ASSIGNED: Inv. C. Sofus #547

INVESTIGATION: On 16 May 05 at approximately 1930 hours R/I was assigned to investigate an incident that occurred at CCDOC/Div 3/8 on same date at approximately 1820 hours.
On 16 May 05 at approximately 2010 hours R/I reported to CCDOC/Div 3/8 and interviewed Sergeant Anthony Salemi #908 regarding incident involving Sgt. Salemi and Inmate Linda Shelton on same date at approximately 1820 hours at CCDOC/Div 3/8. Salemi related in summary, but not verbatim, while on duty at CCDOC/Div 3/8 on 16 May 05 at approximately 1820 hours he was notified by C/O Hall that Inmate Linda Shelton of Cell #3162 was flooding her cell. Upon arriving to cell #3162 Sgt. Salemi unlocked door and as

1 REPORTING OFFICER (S) TYPE OR PRINT Inv. C. Sofus	STAR # 547	20 SUBURBAN COMPLAINT # 05-62621	21 CASE REPORT # 05-62621
3 REPORTING OFFICER (S) SIGNATURE	STAR # 547		
4 SUPERVISOR APPROVING SIGNATURE <i>(Signature)</i>		5 DATE AND TIME OF REPORT	

COUNTY SHERIFF'S POLICE DEPARTMENT
CONTINUATION SHEET

PAGE NUMBER 2 of 2		3. OFFENSE Battery	4. CLASSIFICATION Aggravated	1. CASE REPORT NUMBER 05-062621
				5. SUBURBAN COMPLAINT NO. DNA

he (Salemi) opened door Inmate Linda Shelton stated "I'm coming out of this cell" at which time she (Shelton) intentionally ran into Sgt. Salemi with force striking him (Salemi) in the legs with her wheelchair causing abrasions to both of his (Salemi) shins. As Salemi regained his balance and attempted to control Shelton she (Shelton) sat back in her wheelchair and forcefully kicked Salemi in the chest with her right foot. At this time Shelton lost her balance and fell out of her wheelchair and Salemi was able to handcuff her. Salemi called for Nurse Ogali to administer any medical attention however, Shelton refused. Salemi went to Cermak E/R where he was treated for abrasions to both legs (shins) and soreness in his chest area. Salemi related that he does wish to sign a complaint for Aggravated Battery.

On 17 May 05 at approximately 1530 hours R/I, along with Inv. Raheer #193, reported to CCDOC/Div 3 and attempted to interview Inmate Linda Shelton. Prior to this interview R/I's read Shelton her Miranda Rights and it was at this time Shelton refused to be interviewed.

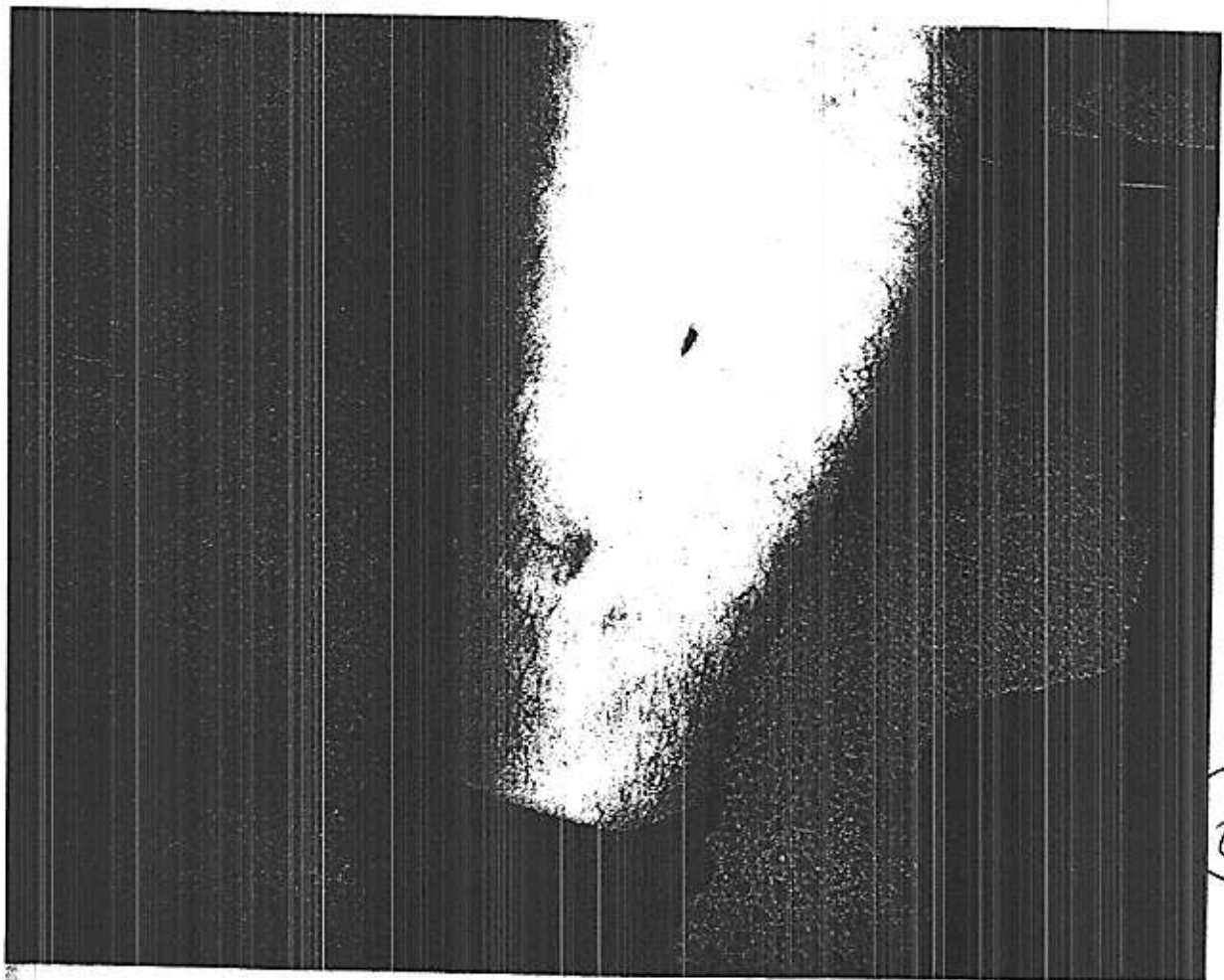
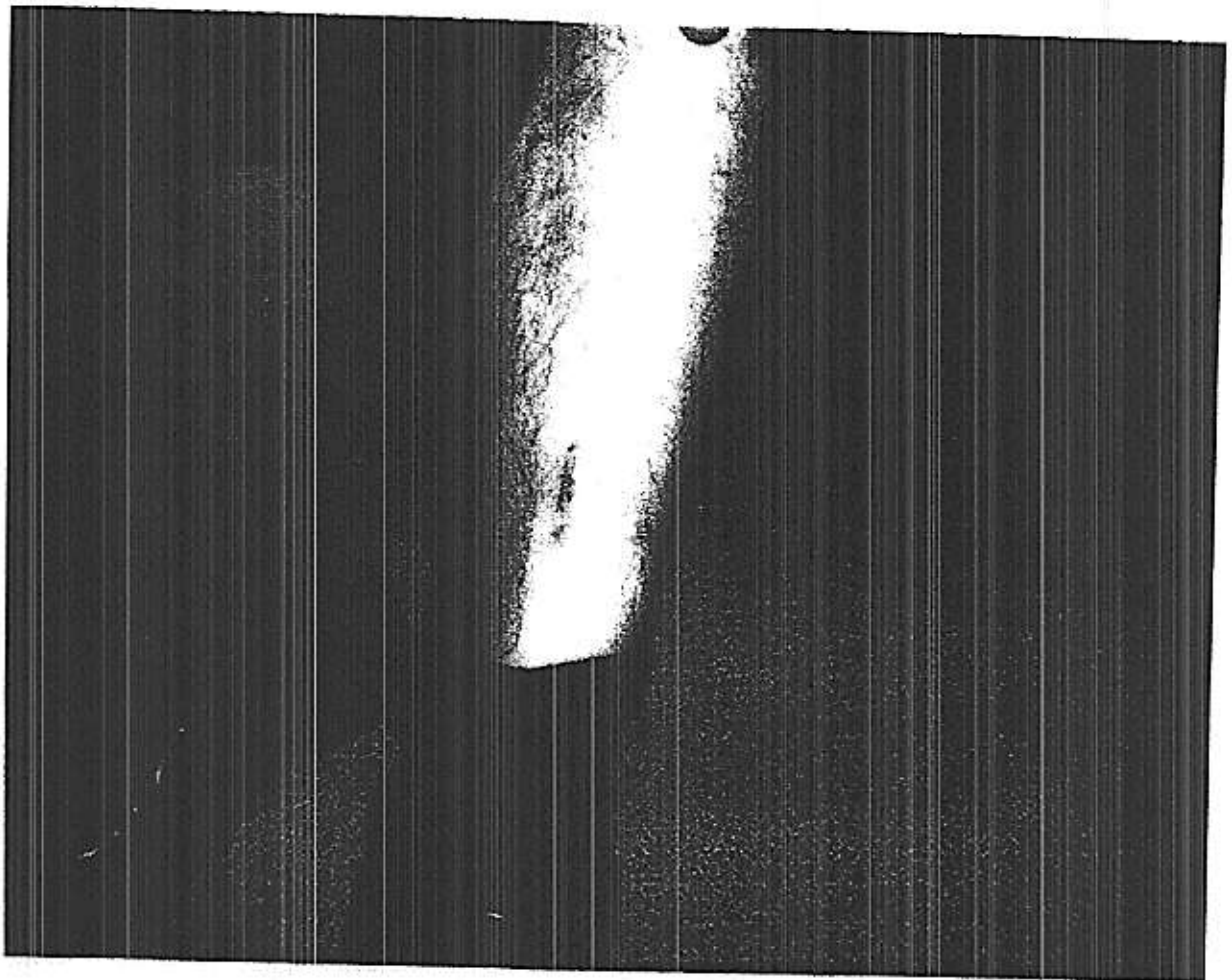
On 17 May 05 at 1630 hours ASA Greenstein approved one count of Felony Aggravated Battery against Linda Shelton. Bond Court is scheduled for Friday 20 May 05 at 0900 hours at 26th and California Branch 98.

NOTHING FURTHER

(Handwritten signature)

(Handwritten number 03)

6. REPORTING OFFICER/SIGNATURE Sofus <i>(Signature)</i> 547	STAR NO. 547
--	-----------------



04

1 STATE OF ILLINOIS)
2 COUNTY OF COOK) SS:
3)

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 COUNTY DEPARTMENT - CRIMINAL DIVISION

6 THE PEOPLE OF THE)
7 STATE OF ILLINOIS))
8) Case No. 05 CR 1278-01
9)
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11)
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EXCERPT OF PROCEEDINGS had at the hearing in the
above-entitled cause, before the Honorable Joseph
Kazmierski, Judge of said court, on the 21st day of
August, A.D. 2007.

APPEARANCES:
HONORABLE RICHARD A. DEVINE
STATE'S ATTORNEY OF COOK COUNTY
BY: MR. ANDREW DALKIN
MR. JOHN MAHER
Assistant State's Attorneys
appeared on behalf of the People
MR. NICHOLAS ALBUKERK
MR. RICHARD DETERS
appeared on behalf of the Defendant

Susan M. Sychta, CSR, CP, CM
Official Court Reporter
Circuit Court of Cook County
Criminal Division

* * * *

THE COURT: The people may call your first witness.
Raise your right hand to be sworn.
(Witness sworn.)

ANTHONY SALEMI,
called as a witness herein, having been first duly sworn,
was examined and testified as follows:
DIRECT EXAMINATION

BY MR. DALKIN:
Q Sergeant, I want you to keep your voice up and
introduce yourself to the ladies and gentlemen of the
jury, please, state your name and spell your last name.
A Sergeant Anthony Salemi, S-A-L-E-M I, star No.
908.

Q And sergeant, who are you employed by?
A Cook County Sheriff's Department.
Q You need to keep your voice up so they can hear
you.

A Okay.
Q And how are you employed by the Cook County
Sheriff's Department?
A I work for the Department of Corrections. I'm
appointed as sergeant.

Q And how long have you been working for the

CC 2

105

1 sheriff's department?
 2 A Almost 13 years.
 3 Q How long have you been a sergeant?
 4 A Almost six years.
 5 Q Before you were a sergeant, you were a
 6 correctional officer, is that correct?
 7 A Yes, sir.
 8 Q What are your duties as a sergeant for the Cook
 9 County Sheriff's Department?
 10 A I supervise staff and I also supervise inmates'
 11 requests, anything that the department wants me to do.
 12 Q Currently where are you assigned by the Cook
 13 County Sheriff's Department?
 14 A Division 3 and 8.
 15 Q Where is that located?
 16 A That's 2700 South California.
 17 Q And is that part of the Cook County Jail?
 18 A Yes.
 19 Q And how many divisions are there in the jail?
 20 A Ten.
 21 Q And what are your duties currently for the Cook
 22 County Jail?
 23 A I'm a sergeant.
 24 Q The same duties as you just related?

CC-3

06

1 A Yes.
 2 Q And how many -- how many people do you supervise
 3 at this time?
 4 A Approximately, average 70 officers.
 5 Q Now, I want to turn your attention back to May
 6 of 2005. Were you assigned to the same location back in
 7 2005?
 8 A Yes.
 9 Q And what were your duties back then?
 10 A Sergeant.
 11 Q Same duties?
 12 A Same duties.
 13 Q Now, back on May 16th of 2005, were you working
 14 that day?
 15 A Yes.
 16 Q And what hours were you working on May 16th?
 17 A Three to 11.
 18 Q Is that 3 p.m. or 3 a.m.?
 19 A 3 p.m. to 11 p.m.
 20 Q Now, where specifically in the Cook County Jail
 21 were you assigned on that day?
 22 A Cermak Hospital.
 23 Q Where is that located?
 24 A 2700 South California.

CC 4

1 Q And that is just a couple buildings out there,
 2 is that correct?
 3 A Yes.
 4 Q And what exactly is Cermak Hospital?
 5 A For medically ill and psych inmates.
 6 Q So inmates that have some psychiatric issues?
 7 A Yes.
 8 Q And inmates that have medical issues?
 9 A Yes.
 10 Q Now, in Cermak Hospital, is that also sometimes
 11 referred to as Cermak Health Services?
 12 A Yes.
 13 Q In that hospital how would -- are those -- is
 14 that hospital broken up into something called living
 15 units?
 16 A Yes.
 17 Q And can you explain what a living unit is?
 18 A A certain amount of inmates may be classified as
 19 a psych unit or a medical unit, and there is eight units
 20 total over there.
 21 Q And are you familiar with a living unit referred
 22 to as 3 east?
 23 A Yes.
 24 Q And was that a psych unit or a medical unit?

CC5

07

1 A Medical unit.
 2 Q Now, on May 16th of 2005, was 3 east part of the
 3 area that you were supervising?
 4 A Yes.
 5 Q Now, on that day were you the only sergeant that
 6 was on duty?
 7 A In that building, yes.
 8 Q And approximately how many officers were you in
 9 charge of that day?
 10 A Twenty-five, approximately 25.
 11 Q And can you estimate approximately how many
 12 inmates that you were overseeing that day?
 13 A Over 100, maybe, 30 total.
 14 Q Approximately 130?
 15 A Yeah.
 16 Q Now, on each living unit how many officers are
 17 assigned to each living unit?
 18 A They'll have -- certain living units they'll
 19 only have one officer; others units they may have two or
 20 three officers. Usually the psych units have two or three
 21 officers.
 22 Q Now, in 3 east, on May 16th of 2005, how many
 23 officers were assigned to that wing?
 24 A One.

CC6

1 Q And are you familiar with the name of that
2 officer on that day?
3 A Yes.
4 Q And who is that?
5 A Officer Hall.
6 Q Is that Michelle Hall?
7 A Yes.
8 Q And she was working what hours, if you know?
9 A 3 p.m. to 11 p.m.
10 Q So the same shift as you?
11 A Yes.
12 Q Now, on that date were you familiar with an
13 inmate by the name of Linda Shelton?
14 A Yes.
15 Q And do you see Linda Shelton here in court
16 today?
17 A Yes, I do.
18 Q Can you point to her and describe what she is
19 wearing?
20 A She is wearing, I believe, a black coat.
21 MR. DALKIN: For the record, may the record reflect
22 in-court identification of the defendant?
23 THE COURT: The record will so indicate.
24 MR. DALKIN: Q And how was it that you were familiar

CC 7

08

1 with the defendant, Linda Shelton?
2 A I was notified by the officer that she was
3 flooding her cell.
4 Q Well, before we get to that, prior to May 16 of
5 2005, did you know who Linda Shelton was?
6 A Yes.
7 Q And how was it that you knew her?
8 A She was always kicking the door, always getting
9 into incidents with security staff and also medical staff.
10 Q And where was she living at the time prior to
11 May 16th of 2005?
12 A I believe 3 east.
13 Q And on May 16, 2005, was she on 3 east as well?
14 A Yes.
15 Q Now, on that date, on May 16th, at some time in
16 after 3 o'clock after you started working that day, did
17 you receive any type of a call from Officer Hall?
18 A Yes.
19 Q And what was that call regarding?
20 A Officer Hall notified me and stated that she
21 was, that inmate Linda Shelton was flooding the cell, and
22 that she was yelling and she wanted to see a white shirt,
23 which would have been me, the sergeant.
24 Q And white shirt, because of why? Because the

CC 8

1 sergeants have white shirts?

2 A Yes, yeah. They refer to us as white shirts.

3 Q And regular correctional officers, what color
4 shirt do they wear?

5 A Navy blue, dark blue.

6 Q So do you remember approximately what time that
7 was that you received that call?

8 A I want to say it was about 6, 6:10.

9 Q In the evening?

10 A Yes.

11 Q And do you remember where you were when you
12 received that call?

13 A I believe I was in my office at that time.

14 Q Where is that located?

15 A That's in the basement of Cermak Hospital.

16 Q Now, when you received that call from Officer
17 Hall, where did you go?

18 A I responded up to 3 east.

19 Q Did you go alone or were you with somebody else?

20 A I was by myself.

21 Q Now approximately, if you remember, how long
22 does it take you to get from the basement up to 3 east?

23 A A few minutes.

24 Q And 3 east, what floor is that on?

1 A That's the third floor.

2 Q And is that referred to as 3 east because it's
3 on the third floor?

4 A Yes.

5 Q Is that on the east side of the building?

6 A Yes.

7 Q Now, when you got to 3 east, what happened when
8 you arrived at that location?

9 A I went and spoke with Officer Hall, at which
10 time she stated that inmate Linda Shelton was flooding her
11 cell.

12 And I said, "Okay," I says, "I'll talk
13 to her in a minute." I looked around for a little bit,
14 then I went over to the cell. I had --

15 Q Let me stop you for one minute.

16 When you first got there, there were
17 other inmates on 3 east, is that right?

18 A Yes.

19 Q Were the other inmates outside of their rooms
20 or were they all inside of their rooms?

21 A Some were outside, some were inside their rooms.

22 Q And where was it that you first met Officer
23 Hall?

24 A At the -- she had to let me on to 3 east.

Q Let me just ask you to sort of briefly describe what 3 east looks like.

How many people are generally on a living unit, if you know?

A Anywhere from 10 to 20 inmates.

Q Now, did Linda Shelton on May 16, was she assigned to a specific room?

A Yes.

Q Do you remember the number of that room?

A I believe it was 3162.

Q And was there any other inmate in that room with her, or was she assigned to that room by herself?

A She was assigned to that room by herself.

Q And now, the doorway that leads into the defendant's room, does that have any type of window into that room?

A Yes.

Q So as you and Officer Hall got to that doorway, were you able to see inside of that room?

A Yes.

Q And could you see the defendant inside that room?

A Yes.

Q And where was she located?

Q And that location where she had to let you on 3 east, where is that located?

A On 3 east.

Q Well, let me rephrase that.

Is there some sort of a doorway that

leads on to 3 east?

A Yeah. She had to let me through a secured door to get on to 3 east, yes.

Q And when you -- when she opened that door to 3 east, did she open the door and then that door obviously shut? Is that correct?

A Yes.

Q And is that when you started talking to her?

A I asked Officer Hall, you know, "Is Linda

Shelton all right?" And she said she was flooding the cell.

Q And then what did you do?

A I said, "Okay. I'll talk to her."

Q What did Officer Hall do?

A She said, "Okay." So she, me and her walked over to the cell. She unsecured it before I opened the door. I told Officer Hall to go sit back at her desk and monitor inmates that are already out so that we have them monitored and I would deal with inmate Linda Shelton.

cc 11

cc 12

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A She was in a wheelchair sitting in the middle of the room.

Q Now, what happened next?

A I had Officer Hall unsecure the door, at which time I said that, I had her return to her desk to monitor the inmates that were out in the dayroom, and then I opened up the door.

Q And how does that door open? Does it open inward or does it open outward?

A It opens outwards.

Q And as it opens, does it open to the left or to the right as you're standing looking at it?

A It opened -- it would open up this way, so what would that be? (Indicating).

Q To the left?

A I'd say to the left.

Q Now, as you opened the door, what happened?

A As I opened up the door, you couldn't even really step in. I opened up the door and I put my back towards the back of the door, so I was standing there. And I walked in not even six inches. I would say I was right by the door frame.

Linda Shelton -- there was water on the floor. Before I could even say anything to her, she

CC 13

started yelling, "Let me out," or something. And she took the wheelchair and she started rolling towards me. at which time she bounced, the foot pegs ran into the bottom part of my legs.

So I went to go push her back. There are no arms on the wheelchair. She went back a little bit. She leans back in the chair and kicks up her feet and kicks me in the chest.

Q All right. Now, let me just go back a little bit.

You said you had started to walk in the room a little bit. You got in about six inches?

A Yes.

Q Where was the door at that point? Was it behind you or in front of you?

A Yeah, it was behind me.

Q So it was fully opened?

A Yeah, mostly, yeah.

Q Now, as you walk into the room, you said she started to roll forward, is that right?

A Yes.

Q And you mentioned something about the pegs that struck you. What pegs are you referring to?

A They're foot pegs. On the wheelchair they have

CC 14

OK

foot pegs, and they usually stick up. And with her full force, she is going forward, I really don't have no place to go, at which time they ran right into me.

Q And where did they actually hit, what part of your body?

A Lower part of my legs.

Q Your shin area?

A Yeah, shin area.

Q And when they hit you in the shins, I think you said what? You leaned over?

A I was kind of shocked, and my natural instinct was just to push her back. And as she started going back in the chair, that's when she kicked up her feet and kicked me in the chest.

Q And when you went to push her back, where did your hands actually push? Did they push on her or on the wheelchair?

A It could have been part on her and part on the wheelchair. I was just attempting to get her away from me because she caught me off guard immediately.

Q Now, after you say she kicked you in the chest, what happened?

A I went back and she went back, and then she fell to her side. Because there were no arms on the

wheelchair, she fell to her side, so she would have fell to her left side.

Q And when she fell to the left, did she fall out of the wheelchair?

A Yes.

Q And so it's fair to say that she fell onto the floor?

A Yes.

Q And where did you go?

A I immediately handcuffed her and got the wheelchair out of the room.

Q And the wheelchair then went where? Where did you put the wheelchair?

A I believe I pulled it out of her room.

Q And what happened at that point then after you got the wheelchair out of the room?

A At that point I asked her if she wanted any medical attention. And that's when the nurse came around, and also she asked her if she wanted any medical attention and she stated no.

So I stated, "all right," and then I notified my shift manager.

Q Now, as you were about to enter the room before this all happened, you said you saw her sitting in a

wheelchair in approximately the middle of the room. Was she saying anything at that time?

A She was just yelling. She would yell all the time.

Q She was still yelling at that time?

A Yes.

Q And after she fell onto the floor after this incident occurred, was she saying or doing anything on the floor?

A Just yelling.

Q Do you remember what she was saying?

A You know, I -- I handcuffed her. And I wanted to see if she needed any medical attention from falling, and then I got medical attention.

Q Well, okay. At some point then after you handcuffed her, did you have a chance to look at your legs?

A Yeah, yeah. As soon as I had her handcuffed and I stepped out of, as soon as the wheelchair was out of there, then I checked out my legs.

Q And what did you notice on your legs?

A My legs were cut up and they were bleeding.

Q And at some point after you noticed that, did you get medical attention?

A Yes. I had to go down to the ER.

Q To where?

A The emergency room.

Q Where is that located?

A That's in the basement of Cermak Hospital.

Q And you received some medical attention for that?

A Yes.

Q Do you remember what it was that was done for you?

A She just cleaned up the blood and she put some ointment on my legs.

Q So what did you have, some scratches and cuts from that?

A Yeah, I had some cuts and scratches.

Q Now, at any time during this incident did you ever place your hands around the defendant's neck and choke her?

A No. There would have been no way I could have done that.

Q At any time after you opened the door to get into the defendant's room, did that door shut?

A No, that door never shut.

Q At any time did you ever tell the defendant

CC 18

CC 17

O13

while this incident was taking place that you were going to put a case on her?

A What kind of case?

Q Any case. Did you ever say that?

A No.

Q Sergeant, I'm showing you what's been marked as People's Exhibit No. 1 for identification. Do you recognize what that's a photograph of?

A Yes.

Q What is that a picture of?

A Of a cell in Cermak Hospital.

Q Do you recognize what cell that actually is?

A Linda Shelton's.

Q And what does that picture show, People's

Exhibit No. 1?

A It shows a doorway with a toilet and a sink.

Q Does that --

THE COURT: Sergeant, could you keep your voice up a

little bit?

THE WITNESS: Oh, sorry about that.

THE COURT: Don't block that metal thing there.

That's a microphone in front of you.

THE WITNESS: Oh, okay. Say it again?

THE COURT: Miss Reporter, did you get that question?

(Record read.)

MR. DALKIN: Q Does that photograph show where it was that the defendant struck you with her wheelchair?

A Yes.

Q If you could take this pen and mark an X on that photograph where it was that you actually were hit with that wheelchair.

A (The witness complied.)

MR. DALKIN: Indicating for the record that the witness has placed an X on that photograph.

Q I'm showing you what's been marked as People's Exhibit 2 for identification. If you could take a look at that and tell me what that's a photograph of.

A It's Linda Shelton's cell with a bed with wheels, and a dresser.

Q And that photograph, what does that -- that's with you looking what direction?

A Looking into the cell from the door.

Q Now, does that photograph show approximately where the defendant was seated with her wheelchair when you first looked into the cell when you arrived at her door?

A Yes.

Q If you could take this pen and mark an LS where

OK

that location was.

A (The witness complied.)

MR. DALKIN: Indicating the witness has placed an LS on that photograph.

Q I'm showing you what's been marked as People's Exhibit 3 for identification. What does that photograph show?

A It shows the doorway to Linda Shelton's cell.

Q And is there something in that doorway?

A Yes. There is a wheelchair.

Q Now, does that wheelchair -- that wheelchair has arrests on it, is that correct?

A Yes.

Q And the wheelchair that this incident took place in, that did not have an arrest, is that fair to say?

A That's correct.

Q Other than that, is that wheelchair approximately the same as the wheelchair that the defendant was seated in at the time this incident took place?

A Some of it other than the width, yes.

Q Now, the foot pins I think you referred to them as?

A Yes.

Q Is that shown on that wheelchair?

A Yes.

Q If you could take this pen and circle the foot pins that are shown on that wheelchair.

A Circle? What do you want me to do, circle?

Q Yes, please.

A (The witness complied.)

MR. DALKIN: Indicating the witness placed two circles on that photograph.

Q And does that photograph show the doorway to the defendant's cell open or closed?

A Open.

Q Now, People's Exhibit Nos. 1, 2 and 3, do those pictures accurately depict the defendant's cell as it appeared on May 16, 2005?

A Yes.

MR. ALBUKERK: Objection. I'm going to ask for a side bar on this.

THE COURT: Overruled.

MR. DALKIN: Q Showing you People's Exhibit 4, 5 and 6, if you could take a look at those three photographs, please.

A Yes.

Q What do those three photographs show?

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1 A Injuries to my leg.
2 Q Those are all three pictures of those?
3 A Yes.
4 Q And do you remember when those three pictures
5 were taken?
6 A This was taken after I had been to the ER.
7 Q So that was after treatment?
8 A Yes, this was after treatment.
9 Q And People's Exhibit No. 4, is that a
10 photograph? That's a photograph of one of your legs. Is
11 that right?
12 A Yes.
13 Q Which leg was that?
14 A That would have been my left leg.
15 Q And that shows how many injuries?
16 A One long injury.
17 Q If you would go to the next one, People's
18 Exhibit No. 5, that shows --
19 A Both of my legs.
20 Q If you could take this pen again, if you could
21 circle the injuries that you observed on People's Exhibit
22 No. 5.
23 A (The witness complied.)
24 HR. DALKIN: Indicating for the record that the

witness has placed circles on People's Exhibit 5.
Q And People's Exhibit No. 6, that is a photograph
of what?
A My other, my right leg.
Q And does that show the injuries to your right
leg?
A Yes.
Q Now, People's Exhibit 4, 5 and 6, do those truly
and accurately show the injuries as they appeared on
May 16, 2005 after you received treatment at the emergency
room?
A Yes.
MR. DALKIN: I have no other questions. Thank you.
THE COURT: Any questions, Mr. Albukerk?
MR. ALBUKERK: Yes, Judge. If I could have one
moment, please.
THE COURT: Sure.
(Brief pause.)
CROSS-EXAMINATION
BY MR. ALBUKERK:
Q Officer -- sergeant, I should say, you already
said that you were already familiar with Linda Shelton
before the hour of 6:15 on May 16th of 2005, correct?
A Yes.

06

1 Q In fact, earlier that day, just two hours
2 earlier, you had met with Linda Shelton, correct?

3 A I don't remember.

4 MR. ALBUKERK: All right. If I could have a moment.

5 THE COURT: Sure.

6 (Brief pause.)

7 MR. ALBUKERK: Q Sir, is your memory exhausted as to
8 that?

9 A What do you mean?

10 Q Is your memory exhausted as to whether or not
11 you met with Linda Shelton two hours earlier?

12 A I could have went past her cell, I could have
13 been up there. I don't recall.

14 Q All right. So your memory is exhausted?

15 THE COURT: He said he doesn't recall. Go ahead.

16 MR. ALBUKERK: Q Therefore, sir, would the notes,
17 the shift notes, refresh your recollection?

18 A Yes.

19 MR. ALBUKERK: Okay. Permission to approach the
20 witness.

21 Q Tendering you what I will call Defendant's
22 Exhibit No. 1, tender to the witness. Tell me when you
23 have had an opportunity to review that, the shift log
24 notes or tier notes.

CC 25

017

25 A Okay.
26 Q Okay. Now then, you met with Linda Shelton just
27 two hours before the incident?

28 A I could have.

29 Q That's what it says in the log tier notes?

30 A Yes.

31 Q And Linda -- and you had met Linda Shelton on
32 other occasions as well?

33 A Probably every time I went up there to make
34 security rounds.

35 Q Right. And that's because Linda Shelton
36 complained a lot?

37 A No, she didn't complain a lot.

38 Q Wasn't she screaming for a pen?

39 A I don't recall.

40 MR. DALKIN: Objection. Foundation.

41 THE COURT: Overruled.

42 THE WITNESS: A I don't recall about the pen.

43 MR. ALBUKERK: Q Wasn't she screaming for phone
44 calls?

45 A She could have been, yes. She has access to a
46 phone when she comes out of the cell.

47 Q Collect phone calls, right?

48 MR. ALBUKERK: All right. If I could have another

CC 26

1 second.

(Brief pause.)

3 Q Officer, you rely on the tier log notes to
4 provide adequate security at the Cermak Health Services,
5 correct?

6 A Do I rely on what?

7 Q The tier log notes, the exhibit you just read.
8 A Yes.

9 Q You rely on this, don't you?

10 A Yes, from the previous shift.

11 Q Right. And you often will read the notes so
12 that you know what's going on on the floor, correct?

13 A No.

14 Q You never read the notes?

15 A No, I never read the notes. That's the

16 officers' responsibility, and if they notice anything
17 that's unusual, they will make notification to me.

18 Q But you're aware that Officer Hall noted in this
19 same report that you just read that Linda Shelton was
20 asking for a pen?

21 A Yes.

22 Q All right.

23 A Yeah.

24 Q Linda Shelton had threatened to sue you,

correct?

MR. DALKIN: Objection.

THE COURT: Overruled.

THE WITNESS: A Linda Shelton has threatened to sue
everyone.

MR. ALBUKERK: Q And that's because she wasn't
getting her constitutionally guaranteed rights?

A No.

Q Okay. Now, you filled out an incident report
this case, correct?

A Yes, I did.

Q And in that incident report you list, there is
no one listed under "witnesses," correct?

MR. DALKIN: Objection. Hearsay.

THE COURT: Sustained.

MR. ALBUKERK: Q Officer, there were no witnesses to
this incident, correct?

MR. DALKIN: Objection.

THE COURT: Sustained.

MR. ALBUKERK: Judge, I'd like the basis for the
ruling.

THE COURT: Your objection was sustained.

MR. ALBUKERK: Q Officer, did you see anyone other
than Linda Shelton during this incident?

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1 A During the actual incident? I'm facing her. I
2 didn't look around what was going on around me. I was
3 concentrating on her.

4 Q Okay. And you were standing six inches inside
5 of the doorway, correct?

6 A Approximately, approximately.

7 Q All right. And the door was that to your back
8 or was the door open?

9 A I want to say the door was towards my back
10 maybe. It was open. It never closed.

11 Q Okay. Well, on every single one of those doors
12 there is one of those contraptions at the top of the door
13 that pulls the door closed slowly?

14 A Yes.

15 Q And you said in your report that Linda Shelton
16 approached you in the wheelchair?

17 MR. DALKIN: Objection, objection.

18 THE COURT: Sustained.

19 MR. ALBUKERK: Q Officer, Linda Shelton came to the
20 door first and then stopped, correct?

21 A No.

22 Q Where was Linda Shelton when you were standing
23 six inches inside the doorway?

24 A She was coming towards me.

25 Q She never stopped?

26 A Yeah, when she ran into me.

27 Q So when she was coming towards you, you could
28 see her coming towards you?

29 A Yes.

30 Q And you said you put your hand out to stop her?

31 A After she ran into me.

32 Q After she ran into you?

33 A After she run into me, that's when I put my

34 hands to push her back. I didn't realize she was going to
35 ram into me with the wheelchair. I didn't expect that.
36 It doesn't happen, but it did that day. I just let my
37 guard down.

38 Q Well, you're a guard, aren't you?

39 A No. I'm a correctional sergeant.

40 Q Isn't your job to guard prisoners?

41 A To supervise inmates and to give them whatever
42 they have coming.

43 Q Give them whatever they have coming?

44 A Whatever, their food, if they need a doctor's
45 appointments. We make sure that whatever the nurse gives
46 us, she wants to send them, wherever, we makes sure that
47 they get to where they have to go, whether it's to court,
48 movement, anywhere, visits.

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cc 30

019

1 Q They get whatever they have coming?
2 MR. DALKIN: Objection.
3 THE COURT: Sustained.
4 MR. ALBUKERK: Q You are trained in your profession?
5 A Yes.
6 Q How are you trained?
7 A I go through the academy for 11 weeks and
8 in-service once a year.
9 Q And you're trained that inmates can be
10 dangerous, right?
11 A Yes.
12 Q And you're trained to be on your guard?
13 A Yes.
14 Q All right. You said that you initially
15 approached the outside of the door, right? On May 16th at
16 approximately 6:10 in the evening, you were called by
17 Officer Hall?
18 A Yes. That's what the report says.
19 Q And you approached the outside of Linda
20 Shelton's cell door?
21 A Probably.
22 Q Did -- well, you --
23 A I don't recall. She has it down in her report,
24 but I don't recall that particular incident. I mean she

has it down in her report, that's it.
Q Right. But at 6:15, that's when this incident
happened, 6:10, 6:14 in the evening?
A No. Mine happened at 6:20, I believe it was.
Q So you approached the door around 6:18, Linda
Shelton's door?
A Yeah.
Q Okay. And you said that Officer Hall, you sent
her to walk back down the hallway to the desk, correct?
A Yes.
Q All right. And now, when you were standing
outside of Linda Shelton's door, there is a window on that
door, correct?
A Yes.
Q And you could see that Linda was sitting in the
middle of the room, correct?
A Yes.
Q Was she more towards the door or was she more
towards the back of the room?
A Kind of middle of the room.
Q Okay. Now, before you stepped into the room,
did you hear Linda Shelton say anything?
A I just heard yelling. That's all I heard.
Q Did you hear her yell anything in particular?

31

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1 A She would just yell all day long.
2 Q And she was yelling about what?
3 A Whatever she wanted to yell about at that
4 particular time.
5 Q Right. She yelled about her constitutional
6 rights, correct?
7 A I don't recall her ever yelling about
8 constitutional rights.
9 Q She was yelling about a pen and paper?
10 A I don't even recall her yelling about that.
11 Q So she --
12 A She would just yell. I mean that's what she did
13 for the many times, you know, that I went up there.
14 And we would do everything possible to
15 accommodate her, whether it was, whether she would argue
16 with medical staff or the doctors, to the paramedics, to
17 the nurses, to other staff.
18 She'd kick the door all night long. She
19 does this repeatedly. Even after she got discharged, she
20 would come back to jail many times and --
21 MR. ALBUKERK: Objection.
22 THE COURT: Sustained.
23 MR. ALBUKERK: Thank you, Judge. I'd ask for an
24 instruction.

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1 THE COURT: The jury will disregard the last part of
2 the answer.
3 MR. ALBUKERK: Q She made a lot of noise, right?
4 A Yes.
5 Q And you were tired of being called up to Linda
6 Shelton's cell all the time?
7 MR. DALKIN: Objection.
8 THE COURT: He can answer the question.
9 THE WITNESS: A No. It's my job.
10 MR. ALBUKERK: Q And you say when you're standing
11 outside of Linda Shelton's door, you don't remember her
12 saying anything in particular, correct?
13 A Just yelling.
14 Q Okay. Now, you spoke to an investigator Sofus
15 about this case, right?
16 A Yes.
17 Q And you told Investigator Sofus that while you
18 were standing outside of the cell door, you said you heard
19 Linda Shelton tell you, "I'm coming out if you open that
20 cell door"?
21 MR. DALKIN: Objection.
22 THE COURT: Overruled.
23 THE WITNESS: A I could have told her, yeah. At
24 that time I couldn't remember. I mean if I would have the

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1 report in front of me, yes, I could tell you whether I did
2 or not. I don't remember. It's been almost two years.

3 MR. ALBUKERK: Q Well, you reviewed your reports
4 before getting on the stand today, right?

5 A I reviewed my report.

6 Q Right.

7 A And I remember her saying, "I'm getting out of
8 here," and that was it. That's what my report kind of
9 states.

10 Q Your report says that happened while you were
11 inside the cell, is that correct?

12 A Yes. And that's the time she was wheeling up.

13 Q But you told Investigator Sofus that that
14 incident happened while you were standing outside the door
15 with the door locked?

16 MR. DALKIN: Objection.

17 THE COURT: Overruled. Do you remember saying that
18 to Investigator Sofus?

19 THE WITNESS: I don't remember.

20 MR. ALBUKERK: Q Now, you say you were about six
21 inches inside the room, right? And Linda Shelton came
22 into your legs, right? Did you remain standing still when
23 she hit you in the legs?

24 A I remember bending forward to push her back.

1 Q Right. But you didn't run forward, did you?

2 A Not at all.

3 Q You didn't run backwards at all, or fall
4 backwards outside the door, did you?

5 A Not -- after she kicked me in the chest, I went
6 into the door.

7 Q Now, you say that your hands were on the
8 wheelchair itself, correct?

9 A No, I never said that.

10 Q Where were your hands when you went to block
11 her?

12 A It may have touched her wheelchair. And it
13 probably did touch the wheelchair, my hands and part of
14 her when I went to go push her back.

15 Q When you say "part of her," where are you
16 talking about? Her shoulders?

17 A Maybe, or probably her knee, because I remember
18 bending forward and just pushing her back, because there
19 were no arms on the chair.

20 Q Okay. So it was at this point when you had a
21 hand either on her knee or on the chair. Either hand
22 was -- either hand was either on the knee or the chair,
23 and it was at this moment that Linda reared up, reared up
24 backwards with both her legs and kicked you with both legs

1 up in the air?

2 A Yes.

3 Q Okay.

4 A No. When I pushed the chair, the chair started
5 going back. When I pushed her, the chair started going
6 back, at which time that's when she leaned back, because
7 there was a little distance there. That's when she kicked
8 up her feet and kicked me in the chest.

9 Q But your hands were touching her knee and/or the
10 chair? Each hand was --

11 A It left, it left. As she started going back, of
12 course I'm not going to keep on going forward, because I'm
13 just not going to do that.

14 And the chair started going back. And
15 there is a little distance, I couldn't have tell you how
16 many inches or feet, and that's when she lifted up her
17 feet and kicked me in the chest.

18 Q So she lifted up her feet, both feet, up in the
19 air, kicked them up in the air as she was flying
20 backwards?

21 MR. DALKIN: Objection, Judge.

22 THE COURT: Sustained.

23 THE COURT: Mr. Burkard, ask a question, okay?

24 You're not demonstrating anything to the jury, okay?

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023

1 MR. ALBUKERR: I'm just -- sorry, Judge.

2 Q As she is flying back in the wheelchair --

3 A Not flying. She was going back slowly. I went
4 to go push her. And I pushed her this way and she started
5 going back. (Indicating).

6 Q The wheelchair she was in was an extra wide
7 wheelchair, correct?

8 A Possibly. It could have been, yeah, maybe. I
9 don't recall.

10 Q The wheelchair she was in was broken?

11 A If it was broken, we wouldn't have been using
12 it.

13 Q It had difficulty -- one of the wheels had
14 difficulty spinning?

15 A Maybe. I don't know.

16 Q When we subpoenaed you here today, we asked you
17 to bring that wheelchair, correct?

18 MR. DALKIN: Objection.

19 THE COURT: Sustained.

20 MR. ALBUKERR: Q Do you know where that wheelchair
21 is today?

22 A No.

23 Q Does anybody know where it is?

24 MR. DALKIN: Objection.

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1 THE COURT: Sustained.
2 MR. ALBUKERK: If I could have a moment?
3 THE COURT: Yes.
4 (Brief pause.)
5 MR. ALBUKERK: Q Officer, you said you went to the
6 emergency room for treatment of your wound?
7 A Yes.
8 Q You were not bleeding, correct?
9 A Yes. I was bleeding.
10 Q You were bleeding. Okay.
11 By the time you got to the emergency
12 room, you were not bleeding?
13 A Yeah, I was still bleeding. That's why I went
14 to the ER.
15 Q There's an emergency room record wherein it says
16 you had no active bleeding.
17 MR. DALKIN: Objection.
18 THE COURT: Sustained.
19 MR. ALBUKERK: Q Well, you told Officer, excuse me,
20 physician Shallipod that there was no active bleeding.
21 MR. DALKIN: Objection.
22 THE COURT: Sustained.
23 MR. ALBUKERK: Q Is your memory exhausted --
24 THE COURT: I'm going to reverse my ruling on the

1 last question.
2 Did you tell the emergency room
3 physician that there was any bleeding on your leg?
4 THE WITNESS: I had already been treated and the
5 doctor seen me after I was treated by the nurse.
6 THE COURT: That's not my question.
7 Did you say anything about your leg
8 bleeding when you went in there?
9 THE WITNESS: No.
10 MR. ALBUKERK: Q There was no bruising or evidence
11 of any injury on your chest area?
12 A No.
13 Q There was a bruise?
14 A There was -- yeah, I hurt the next day.
15 Q Was there a bruise?
16 A Yeah, there -- I may have -- it hurt, my chest
17 area was hurting.
18 Q Was it black and blue?
19 A No.
20 THE COURT: Do you have any other questions, Mr.
21 Albuquerk?
22 MR. ALBUKERK: If I could have one moment.
23 (Brief pause.)
24 MR. ALBUKERK: Q Sergeant Salemi, you're 200 pounds?

1 A 190.
2 Q How tall are you?
3 A Five-ten.
4 Q And you said you've already been trained as a
5 sergeant, Cook County sheriff, correct?

6 MR. DALKIN: Objection.
7 THE COURT: Sustained.

8 MR. ALBUKERRK: Q You were healthy at the time of
9 this incident on May 16, 2005?

10 A I got some heart problems.

11 Q But you're still able to do your job, right?

12 A Yes.

13 MR. ALBUKERRK: Okay. Thank you. Nothing further.

14 THE COURT: Anything else?

15 MR. DALKIN: No.

16 THE COURT: You're excused, sir.
17 (Witness excused.)

18 * * * * *

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STATE OF ILLINOIS)
COUNTY OF C O O K) SS:

I, Susan H. Sychta, do hereby certify that I
am a Certified Shorthand Reporter doing business in the
City of Chicago; that I reported in shorthand the
proceedings at the hearing in the above-entitled cause;
that I further reduced said shorthand to typewriting, and
that this transcript is a true and accurate record of my
shorthand notes so taken at said hearing before Judge
Joseph Kazmierski, Judge of said court, on the 21st day of
August, A.D. 2007, and contains all of the evidence had
and testimony taken on said date.



Certified Shorthand Reporter
CSR License No. 084-001178

CC⁴¹

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0257

1 STATE OF ILLINOIS }
2 COUNTY OF COOK } SS.

3 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
4 COUNTY DEPARTMENT - CRIMINAL DIVISION

5 THE PEOPLE OF THE STATE }
6 OF ILLINOIS, }
7 Plaintiff, }

8 vs. }
9 No. 05 CR 12718
10 CHARGE: AGG BATT }

11 LINDA SHELTON, }
12 Defendant. }

13 COURT and JURY met pursuant to the lunch
14 recess this day, the 22nd day of August, 2007.

15 PRESENT:
16 HONORABLE RICHARD A. DEVINE,
17 STATE'S ATTORNEY OF COOK COUNTY, by:
18 MR. ANDREW DALVIN and MR. JOHN MAHER,
19 ASSISTANT STATE'S ATTORNEYS,
20 appeared on behalf of the People;

21 MR. NICK ALBUKERK and MR. RICHARD DETERS,
22 appeared on behalf of the Defendant.

23 Faye A. Roberson
24 Official Court Reporter
Circuit Court of Cook County
County Department - Criminal Division

1 THE COURT: Okay. All parties are present. Are you
2 ready with your next witness or your first witness,
3 Mr. Albuquerk?

4 MR. ALBUKERK: Yes, Judge.

5 THE COURT: Okay. Bring out the jury, please.

6 If you have strips, let me know before you
7 read them, I want to say something to the jury about the
8 stipulation.

9 THE DEPUTY SHERIFF: All rise.

10 (WHEREUPON, the following proceedings
11 were had before the jury:)

12 THE COURT: All members of the jury are present, all
13 parties are present.

14 Mr. Albuquerk, do you wish to present
15 evidence today?

16 MR. ALBUKERK: Yes, Judge.

17 THE COURT: You may proceed.

18 MR. ALBUKERK: Judge, at this time I'd call Dr.
19 Boris Vern to the stand. If I may have a moment.

20 (Short pause.)

21 THE COURT: Doctor, please raise your right hand to
22 be sworn by the clerk.

23 (Witness duly sworn.)

24 THE CLERK: Thank you, sir.

1

(WHEREUPON, the Defense introduced the following evidence:)

DR. BORIS VERN,

called on behalf of the Defense, after having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. ALBUKERK:

Q. Sir, could you state your name for the record?

A. Boris Alexander Vern.

Q. Could you spell your last name, please?

A. V-E-R-N.

Q. What is your occupation?

A. I'm a full-time neurologist at the University of Illinois at Chicago.

Q. Did you receive an undergraduate degree?

A. Yes, I was in accelerated medical program at Northwestern.

Q. And where did you get your medical degree from?

A. That was Northwestern University.

Q. Do you have any post-graduate degrees?

A. Yes, I also have a Ph.D. in biology from Northwestern.

Q. And are you licensed to practice medicine?

A. I'm licensed in Illinois. I have an inactive

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027

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License in Maryland.

Q. Are you board certified?

A. Yes, in neurology and psychiatry.

Q. And what does board certification mean?

A. Well, it is basically an acknowledgement of professional abilities within a given clinical specialty, in this case neurology. Even though the board is called neurology and psychiatry, we really either specialize in one or the other.

Q. Where do you currently work?

A. Well, I'm in the Department of Neurology on the Chicago campus of the University of Illinois, and I spend time either at the hospital or in the outpatient clinic or in the research lab.

Q. Do you have any other activities besides just being a practicing neurologist, do you do anything else in the field?

A. Well, I teach residents and students and I do some clinical and basic research.

Q. Are you a member of any professional organizations?

A. Yes, American Academy of Neurology, American Association for the Advancement of Science, Chicago Neurological Association.

DD-19

1 Q. Have you written any articles or journals
2 published in scientific or peer review journals?
3 A. Yes, I have.
4 Q. How many?
5 A. About 30 full articles.
6 MR. ALBUKERK: Judge, at this time we would tender
7 Dr. Boris Vern as an expert in the field of neurology and
8 neurological medicine.
9 THE COURT: Any questions in that regard?
10 MR. MAHER: Yes.
11 BY MR. MAHER:
12 Q. Good afternoon, doctor.
13 A. Hello.
14 Q. Doctor, have you testified before in Cook
15 County courts as an expert?
16 A. In civil court.
17 Q. And that court determined that you were an
18 expert?
19 A. Yes.
20 Q. In what specific field?
21 A. Well, it was in neurology.
22 Q. And when was that?
23 A. Perhaps four years ago.
24 Q. And you said it was a civil case?

DD-20

1 A. It was a malpractice case, so I assume it was
2 in civil court.
3 Q. What was the nature of the complaint in that
4 case?
5 A. It was a delayed diagnosis of a brain tumor
6 that turned out to be malignant.
7 Q. Did you have medical records that you reviewed
8 and then gave an opinion on what the doctor did or didn't
9 do?
10 A. That's correct.
11 Q. And since that time, four years hence, have you
12 testified in the Circuit Court as an expert?
13 A. I have been deposed as an expert on a number of
14 occasions, but I have not testified in court.
15 Q. When you say you were deposed as an expert, you
16 were in a room and lawyers asked you questions, right?
17 A. That's correct.
18 Q. Was there a judge in the room that said you
19 were an expert?
20 A. No, but one of the depositions was a trial
21 deposition with video.
22 Q. It was a trial?
23 A. Deposition with video.
24 Q. Again, was there a judge in the room that

DD-21

028

1 declared you an expert?

2 A. No.

3 Q. Before four years ago the case that you
4 mentioned, had you ever been declared or offered as an
5 expert?

6 A. I had again been deposed outside of court in
7 cases where I was considered an expert and offered as an
8 expert.

9 Q. When you say considered an expert, did a court
10 make a finding that you were to be considered an expert
11 on the record as we are today with a court reporter in
12 court?

13 A. I'm not certain that the question ever came up.
14 It was never addressed to me. I was presented during
15 deposition as an expert.

16 Q. I'll ask it a different way.

17 THE COURT: He answered the question.

18 BY MR. MAHER:

19 Q. Have you ever been offered as an expert in
20 front of a judge, not in a deposition, in an actual
21 courtroom --

22 MR. ALBUKERK: Judge, objection. Asked and
23 answered.

24 THE COURT: Sustained.

DD-22

1 MR. MAHER: I haven't even finished the question.
2 Q. Have you ever been offered as an expert in
3 front of a court and not declared an expert?

4 A. No.

5 Q. The research you've done, would it be fair to
6 say it's primarily been in sleep studies?

7 A. My research has involved work with generalized
8 seizure models, brain stem stimulation, and monitoring of
9 changes in brain blood flow and metabolism. My most
10 recent basic research involved study of brain blood flow
11 and metabolism during transitions to sleep. That's
12 correct.

13 Q. And you provided a curriculum vitae, is that
14 right?

15 A. Yes.

16 Q. And in that curriculum vitae you noted seven
17 research activities, is that right?

18 A. Yes.

19 Q. And the first one listed is narcolepsy research
20 underdevelopment, is that right?

21 A. That's true.

22 Q. And narcolepsy relates to sleep disorder, isn't
23 that true?

24 A. It's a clinical sleep disorder, yes.

DD-23

029

1 Q. The second authored talks about investigation
2 of effects of neuroprotective agents on metabolism and
3 blood flow in global cortical ischemia, 1-s-h-e-m-1-a,
4 employing continuous microscopic imaging and reflecting
5 spectrophotometry in a rat model.

6 A. Yes.

7 Q. What is that? Can you translate into plain
8 English?

9 A. There are ways of continuously measuring what
10 the brain is doing, either as a whole or in parts of the
11 brain at the surface by shining light onto the cortex.
12 And when you measure the intensity of the reflected
13 light, it gives you information about how much oxygen is
14 being consumed, how much change there is occurring in the
15 blood flow, and this is in relevance to things such as
16 behavioral state changes, to trauma, to stroke, a number
17 of clinically relevant directions.

18 Q. So that was a clinical study, is that right?

19 A. That was a basic study for which we've acquired
20 the equipment and were waiting for funding. The only
21 clinical study involved the Provigil study, which is a
22 drug that was developed for use in narcolepsy.

23 Q. The third listed talks about sleepiness in
24 patients with narcolepsy and sleep apnea, is that right?

DD-24

1 A. That's correct.

2 Q. The fourth relates to another study regarding
3 narcolepsy, is that true?

4 A. Yes.

5 Q. The fifth relates generally to metabolism. Is
6 that fair to say?

7 A. Yes.

8 Q. The sixth is optical spectroscopy and
9 functional MRI imaging of inner hemispheric gelations
10 during behavioral observations in cats and humans, is
11 that right?

12 A. That's a project currently under way, yes.

13 Q. And then the seventh is also -- discusses
14 spectrophotometry of the tetanus toxin epilepti full
15 sight in cats?

16 A. That's been completed.

17 MR. ALBUKERRI: Judge, I'm going to object based on
18 relevance.

19 THE COURT: It's about his qualifications. Are you
20 done yet?

21 MR. MAHER: No, Judge. A couple questions.

22 Q. Doctor, are you familiar with forensic
23 sciences?

24 A. I have not had any formal training except for

DD-25

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neuropathology, but, yes.

2

Q. Can you explain to the ladies and gentlemen of the jury what forensic science is?

3

A. Well, it's a branch of knowledge that tries to connect physical evidence to illegal acts or catastrophic events.

4

Q. Is it limited to illegal events or catastrophic events?

5

A. No. Just as performing an autopsy, I believe it is accepted procedure in unexplained death within the first 24 hours.

6

Q. Have you been trained forensically?

7

A. No.

8

Q. Have you ever been declared an expert in forensic science?

9

A. No.

10

Q. Would you agree that applying matters of science to questions of fact falls under the umbrella of a forensic testimony?

11

THE COURT: It's not concerning his qualifications as a witness. That question will not be allowed.

12

BY MR. MAHER:

13

Q. Have you ever been declared an expert by a judge in any forensic science?

14

DD-26

1

A. No.

2

MR. MAHER: Nothing further.

3

THE COURT: Any redirect on those issues?

4

MR. ALBUKERK: No, Judge.

5

THE COURT: The Court finds that Dr. Vern is an expert in the field of neurology. The jury may consider him as that.

6

MR. ALBUKERK: Thank you, Judge.

7

THE COURT: Proceed.

8

MR. ALBUKERK: At this time, Judge, I would mark Dr. Vern's curriculum vitae as Defense Exhibit Number 2. Approach the witness.

9

MR. MAHER: Judge, I believe that's irrelevant at this point.

10

THE COURT: Well, I don't know what he's going to do with it.

11

MR. ALBUKERK: Judge, I was just going to enter it into evidence. I was going to have him verify that this is, in fact, his curriculum vitae.

12

A. Yes.

13

MR. MAHER: I'll withdraw my objection.

14

MR. ALBUKERK: I would ask that it be entered into evidence subject to cross-examination.

15

THE COURT: The ruling on that is deferred at this

16

DD-27

031

1 time.

2 MR. ALBUKERK: Thank you, Judge.

3 Q. Dr. Vern, do you know who Linda Shelton is?

4 A. Yes, I do.

5 Q. Do you see her here in this courtroom?

6 A. She's seated at that table in a dark jacket.

7 MR. ALBUKERK: Judge, I'd like to note an in-court
8 identification.

9 THE COURT: Yes.

10 MR. ALBUKERK: Thank you.

11 Q. When did you first meet Dr. Shelton?

12 A. Dr. Shelton had been admitted to the University
13 of Illinois Hospital for psychiatric evaluation and --

14 MR. MAHER: Objection.

15 THE COURT: Overruled.

16 A. And because of certain neurological complaints
17 a neurology consult was requested. This was on the 31st
18 of May of 2005. And she was originally seen by a medical
19 student and then seen again by a resident and the case
20 was discussed with the attending neurologist. Now, it
21 being the end of the month, the shift was changing, the
22 guard was changing and I was the next attending
23 neurologist in line, so I was the first attending to see
24 her, and that was on the 1st of June. After she had

DD-28

1 already been examined by some of the other members of the
2 team they presented the case to me and then we all went
3 back together, I re-examined her and re-questioned her.
4 BY MR. ALBUKERK:

5 Q. Did you conduct any tests in that time period
6 regarding Linda Shelton's physical and neurologic
7 abilities?

8 A. Well, the test that we did at the bedside
9 basically involved a neurological examination. A large
10 part of that was done by the house staff. Certain
11 relevant portions of it were repeated by me.

12 Q. And you relied upon your other doctors and the
13 residents and nurses to help form your opinion in this
14 case?

15 A. Yes.

16 Q. And is that common in standard practice in your
17 field, to rely upon other's notes?

18 A. That's standard practice.

19 Q. What did those tests reveal?

20 A. Well, the neurological tests, which are of
21 course done in the context of history, revealed the
22 following findings that were abnormal: Within the motor
23 realm, her gait was unstable, she could take several
24 steps before faltering. It was also ataxic, which meant

DD-29

032

1 that she couldn't walk a straight line. It also showed
2 circumduction of the right leg with foot drop.

3 Q. What does that mean?

4 A. Instead of placing one foot side by side to the
5 other one as you're walking forward, the circumducted leg
6 is brought out to the side in an arc, and that's a usual
7 reaction to having a foot drop which is a weakness of the
8 ankle or not allowing you to raise your foot as you walk.

9 She had some sensory loss in the so-called
10 C5 distribution of the right arm, which is approximately
11 here (indicating) and some sensory loss over the lateral
12 aspect of the right leg. This was just a touch.

13 She also showed some degree of weakness in
14 some of the muscles in the upper and lower extremity on
15 the right side. The left side was neurologically intact.

16 Q. Did you review any earlier records confirming
17 or otherwise showing what and why this was occurring?

18 A. Well, there was a history of cervical spinal
19 stenosis, which is a narrowing of the spinal canal in the
20 neck. That was identified in the year 2000 and was felt
21 to be responsible for a progressive instability of gait;
22 in other words, a loss of balance as she was walking as
23 well as some weakness and sensory symptoms in
24 predominantly the right arm and hand, to some extent the

DD-30

1 left. Sometime thereafter it was decided to perform
2 surgery and to loosen up the tight spinal canal.

3 Q. And how is that surgery done?

4 A. This particular surgery involved literally
5 cutting through each of the cervical vertebrae. In that
6 case I think it was C3, 4, 5, and 6, therefore allowing
7 the bones to separate along one side of the midline, and
8 then there was what's called laminoplasty, which is some
9 reparative technique to stabilize the bones.

10 Q. Did the surgery cure all the debilitations that
11 the spinal stenosis caused?

12 A. At the time Dr. Shelton reported significant
13 improvement, especially in her unsteady gait. She had
14 some improvement in the foot drop and in her upper
15 extremity symptoms by the medical record.

16 Q. Were there any other medical records that
17 indicated that she remained better after the surgery?

18 A. Well, she came to neurosurgical attention
19 again, I believe in 2002 or 2003, I'm not sure, but she
20 had sustained some kind of trauma and had a recurrence of
21 her initial symptoms; in other words, the gait once again
22 had worsened and she had some increased weakness in the
23 right leg predominantly.

24 Q. Does Dr. Shelton suffer from a permanent

DD-31

033

1 disability as a result of the spinal stenosis?

2 A. Yes.

3 Q. When you initially met Linda Shelton in June
4 of 2005 did you take a history of the immediate month
5 preceding June 2005?

6 A. Yes.

7 Q. And what did she tell you regarding her
8 history?

9 A. Well, she mentioned that during the recent week
10 or two weeks, I don't recall which, she had not been
11 eating or drinking, having gone on strike and was
12 incarcerated.

13 Q. Did you review any records from May of 2005
14 regarding what occurred to her, specifically May 16,
15 2005?

16 A. Could you repeat the question?

17 Q. Did you review any incident reports, police
18 reports?

19 A. I did review police reports, incident reports
20 from the 16th of May, yes.

21 Q. 2005?

22 A. 2005.

23 MR. MAHER: Foundational objection as to when.

24 THE COURT: Overruled.

DD-32

1 BY MR. ALBUKERK:

2 Q. Did you reach an opinion to a reasonable degree
3 of medical certainty as to whether Linda Shelton was
4 capable of doing what the incident reports that Sergeant
5 Salemi filled out stated happened?

6 MR. MAHER: Objection.

7 THE COURT: Sustained.

8 BY MR. ALBUKERK:

9 Q. Doctor, your review of the incident report by
10 Sergeant Salemi indicated that --

11 MR. MAHER: Objection.

12 THE COURT: Let him finish.

13 BY MR. ALBUKERK:

14 Q. -- indicated that Linda Shelton drove her
15 wheelchair into a guard and that then she was able to
16 kick both legs up in the air and kick him in the chest,
17 is that correct?

18 MR. MAHER: Objection.

19 THE COURT: Overruled.

20 A. Of course these were reports that I saw not at
21 the time. I saw them -- this wasn't available to me at
22 the time of the hospitalization. When I did see the
23 reports --

24 MR. MAHER: Objection, Judge.

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1 THE COURT: Doctor, finish your answer.

2 A. That was basically Officer Salemi's testimony
3 in terms of what physically had occurred. He had
4 described the wheelchair was forcibly pushed against his
5 legs from some distance and that he had lost his balance
6 in trying to restrain Dr. Shelton and she then somehow
7 leaned back in the wheelchair and kicked out with both
8 legs, and during the second version of that testimony it
9 was --

10 MR. MAHER: Objection.

11 THE COURT: Sustained.

12 A. -- it was the right side.

13 THE COURT: Sustained.

14 BY MR. ALBUKERK:

15 Q. Did you reach an opinion to a reasonable degree
16 of medical certainty as to whether Linda Shelton was
17 capable of performing the physical acts described by
18 Sergeant Salemi?

19 MR. MAHER: Objection.

20 THE COURT: Overruled.

21 A. In the context of her neurological deficits
22 that were present within days of that event, I would say
23 that it was not physically feasible for her to have done
24 that.

DD -34

1 BY MR. ALBUKERK:

2 Q. When you say physically feasible, specifically
3 what are you saying?

4 A. Well, first I'm referring to the ability to
5 raise both legs in the air to the level of one's chest
6 and to kick out with what was identified as the right
7 foot in part because the right leg was the weaker and she
8 had a foot drop on that side and in part she had
9 significant weakness in the right hand and arm which
10 would have made it difficult to propel a wheelchair with
11 any speed or accuracy.

12 MR. ALBUKERK: Thank you.

13 THE COURT: Any questions of Dr. Vern?

14 MR. MAHER: Yes, your Honor.

15 CROSS-EXAMINATION

16 BY MR. MAHER:

17 Q. Good afternoon again, doctor.

18 A. Hello.

19 Q. Doctor, you said the first time that you
20 encountered the defendant was back in May of -- well,
21 June of 2005, is that right?

22 A. June 1st.

23 Q. How many times have you seen her since then?

24 A. Twice.

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Q. When was that?
A. Both times were in clinic follow-up. Once was in May of this year, the second was in July.
Q. Of this year?
A. Of this year.
Q. So Linda Shelton was a patient you saw in June of 2005 and didn't see again for more than two years, is that right?
A. That's correct.
Q. This opinion that you've just testified to, that she was incapable of lifting her legs to her chest, when did you reach that opinion for the first time?
A. When I saw the incident report alleging that she did it at the time just prior to her hospitalization when I saw her clinical; in other words, as a consultant.
Q. Which was when?
A. Well, I saw her on June 1st of 2005.
Q. So it's your testimony that you had police reports that you reviewed?
A. No, I didn't review the police reports until recently when I was asked to testify in this case.
Q. Who asked you to testify?
A. Nicholas, I don't --
Q. The attorney just asking you questions?

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A. The attorney, yes.
Q. And how much are you being paid to compensate you for your testimony?
A. I'm not.
Q. You're doing this for free?
A. Yes.
Q. Well, before when you discussed your expertise you talked about testifying in other matters, is that true?
A. That's true.
Q. Did you do those for free?
A. No.
MR. DETERS: Objection.
THE COURT: The answer will stand.
BY MR. WAHER:
Q. You were paid?
A. Yes, I was.
Q. When is the first time you saw a report that described the actions of Sergeant Salemi?
A. Perhaps a week ago.
Q. Had you been thinking about Miss Shelton in the two years that elapsed? Is there anything that brought her to your mind, to your attention, to your first interview with her?

DD-37

1 A. No, I had no contact with her during that
2 period.

3 Q. Did you make any notes from your examination
4 from June 1st?

5 A. Just what is in the computerized file.

6 Q. Did you write any notes down?

7 A. In general, especially in the inpatient setting
8 as we go from patient to patient. We either immediately
9 sit down at the computer and type in our note or we
10 co-sign house officer's note with an addendum. Sometimes
11 that is delayed by several days. But in general the only
12 notes I would make would be on a list of patients. I
13 have a roster. The patient was seen on such and such a
14 date, a diagnosis, and that's about it.

15 Q. Doctor, my question is specifically relating to
16 the defendant. Did you take written notes when you
17 examined her June 1st?

18 A. No.

19 Q. And what was the date that you were retained by
20 the Defense to testify here today?

21 A. Well, we formally, I guess, actually exchanged
22 some information about a week -- one to two weeks ago,
23 something like that.

24 Q. So somewhere around the week of the 10th or

DD-38

1 earlier?

2 A. No, not earlier.

3 Q. You said two weeks ago, correct?

4 A. One to two weeks. I think it was about a week.
5 It hasn't been long.

6 Q. You said formally. Had you spoken informally?

7 A. There was a question, it was either an e-mail,
8 there was a question whether I might be interested in
9 testifying.

10 Q. Who posed that question?

11 A. And I think that Dr. Shelton may have posed
12 that on her last visit.

13 Q. So the doctor herself asked you to testify for
14 her?

15 A. She asked would I be interested.

16 Q. And on what date was that?

17 A. That was when she saw me in clinic, the middle
18 of July. We came to no particular agreement at that
19 time.

20 Q. You did compile a report, though, is that
21 right?

22 A. Regarding the clinical report of the visit,
23 yes.

24 Q. Is that the first clinical report you ever

DD-39

037

1 generated regarding your examination of Dr. Shelton? If
2 I may relay you back to June 1st of 2005.

3 A. That was the first report. The second report
4 came out in May of this year.

5 Q. Well, let me show you what I'm going to mark
6 People's Exhibit 7. You're saying there's two reports?

7 A. May and July. Each one is two pages long.

8 Q. I'm going to show you what I've marked People's
9 Exhibit 7. Other than my handwritten notes, do you
10 recognize that document?

11 A. Now, this is a letter that I wrote to the
12 attorney. This is a report of my assessment of the case.
13 This is not a clinical report.

14 Q. So there's two clinical reports and then this
15 letter?

16 A. That's right.

17 Q. And what's the date on the letter here?

18 A. August 17th.

19 Q. And there's a file stamp up here on the right,
20 is that true?

21 A. Yes.

22 Q. And what's the date on that file stamp?

23 A. August 20th.

24 Q. Why did you compose this letter?

DD-40

1 A. Because I was asked to.

2 Q. By who?

3 A. By the attorney.

4 Q. In that letter, People's 7, in the second full
5 paragraph you wrote, "Dr. Shelton indicated she had been
6 recently injured in her jail call on May 16, 2005, and my
7 involvement in this case stems partly from her complaint
8 stemming from this injury." Is that in the letter?

9 A. Yes.

10 Q. When you examined Dr. Shelton on June 1st did
11 she ever tell you that she was attacked by Sergeant
12 Salemi in the jail?

13 A. She mentioned an altercation and then --

14 Q. My question, doctor, to be specific, did the
15 defendant tell you on June 1st, 2005, she had been
16 attacked by Sergeant Salemi in the jail?

17 A. No.

18 Q. You've testified about some other physician's
19 reports that you took into consideration in coming to
20 your opinion. Is that true?

21 A. Yes.

22 Q. I'm showing you now what I'm going to mark
23 People's Exhibit 8. Ask you to review that. That's a
24 four-page document. Other than my handwritten notes, do

DD-41

D38

1 you recognize that document?

2 A. Yes, this is the original neurology
3 consultation report.

4 Q. So you are familiar with it?

5 A. Yes.

6 Q. Did you rely on it in coming to your opinion?

7 A. Yes.

8 Q. And Dr. Jeffrey Pula composed this report,
9 isn't that true?

10 A. Well, Jeffrey Pula was a medical student who
11 initially saw the patient and generated the first part of
12 the report.

13 Q. And you've already testified that you rely on
14 those sorts of examinations and tests in coming to your
15 opinion. Isn't that true?

16 A. With the exception of important portions of the
17 exam which I repeat personally. I believe I've testified
18 to that also.

19 Q. Well, let me ask you this: Medical students
20 are trained in both examination and some clinical
21 expertise, isn't that right?

22 A. That's true and they're still in training.

23 Q. And they can administer certain tests, isn't
24 that true?

DD-42

1 A. True, but clinical examination requires
2 experience.

3 Q. Well, let me be more specific. On page 2
4 there's a reference to a muscle strength test, is that
5 right?

6 A. You'll have to show me.

7 Q. It's page 2 approximately seven lines down.

8 A. Okay. Yes.

9 Q. And what does that say?

10 A. "Strength is for right upper extremity on
11 extension."

12 Q. And could you continue?

13 A. "Five out of five bilateral upper extremity
14 inflection and biceps both legs and the left upper
15 extremity extension."

16 Q. Can you continue?

17 A. "Five out of five strength and bilateral lower
18 extremity. Five minus out of five right plantar
19 reflection. Normal tone and bulk."

20 Q. Doctor, you weren't in the cell on the date of
21 May 16, 2005, correct?

22 A. That's correct.

23 MR. MAHER: Nothing further, your Honor.

24 THE COURT: Do you have any other questions of Dr.

DD-43

039

1 Vern?

2 MR. DETERS: Could we have a moment, your Honor?

3 THE COURT: Yes.

4 (Short pause.)

5 REDIRECT EXAMINATION

6 BY MR. ALBUKERK:

7 Q. Doctor, are the strength numbers alone
8 indicative of how well a person moves?

9 A. No.

10 Q. What else is indicative of how well a person
11 can move?

12 A. There are other features besides motor power.
13 One is coordination of movement, the ability to control
14 fine changes in position, the absence of involuntary
15 movement intrusions, the recognition that a number scale
16 may vary from examiner to examiner.

17 Q. Is a resident or a beginner trained in all of
18 these various components of how to measure a person's
19 movement?

20 A. They are trained but they have to be retrained.
21 That's why they're in training. That's why they're
22 learning. These are physical, manual tricks and tasks
23 that it takes repetition to learn properly.

24 Q. Did you do your own examination after the

DD-44

1 residents did theirs?

2 A. Yes, I did.

3 Q. And what was your finding in your experience?

4 A. Again, I was impressed by the unstable gait, by
5 the frank foot drop, and by a mild to moderate degree of
6 right upper limb weakness, not in all muscle groups but
7 in some.

8 Q. And this is exactly what you expected to find
9 given her spinal stenosis, correct?

10 A. Well, muscles can be weakened either because of
11 pressure on the spinal cord or pressure on the roots, the
12 major nerves that come from the spinal cord to innervate
13 the limbs. So in her particular case there was a
14 question of an L5 S1 radiculopathy, for instance, which
15 is the lower spinal level, that may have contributed to
16 the foot drop. But she had bilateral what are called
17 myelopathic findings; namely, her toes went up upon being
18 stroked, and that's a sign of what we call an upper motor
19 neurolesion, which would exclude the lower spine and
20 would implicate anything from the upper spine to the
21 brain.

22 Q. And residents didn't pick all of that up, did
23 they?

24 MR. MAHER: Objection.

DD-45

040

1 DR. JOAN BRILLER,
2 called on behalf of the Defense, after having been first
3 duly sworn, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY MR. ALBUKERK:

6 Q. Ma'am, could you state your name for the
7 record?

8 A. It's Joan Briller.

9 Q. Can you spell your last name, please?

10 A. B-R-I-L-L-E-R.

11 Q. And, ma'am, what do you do for a living?

12 A. I'm a cardiologist.

13 Q. And do you know Linda Shelton?

14 A. I do.

15 Q. Do you see her here in the room?

16 A. Yes, I do.

17 Q. And could you point to her and identify a piece
18 of clothing?

19 A. She's over there (indicating).

20 MR. ALBUKERK: Judge, could we have an in-court
21 identification noted for the record?

22 THE COURT: The record will so indicate.

23 MR. ALBUKERK: Thank you.

24 Q. What is your relationship with Dr. Shelton?

DD-47

1 THE COURT: Sustained.

2 MR. ALBUKERK: Nothing further.

3 RE-CROSS-EXAMINATION

4 BY MR. MAHER:

5 Q. Doctor, anywhere in the letter of August 17th
6 that you composed, anywhere, do you make any mention of a
7 specific finding of evidence of trauma, recent trauma to
8 the defendant?

9 A. No.

10 MR. MAHER: Nothing further.

11 MR. ALBUKERK: Nothing further.

12 THE COURT: Thank you, doctor. You're excused.

13 A. Thank you.

14 (Witness excused.)

15 THE COURT: Do you have another witness you wish to
16 call?

17 MR. ALBUKERK: I do.

18 THE COURT: You may proceed.

19 MR. DETERS: At this time, your Honor, we'd call Dr.
20 Joan Briller.

21 THE COURT: Raise your right hand, doctor, please.

22 Swear her in.

23 (Witness duly sworn.)

24 THE CLERK: Thank you, ma'am.

DD-46

4

1 A. She's my patient.
2 Q. And how long have you been treating her?
3 A. I've been treating her in clinic since July
4 of 2005.
5 Q. And which clinic is that?
6 A. It's the cardiology clinic at the University of
7 Illinois Hospitals.
8 Q. And where do you work?
9 A. I also work at the University of Illinois. I'm
10 an assistant professor there of cardiology.
11 Q. How long ago did you start treating Linda
12 Shelton?
13 A. I think I first saw her in clinic in July
14 of 2005.
15 Q. And what are you treating her for?
16 A. I treat her for a variety of heart problems
17 which include frequent fainting spells, arrhythmia, and a
18 history of valve problems.
19 Q. Have you reviewed records earlier than your
20 first meeting in July of 2005 to assess Dr. Shelton's
21 problems?
22 A. Yes, I have. Because of her fainting spells,
23 she had an extensive work-up done at Christ Hospital and
24 at Cleveland Clinics and I was able to review the results

DD-4B

1 of the tests.
2 Q. And when were those work-ups done,
3 approximately?
4 A. At least the first test that I reviewed was
5 from 1996.
6 Q. And what were the faintings indicative of?
7 A. They were indicative of something we call
8 neurocardiogenic syncope. Do you want me to spell that?
9 I'll put it in English. It's spelled
10 N-E-U-R-O-C-A-R-D-I-O-G-E-N-I-C and then syncope is
11 S-Y-N-C-O-P-E. That's a disorder of frequent fainting
12 spells, and what happens is that the nervous system to
13 the heart and the blood vessels and the arms and the legs
14 fires inappropriately so then --
15 MR. DALKIN: Judge, I'm going to object to this
16 testimony. I don't see how this is in any way relevant.
17 There has been no testimony that she had --
18 THE COURT: Let's have a sidebar on this point just
19 for a minute with the parties and the court reporter.
20 (WHEREUPON, the following proceedings
21 were had at sidebar in chambers:)
22 THE COURT: Where is this testimony going?
23 MR. ALBUKERK: She's a fact witness and fact witness
24 only. She has been treating her for this heart problem,

DD-4B

042

1 and treatment for the heart problem relates to how strong
2 she is, how vital she is, and it also relates directly
3 to, and we're getting to it, is what was her physical
4 condition at the time because in order for Dr. Briller to
5 treat her, she had to review a lot of medical records.
6 Those medical records include the nurses' notes from
7 Carmak Health Services as well as the doctors' notes from
8 Carmak Health Services, and those notes indicate to a
9 large degree what her physical symptomology was at the
10 time and her strength was at the time. That relates
11 directly to her ability to wheel that wheelchair and kick
12 her legs up in the air like a Ninja. Therefore, Judge, I
13 believe regarding her treatment is extremely relevant to
14 whether or not this eventually likely occurred or did not
15 occur, and therefore I believe it's highly relevant.

16 MR. DALKIN: She's not going to be able to testify
17 as to whether or not the defendant was able to do that.
18 That's not going -- she's not going to be able to say
19 that. Whether or not she's able to review the records
20 and talk about her condition at the time is not relevant
21 to whether or not the defendant committed this crime.
22 That's why it's irrelevant to this issue.

23 THE COURT: I'll hear the rest of her testimony
24 subject to a motion to strike after completion.

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1 MR. ALBUKERK: Thank you, Judge.
2 (WHEREUPON, the following proceedings
3 were had before the jury:)

4 THE COURT: You may proceed.

5 BY MR. ALBUKERK:

6 Q. Doctor, I believe you were describing what
7 neurocardiogenic syncope was.

8 A. Yes. It's a disorder of the nervous system to
9 the heart and blood vessels so that the nervous system
10 fires inappropriately. That tells the blood vessels to
11 dilate and the heart rate usually to slow down, and so
12 the person may be without a heartbeat and the blood
13 vessels when they dilate, the blood pressure usually
14 drops which causes the person to feel weak, dizzy, and
15 often faint. It's similar to the kind of fainting spell
16 you might get if you were giving blood or you heard of
17 somebody who fainted when they had a big fright, but it
18 happens much more frequently.

19 Q. Did you review earlier records or records just
20 before your first meeting with her, specifically records
21 from Carmak Health Services, in your treatment of her?

22 A. I did.

23 MR. MAHER: Objection. Foundation.

24 THE COURT: Overruled.

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043

1 BY MR. ALBUKERRK:

2 Q. And do you normally rely on other doctors and
3 nurses notes and records in order to form your own
4 opinions about a patient's health?

5 A. Yes, that's why we have a medical record.

6 Q. Did you -- when you reviewed Dr. Shelton's
7 records from May of 2005 that were taken by Cermak Health
8 Services, was it indicative of anything that impacted
9 upon your examination of her?

10 A. Well, there was evidence that she was on a
11 hunger strike, that she had been refusing her
12 medications, that she had asked for some of the
13 medications we might use to prevent her fainting spells,
14 and that she had not received those.

15 Q. Does her condition, her heart condition, does
16 it call for any particular kind of diet?

17 A. Usually we give a high salt diet.

18 Q. Did those medical records from Cermak Health
19 Services have any indication as to whether or not she was
20 being given salt?

21 A. My interpretation was that she was not being
22 given salt.

23 Q. Now, you say that there's evidence in the
24 record that she was on a hunger strike. Where

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1 specifically in the record did it say that she was on a
2 hunger strike?

3 A. There are some nurses' notes that say that she
4 was refusing food and I believe there's also a
5 physician's note to that effect.

6 Q. Were you able to review her vitals -- were you
7 able to review the vital signs and the other blood
8 work-up and other work-ups done by Cermak Health
9 Services?

10 A. Yes.

11 Q. And what did those vital signs indicate to you?

12 A. There was evidence of dehydration in the sense
13 that her weight had decreased significantly, that her
14 hematocrit, which is a measure of blood volume, was
15 increased, which could go with dehydration, and then
16 something we call the BUN, the creatinine ratio, which is a
17 measure of the kidneys' ability to secrete a protein when
18 changes when somebody is dehydrated, in favor of being
19 volume depleted, dehydrated.

20 Q. What does dehydration mean generally as far as
21 the symptoms?

22 A. It tends to make the symptoms of this kind of
23 fainting spell worse, and actually the crucial way for us
24 to treat it typically is to make sure that people have

DD-53

04

1 good fluid intake and that they have lots of salt in
2 their diet.

3 Q. Does dehydration and hunger generally affect
4 one's energy and strength?

5 A. Yes.

6 Q. How does it affect it?

7 A. It usually makes people feel worse. It makes
8 them weaker. With prolonged deprivation of food, they
9 become weak and dizzy.

10 Q. Is six days, from May 10th to May 16th, is that
11 enough to bring on those symptoms?

12 A. I would think so.

13 MR. ALBUKERK: Thank you.

14 THE COURT: Do you have any questions of Dr.
15 Brittlor?

16 MR. MAHER: Yes. Judge, could we have a sidebar?

17 THE COURT: Just a quick one over here. The
18 defendant can remain seated, please.

19 (WHEREUPON, discussion held off the
20 record.)

21 CROSS-EXAMINATION

22 BY MR. MAHER:

23 Q. Good afternoon, ma'am.

24 Doctor, how many times have you seen the

DD-54

1 defendant?

2 A. I'd have to look in the medical record to count
3 exactly. I've seen her, I would get at four-to-six-month
4 intervals since 2005. She also was admitted when I was
5 the attending cardiologist of record to me in the
6 hospital on January 2006.

7 Q. Did you know her or know of her on a
8 professional level before she became your patient?

9 A. I did not.

10 Q. Have you testified in court, in the Circuit
11 Court here as an expert before?

12 A. No.

13 MR. ALBUKERK: Objection, Judge. Relevance. We did
14 not offer her as an expert.

15 THE COURT: Sustained.

16 BY MR. MAHER:

17 Q. Well, let me ask you this: Are you being paid
18 today?

19 A. No, I'm not.

20 Q. You're here on your own?

21 A. I'm here on my own.

22 Q. Was a subpoena served on you or did you come
23 on --

24 A. I did receive a subpoena.

DD-55

045

1 Q. When did you receive that?

2 A. It was handed to me I think last Thursday,
3 Wednesday or Thursday.

4 Q. Wednesday or Thursday?

5 A. Of last week, that's correct. I think it was
6 written out earlier, but I was on vacation.

7 Q. And what did you do in preparation for your
8 testimony here today?

9 A. I read through the UIC electronic medical
10 record and I also read through records that were given to
11 me from, I think it's Cermak Health.

12 Q. Did you review your notes or report regarding
13 your July 2005 examination?

14 A. I did.

15 Q. Do you have those with you today?

16 A. I don't. Well, actually I may. I have some of
17 the records with me.

18 Q. Let me ask you this: Is there anything in
19 those notes from July 1st that indicates Dr. Shelton told
20 you she had been attacked by Sergeant Salemi in the Cook
21 County Jail?

22 A. I don't remember. Am I allowed to review the
23 notes? She may have. She has told me she's had
24 trouble -- that she's had trouble, and I knew that there

DD-56

1 was an incident and I don't remember when she told me, so
2 I'd like to go back and look at the note and see if I
3 know it from then.

4 Q. Please.

5 A. Can you pass me that big boat over there, the
6 black one. Sorry.

7 MR. ALBUKERK: That's all right.
8 (Short pause.)

9 THE COURT: Miss Reporter, read back the last
10 question.

11 (Record read.)

12 THE COURT: Were you able to find your notes of that
13 day?

14 A. I have not found my notes of that date yet. I
15 can spend a little bit more time sifting through or if
16 you have a copy of my notes, you're welcome to hand them
17 to me. I have my notes from January of 2006.

18 (Short pause.)

19 A. I'm sorry, I'm not finding that note.

20 BY MR. MAHER:

21 Q. Let me ask you this, doctor: You said you
22 reviewed your reports and your notes before preparing to
23 testify today, is that right?

24 A. That's correct.

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046

1 Q. Do you have an independent recollection of
2 talking to the defendant of the first date after the
3 alleged occurrence at the jail where she told you
4 specifically she was physically attacked by a sergeant in
5 the jail?

6 A. I don't remember if it was that date or not.

7 Q. You're saying that date. Do you have an
8 independent recollection of her telling you ever that
9 Sergeant Salemi attacked her in the jail?

10 A. Can you define attacked?

11 THE COURT: Did she ever use those words to you?

12 A. I don't think so, but I don't remember.

13 THE COURT: Okay.

14 BY MR. MAHER:

15 Q. Did you ever see any evidence on that first
16 examination that she had been the victim of a violent
17 battery?

18 MR. ALBUKERK: Objection, Judge. She's a
19 cardiologist.

20 THE COURT: Sustained.

21 BY MR. MAHER:

22 Q. Well, you're a cardiologist, right?

23 A. Yes.

24 Q. And you take a history whenever you examine a

DD-58

1 patient?

2 A. Yes, I do with regard to the cardiac illness.

3 Q. So it wouldn't affect someone's heart if they
4 were physically beaten within a week or two of seen?

5 A. I saw her for the first time in July.

6 Q. My question is, doctor, would someone, if they
7 had been beaten in the recent past, wouldn't that be
8 something you could want to know in the history?

9 A. Yes.

10 Q. You have used the word hunger strike today.

11 Did you ever see that word in the notes you reviewed from
12 the Carmak Health?

13 A. My recollection is yes.

14 Q. More often, though, wasn't it she was not
15 eating?

16 A. I believe there is in -- if you can hand me the
17 Carmak medical records, I believe that there is mention
18 of a hunger strike.

19 Q. Well, you've already said that. My question
20 is: Was it most often the vast majority of the time when
21 referring to the defendant that she wouldn't take her
22 food or was not eating it?

23 A. It said refused food.

24 Q. And it's hard to get someone to ingest salt if

DD-59

047

1 they're refusing to eat, isn't that true?

2 A. You can give it by vein.

3 THE COURT: Say that again, please.

4 A. It can be given intravenously.

5 BY MR. MAHER:

6 Q. Well, doctor, of course you know that you can't
7 just stick a needle in somebody's arm against their will,
8 isn't that true?

9 A. I would hope not.

10 Q. You've talked about these fainting spells.

11 Were you or are you now aware after reviewing these notes
12 that up until the exact date of the incident, May 16, she
13 wasn't in the wheelchair, the defendant?

14 MR. ALBUKERK: Objection.

15 THE COURT: Overruled.

16 A. Overruled means I have to answer?

17 THE COURT: Yes, you may answer.

18 A. I was not aware, I believe I was not aware.

19 BY MR. MAHER:

20 Q. You never saw anything that indicated?

21 A. There are notes in the records that I saw that
22 said that she was in a wheelchair. I would have to check
23 the dates to see if they were before or after May 16th.

24 Q. Did you see other notes that said she's walking

DD-80

1 with a cane?

2 A. Yes, there are notes that she's walking with
3 the aid a cane.

4 Q. Have you yourself seen her walk with a cane?

5 A. Yes, I have.

6 Q. How does she get to your appointments?

7 A. Last week she came with a cane.

8 Q. And does she drive a car?

9 A. I don't know.

10 Q. Well, have you ever seen her walking around?

11 A. I've seen her walk from the clinic table to the
12 chair and out to the door of the clinic.

13 Q. And she made it without fainting, is that
14 right?

15 A. Yes.

16 Q. Are you aware that she had access to water in
17 her cell? There was a toilet and a sink?

18 A. I believe there's a toilet from the notes. I
19 don't know about a sink.

20 Q. You're not aware that she had a sink in her
21 cell?

22 A. I don't know what's in a cell.

23 Q. Are you aware that she did, in fact, take some
24 of her meals?

DD-61

042

1 A. I believe so, yes.
2 Q. And that was before the 16th, isn't that true?
3 A. Yes, I think so.
4 Q. So she didn't go six days without eating?
5 A. I would like to look at the record to count up,
6 if possible.

7 Q. If that would aid you in your testimony, if the
8 Court will allow it, that's fine.

9 THE COURT: Well, you're asking the questions.

10 BY MR. MAHER:

11 Q. Here's my question: You've testified about
12 this loss of strength, how not having salt would affect
13 her, how being dehydrated would affect her. Isn't it
14 true that the first notes from anybody regarding the
15 defendant at Cermak start on the 10th?

16 A. Yes.

17 Q. She wasn't having a hunger strike on the 10th
18 because she wasn't in jail yet, is that true?

19 A. That's correct, the first records are from the
20 10th.

21 Q. And she drank some water at times by -- Did you
22 see anything where it said she had some water?

23 A. There are several notes saying she refused
24 medication, there are several notes saying that she ate a

DD-62

1 small amount, there are several notes saying she refused
2 meals.

3 Q. There's also notes that says she took meals
4 between the 10th and the 16th, isn't that true?

5 A. I believe there are some to that regard, yes.
6 MR. MAHER: Nothing further, Judge.

7 THE COURT: Any other questions of Dr. Brillier?

8 REDIRECT EXAMINATION

9 BY MR. ALBUKERK:

10 Q. The majority of the records you reviewed
11 between the 10th and the 16th is that she was refusing
12 most of those meals, correct?

13 MR. MAHER: Objection, Judge.

14 THE COURT: Sustained. We already heard her
15 testimony in that regard on direct.

16 MR. ALBUKERK: Nothing further, Judge.

17 THE COURT: Thank you, Dr. Brillier. You're excused.
18 (Witness excused.)

19 THE COURT: Do you wish to call another witness at
20 this time?

21 MR. ALBUKERK: Yes, Judge.

22 THE COURT: You may proceed.

23 Why don't we do this: Let's take just a
24 quick five-minute break, get a little stretch.

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1 yesterday about whether or not what an attorney says is
2 evidence in the case. A stipulation is an agreement
3 between the parties as to what a particular item of
4 evidence would be, as if you heard it coming from the
5 witness stand. So what Mr. Deters is going to read to
6 you now in the stipulation, you may consider that as
7 evidence in the case.

8 MR. DETERS: The stipulation is as follows:

9 Now come the People of the State of
10 Illinois, by and through their attorney, State's Attorney
11 Richard Devine, through his assistants, Andy Dalkin and
12 John Maher, and the defendant, Linda Shelton, through her
13 attorneys, Nicholas Albuquerk and Robert Deters. It is
14 hereby stipulated to the following:

15 1. That Nurse Gay would testify that she
16 is employed at Cermak Health Services. She would testify
17 that she was working on May 18, 2005, at 7:15 a.m. and
18 she would state she observed bruises on the body of Linda
19 Shelton at the following places: The left upper
20 posterior thigh of a bruise four inches by two inches,
21 the right upper inner thigh of a bruise six and a half by
22 three and a half inches, and on her third metatarsal toe.

23 MR. DALKIN: So stipulated.

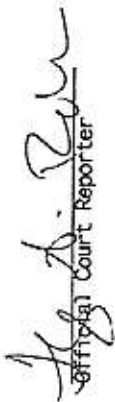
24 THE COURT: Are those all the stipulations?

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STATE OF ILLINOIS }
COUNTY OF COOK } SS.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CRIMINAL DIVISION

I, Faye A. Roberson, an Official Court
Reporter for the Circuit Court of Cook County, County
Department- Criminal Division, do hereby certify that I
reported in shorthand the proceedings had at the hearing
in the above-entitled cause; that I thereafter caused the
foregoing to be transcribed into typewriting, which I
hereby certify to be a true and accurate transcript of
the proceedings had before the HONORABLE JOSEPH
KAZMIERSKI, Judge of said court.


Official Court Reporter

Dated this 15th day
of February, 2008.

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1 STATE OF ILLINOIS))
2 COUNTY OF C O O K)) SS:
3
4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 COUNTY DEPARTMENT - CRIMINAL DIVISION
6
7 THE PEOPLE OF THE))
8 STATE OF ILLINOIS))
9 vs)) Case No. 05 CR 12718
10 LINDA SHELTON))
11
12 REPORT OF PROCEEDINGS had at the hearing in the
13 above-entitled cause, before the Honorable Joseph
14 Kazmerski, Judge of said court, on the 23rd day of
15 August, A.D. 2007.
16
17 APPEARANCES:
18 HONORABLE RICHARD A. DEVINE
19 STATE'S ATTORNEY OF COOK COUNTY
20 BY: MR. ANDREW DALKIN
21 MR. JOHN MAHER
22 Assistant State's Attorneys
23 appeared on behalf of the People
24
25 MR. NICHOLAS ALBUKERK
26 MR. ROBERT DETERS
27 appeared on behalf of the Defendant
28
29 Susan M. Sychta, CSR, CP, CM
30 Official Court Reporter
31 Circuit Court of Cook County
32 Criminal Division

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1 THE COURT: With regard to the matter on trial, all
2 parties are present, the defendant is with her attorney,
3 the state's attorneys.

4 Bring out the jury.
5 (WHEREUPON, the following proceedings
6 here had in open court, in the presence
7 and the hearing of the jury.)

8 THE COURT: All members of the jury are present, all
9 parties are present. Good morning, ladies and gentlemen.
10 Mr. Alburkerk, you can call your next
11 witness.

12 MR. ALBUKERK: Thank you, Judge.
13 MR. ALBUKERK: At this time I call Investigator
14 Steven Glazier.

15 (Witness sworn.)
16 STEVEN GLAZIER
17 called as a witness herein, having been first duly sworn,
18 was examined and testified as follows:

19 DIRECT EXAMINATION

20 BY MR. ALBUKERK:
21 Q Sir, would you state your name for the record?
22 A Steven Glazier.
23 Q Would you spell your last name, please?
24 A G-L-A-Z-I-E-R.

1 Q Sir, how are you employed?
2 A I'm a licensed private detective, and I own a
3 detective agency, ASA Process Service and Investigations.

4 Q Okay. Did you have an occasion to interview a
5 Miss Ada Ogaliz?
6 A Yes, I did.
7 Q When did you do that?

8 A That was August 16th of '07, last Thursday.
9 Q And where did you interview her?

10 A At her home.
11 Q What time was it?
12 A Ten-thirty in the morning.
13 Q All right. Did you give anything to her?
14 A I gave her a copy of her progress notes, copies
15 from May 11th and May 16th of '05.

16 Q Did you read anything to her?
17 A I read her the --
18 MR. MAHER: Objection.
19 THE COURT: Overruled.

20 THE WITNESS: A I read her progress notes from May
21 16th of '05.

22 MR. ALBUKERK: Q Did you see her reading anything?
23 A Yes, I did.
24 Q What was she reading?

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1 A She was reading the same notes on May 16th
2 of '05.
3 Q After you gave her a copy of the notes, after
4 she read the notes, after you read the notes to her, did
5 you ask her the question: "Did you actually see Miss
6 Shelton hit the sergeant with her wheel chair or did
7 someone else inform you?"
8 And did she give the response, "I don't
9 recall?"
10 A Yes, she did.
11 Q And then did you ask the question: "Did you
12 actually see Miss Shelton kick the sergeant in the chest
13 while sitting in the wheelchair, or did someone else
14 inform you?"
15 And did she give the answer, "I don't
16 recall?"
17 A Yes, she did.
18 MR. MAHER: Objection.
19 THE COURT: Overruled. The answer will stand.
20 MR. ALBUKERK: Thank you. Nothing further.
21 THE COURT: Do you have any questions of Mr. Glazier?
22 MR. MAHER: Yes.
23
24

CROSS-EXAMINATION
BY MR. MAHER:
Q Good morning.
A Good morning.
Q You said it was the 16th of August?
A Yes.
Q Did you know Miss Ogall was going to be home
that morning?
A I wasn't sure, no.
Q So you didn't call her to tell you were coming
over to her house?
A I did not.
Q And when you went to her house, how did you find
her house?
A I had her address from the office of Nick
Albukerk.
Q And when you spoke to her, where did you speak
to her?
A At her front door.
Q And you said you brought some papers with you,
is that right?
A Yes, I did.
Q And isn't it true that she wanted to review the
papers before she spoke to you?

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1 A Yes.

2 Q Did you have any trouble communicating with Miss

3 Ogal?
A No.

4 A No.

5 Q You could understand everything she said?

6 A I didn't have any problems. I didn't ask her to

7 repeat anything.

8 Q So how long was this conversation?

9 A Approximately ten or 15 minutes.

10 Q So during a 15-minute conversation, you

11 understood every single word she said?

12 A I understood most of what she said, yes.

13 Q Okay. So not everything?

14 A Nothing that I can remember.

15 Q Well, did you prepare a report?

16 A Yeah, I did.

17 Q About this incident, this conversation?

18 A Yes, I did.

19 Q Did you show that report to Miss Ogal so she

20 could look it over and say that she agreed with everything

21 you'd written down?

22 A I did not.

23 Q So she never had a chance to sign anything on

24 that document of what she said?

1 A No.

2 Q Are you being paid for your services today?

3 A Yes.

4 Q Were you paid for the visit that you, the time

5 you spent when you went over to speak to Miss Ogal?

6 A Of course.

7 Q What's your fee?

8 A \$65 an hour.

9 Q And that's your fee to testify in court?

10 A It will be the same, \$65 an hour.

11 Q Have you ever been retained by the defendant

12 before?

13 A By Mr. Alburkerk I have, not the defendant.

14 MR. MAHER: Nothing else.

15 THE COURT: Anything else?

16 MR. ALBUKERRK: Nothing further.

17 THE COURT: You may step down, Mr. Glazier.

18 THE WITNESS: Thank you.
(Witness excused.)

19

20 THE COURT: You may call your next witness.

21 MR. ALBUKERRK: If I may have a moment.

22 THE COURT: Yes.
(Brief pause.)

23

24 MR. ALBUKERRK: Judge, at this time we call Linda

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1 Shelton to the stand.

2 (Witness sworn.)

3 MR. DALKIN: Judge, can we have a quick side bar?

4 (WHEREUPON, the following proceedings

5 were had in chambers, outside the

6 presence and the hearing of the jury.)

7 MR. DALKIN: Judge, the only thing I wanted to bring

8 up was that there be no reference as to any successful

9 lawsuits or findings of not guilty or anything. I know

10 there has already been an order by you to no testimony as

11 to any other incident. So I just wanted somehow to

12 reiterate that to both counsel and obviously to ourselves

13 not to do that, but as to the defendant, so that she is

14 not to bring any of that up.

15 MR. ALBUKERRK: And Judge, I wholeheartedly agree.

16 The only thing I am going to bring up in a legal context,

17 and I've already gone over this in my opening, is very

18 slightly the reason she is in custody, contempt, and we're

19 not going to go into those details.

20 And then I was going to mention this one

21 lawsuit, not a criminal case, but a civil lawsuit that I

22 mentioned in my opening regarding this Americans with

23 Disabilities policy mandamus that she filed. That was

24 five weeks before the incident in question.

1 That was the only other thing I was
2 going to go into legally. But other than that, we
3 shouldn't be going into anything.

4 THE COURT: Okay. The prior ruling of the court
5 stands.

6 MR. MAHER: I'm sorry, Judge.

7 What we're trying to refer to and
8 eliminate, it's fine if she can say that she had filed
9 something or was engaged in a lawsuit, but I believe
10 counsel said in his opening statement that she had
11 prevailed in this lawsuit or something and that
12 inappropriately bolsters her testimony.

13 THE COURT: What's the fact that she filed a
14 disability lawsuit have anything to do with this case?

15 MR. ALBUKERRK: None at all, other than I mean she did
16 state that she was going to sue everybody, but that had
17 nothing to do with the disability lawsuit.

18 THE COURT: Motion in limine will be granted with
19 regard to the disability lawsuit. The fact that that may
20 be filed does not have any relevance in this case.

21 MR. ALBUKERRK: The only reason we were going to bring
22 it in is, remember, part of my argument is that she is
23 something of a political activist and that was the only
24 reason I was using it in this way and look, this woman,

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1 she does some political activities, that's one of the
2 reasons she is demanding her constitutional rights.

3 THE COURT: Anybody can demand their constitutional
4 rights no matter what they do.

5 The ruling will stand with regard to the
6 disability lawsuit. It's not relevant.

7 MR. ALBUKERK: Okay. Just so that I'm clear, may I
8 take her off the stand to tell her that, because I had
9 told her that we would go into that. I don't want her
10 going into that then. Just very briefly.

11 MR. DALKIN: And that's fine as to why she was in
12 custody, but I don't know if you're planning on going into
13 specifics as to the contempt, because there was something
14 in your opening as to --

15 MR. ALBUKERK: Yeah. Here is the only thing I was
16 going to say as to that, "Why were you in custody?"

17 "I was being held" -- "I was being held
18 in contempt of court."

19 "What happened?"

20 I was going to have it phrased something
21 to this effect.

22 "I told the judge the judge was wrong,
23 and I refused to apologize."

24 And those were the only details that I

1 was going to bring in, which I think are the very skeletal
2 details of what occurred.

3 MR. DALKIN: Well, the problem with that is, and that
4 may be an issue --

5 THE COURT: What she said before the judge is not
6 really relevant. If you want to bring up the fact that
7 she was held in contempt, that's fine.

8 MR. ALBUKERK: That's what I'll do.

9 (WHEREUPON, the following proceedings
10 here had in open court, in the presence
11 and the hearing of the jury.)

12 THE COURT: All parties are present. The witness is
13 back on the witness stand.

14 Mr. Alburkerk, you may commence.

15 MR. ALBUKERK: Thanks, Judge.

16 LINDA SHELTON,

17 called as a witness herein, having been first duly sworn,
18 was examined and testified as follows:

19 DIRECT EXAMINATION

20 BY MR. ALBUKERK:

21 Q Ma'am, please state your name for the record.

22 A Dr. Linda Shelton, S-H-E-L-T-O-N.

23 Q Ma'am, did you, on May 16th, 2005, accelerate
24 your wheelchair into Sergeant Salemi hitting him with your

1 wheelchair?

2 MR. DALKIN: Objection. Leading.

3 THE COURT: Overruled.

4 THE WITNESS: A No.

5 MR. ALBUKERK: Q Did you rear back in your
6 wheelchair, raise your legs up and kick Sergeant Salemi in
7 the chest, propelling him into the door behind him?

8 A No.

9 Q Ma'am, where were you educated?

10 A I went to the University of Chicago for college.
11 I got a master's degree in immunology from the University
12 of Chicago.

13 I did a Ph.D. degree in experimental

14 pathology with some training in forensic pathology at the
15 Medical University of South Carolina, and then I did an
16 M.D. degree at the Medical University of South Carolina.

17 Then I came back to Chicago, did a

18 residency in general pediatrics. And I'm board certified
19 in general pediatrics, but I kind of grand fathered into
20 neonatology and psychiatry because I was specializing in
21 taking care of medically and mentally complex children and
22 received a lot of extra training in that.

23 Q And so after your education, what did you do for
24 a living?

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1 A I worked as a physician.
2 Q Primarily who did you work with, what groups of
3 people?
4 A I primarily worked with multiply and severely
5 handicapped children, both physically and mentally
6 handicapped. I worked primarily with Medicaid population,
7 indigent population, generally populations that other
8 doctors weren't thrilled with working with.
9 Q Have you done any -- have you done any lobbying
10 work?
11 A I have lobbied extensively.
12 MR. DALKIN: Objection. Relevance.
13 THE COURT: Sustained.
14 MR. ALBUKERK: Q When did you arrive at Cermak
15 Health Services regarding this case?
16 Ma'am, did you wind up in Cermak Health
17 Services?
18 THE WITNESS: Is it possible to speak to my attorney
19 for a second?
20 THE COURT: No. You may answer the question.
21 THE WITNESS: Is it possible to make an objection?
22 THE COURT: No. Listen to your attorney and answer
23 his question.
24 THE WITNESS: Okay. Pardon?

1 MR. ALBUKERK: Q When did you arrive at Cermak
2 Health Services?
3 A On May 10th of 2005.
4 Q And why were you placed into custody?
5 A I was held in contempt by a judge.
6 Q Did you give us a general description of --
7 first of all, what -- where in Cermak Health Services were
8 you housed?
9 A In Cermak Health Services female medical unit.
10 Q Was that --
11 A 3 East.
12 Q Was that 3 East?
13 A Yes.
14 THE COURT: I'm sorry, did you get the answer?
15 MR. ALBUKERK: Yes, 3 East.
16 Q Could you give us a general physical description
17 of the hallway and of the general 3E wing that you were
18 on?
19 A It's primarily a large hallway, about half of it
20 is 20 feet wide or so, with three or four tables for the
21 inmates to eat meals at one end of the unit, about 10 feet
22 wide hall on the other end of the unit, 10, 15 feet wide.
23 Then one side are all the cells, maybe
24 about ten of them. Half of them are multiple occupancy

1 and half of them or so are single occupancy. Then on the
2 other side is a shower-storage room and a nurses' station
3 with kind of a bulletproof glass to it.
4 Q All right. Now, Linda, I'm going to show you
5 what I'm going to mark as Defense Exhibit No. 3. What is
6 that a picture of?
7 A That's a picture of a half of the unit with
8 single occupancy cells on the left, with the nurses'
9 station on the right, and 10 feet or so wide hallway.
10 Q All right. And is -- is there a picture of the
11 outside of the cell, of your cell door there?
12 A Yes.
13 Q All right. I'm going to hand you a pen. And is
14 there anything on the outside of that door other than the
15 door itself?
16 A Yes.
17 Q What?
18 A There is one of those heavy duty hydraulic door
19 closing mechanisms.
20 Q I'm going to ask you to please circle that
21 mechanism.
22 A (The witness complied.)
23 Q Thank you.
24 Now, does that picture fairly and

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1 accurately represent the floor as it looked on the date of
2 May 16, 2005?
3 A Yes.
4 Q Did all of the doors on that hallway in 3E have
5 that same mechanism which pulls the door closed?
6 A Yes.
7 Q How strong is the spring that pulls that door
8 closed?
9 MR. DALKIN: Objection.
10 THE COURT: Overruled.
11 THE WITNESS: A It's not really a spring. It's
12 hydraulic and it's very strong, hard to push.
13 MR. ALBUKERRK: Q How quickly do the doors close when
14 you're not holding them?
15 MR. DALKIN: Objection.
16 THE COURT: Overruled.
17 THE WITNESS: A Fairly rapidly.
18 MR. ALBUKERRK: If I could have one moment.
19 (Brief pause.)
20 Q I'm going to show you what's previously been
21 marked as State's Exhibit 1 through 3 for the record. And
22 what are they pictures of?
23 A The first one is a picture of the half of the
24 cell from inside the cell looking outwards. The second

1 one is a picture from the door looking into the cell, and
2 the third one is a picture of, looking into the cell from
3 outside with the door open and a wheelchair in the door.

4 Q Now, do those pictures fairly and accurately
5 represent the view that you would have from looking out of
6 the cell or looking into the cell?

7 A No.

8 Q Why not?

9 A There are a couple of reasons. First, the door
10 closing mechanism is rather strong. The doors don't stay
11 open by themselves. There is nobody in any of these
12 pictures depicted holding the door open.

13 Q How wide does the door open?

14 A I'm not done.

15 Second, the door closing mechanism does
16 not allow the door to open more than about 90 degrees.

17 And these pictures, particularly No. 3, the door is open
18 much wider so it's impossible for -- this is not the
19 condition of the door when I was there.

20 Q And therefore do those pictures accurately
21 represent the view one would have if they were standing
22 inside the cell or looking, standing inside of the cell
23 looking out or standing outside of the cell looking in?

24 A No.

1 Q All right. Now, I'm going to show you what I'm
2 going to mark as Defense Exhibit No. 4. What is that a
3 picture of?

4 A That's a picture from the far end by the nurses'
5 station looking towards my cell, and there is a wheelchair
6 in the cell door with a, the door wide open.

7 Q All right. Now, does that picture of the door,
8 does that picture fairly and accurately represent the way
9 the door looked on May 16th of 2005?

10 A No.

11 Q Why not?

12 A The hydraulic door closing mechanism is
13 disconnected from the door frame.

14 Q Is it -- can you see the hydraulic closing
15 mechanism anywhere in the picture?

16 A Yeah. You can see a piece of it on the door,
17 but it's not connected. That's why it's opened. It's
18 opened far wider than would be possible.

19 Q I'm going to hand you a pen. I'd like you to
20 circle the area where the hydraulic door closing mechanism
21 would normally be.

22 A Would normally be?

23 Q Right.

24 A (The witness complied.)

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1 Q Other than this, other than that, does this
2 picture fairly and accurately represent how the door
3 looked on that date and time in question?
4 A Yes.
5 Q Okay. Now, I'd also like to draw your attention
6 to that wheelchair that's in the picture.
7 A Okay.
8 Q And I believe in State's Exhibit No. 3 is
9 another picture. Take a look at that.

10 THE COURT: What's the first one you're asking her to
11 look at?

12 MR. ALBUKERK: One was Defense Exhibit 3. Oh, excuse
13 me, Defense Exhibit No. 4 and State's Exhibit No. 3.

14 Q What is in the doorway in both of those
15 pictures?

16 A There is a wheelchair in the doorway.

17 Q Is that wheelchair -- what size is that
18 wheelchair?

19 A It appears to be 16 or 18 inch, a normal size
20 width wheelchair.

21 Q Did you have a normal-sized wheelchair?

22 A No.

23 Q What size was your wheelchair?

24 A It was extra wide. I'm not sure if it was the

1 22 or 24 inch, but they come, you know, it is a wider
2 size.

3 Q Considering maneuverability, is it easier to
4 maneuver a bigger or smaller wheelchair?

5 MR. DALKIN: Objection.

6 THE COURT: Sustained.

7 MR. ALBUKERK: Q Have you ever been -- have you ever
8 been in a regular wheelchair?

9 A Yes.

10 Q Have you ever tried to move a regular
11 wheelchair?

12 A Yes.

13 Q What is easier to move, a bigger wheelchair or a
14 smaller wheelchair?

15 MR. DALKIN: Objection.

16 THE COURT: Overruled.

17 THE WITNESS: A I have difficulty with my arms, and
18 when I have it farther apart, I can't -- I can't push it
19 as hard. A wide wheelchair is harder to push. It's
20 easier for me to keep my arms next to my body. I get more
21 torque.

22 Q And what's wrong with a bigger wheelchair that
23 makes it difficult?

24 A I have to spread my arms wider. And my shoulder

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1 strength is weak, so if I have to hold my arms out, I lose
2 some of the strength in being able to twist.
3 Q All right. All right. Also that, the picture
4 of that wheelchair, the wheelchair that you had, did it
5 have arms?
6 A No.
7 Q Those pictures that we looked at, did that
8 wheelchair have arms on it?
9 A Yes.
10 Q Going back to when you arrived, did you tell the
11 staff when you arrived on May 10th of 2005 that you had
12 any medical conditions?
13 A Yes.
14 Q How did you tell them?
15 A I just told them. They took me to a doctor in
16 Cermak ER, because when you go to Cermak, they do a little
17 more questioning about your medical condition, and I told
18 the doctor.
19 Q Okay. Did you give them anything regarding your
20 medical condition?
21 A Yes. I gave the nurse, when I was brought up to
22 the unit, a copy of my medic alert summary that has all
23 the medical conditions, medications, doctors' phone
24 numbers, the fact that I need to have extra salt and

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1 water. It has it all summarized.
2 Q Okay. I notice there is something on your
3 wrist, your right wrist, is it?
4 A Yes.
5 Q What is that? If you can hold it up, please.
6 A It's medic alert bracelet.
7 Q And what is a medic alert bracelet?
8 A Medic alert is a foundation that people who have
9 severe medical problems can wear an identification tag.
10 It has a phone number that's available 24/7 and an ID
11 number. If I'm found unconscious, the medical personnel
12 can call this number and they have immediate access to a
13 nurse who will look on a computer and give them any
14 information about my medical history that they need.
15 Q When did you first get that medical alert
16 bracelet?
17 A In the spring of 2003.
18 Q In May of 2005, May 10th 2005, were you wearing
19 it when you went into Cermak Health Services?
20 A Yes.
21 Q Do you remember what your medical alert summary.
22 the piece of paper, do you remember what it said on May
23 10th 2005?
24 MR. DALKIN: Objection.

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1 THE COURT: Overruled.
2 THE WITNESS: A Well, I know it said my medical
3 conditions. My medications have changed over the years.
4 I can't remember the details of my medications from that
5 time.
6 MR. ALBUKERR: Q Would anything refresh your
7 recollection?
8 A Yes.
9 Q What?
10 A In the Cermak nurses' note, they made a copy of
11 the medic alert summary that I gave them, and I know
12 what's in the nurses' notes.
13 Q Would a copy of the nurses' notes help refresh
14 your recollection?
15 A Yes.
16 MR. ALBUKERR: If I can have a moment.
17 (Brief pause.)
18 MR. ALBUKERR: Judge, we now have the correct record.
19 And I apologize.
20 THE COURT: Go to the specific area that you want her
21 to do.
22 MR. ALBUKERR: Judge, she knows the record better
23 than I do.
24 MR. DALXIN: Objection.

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1 THE COURT: Do what I told you to do.
2 THE WITNESS: It's labeled.
3 MR. ALBUKERR: I think it would be faster if I handed
4 it to her.
5 THE WITNESS: It's right here.
6 MR. ALBUKERR: Okay.
7 THE WITNESS: Medic alert summary.
8 MR. ALBUKERR: Q Could you read that, please, and
9 refresh your recollection?
10 MR. DALXIN: I'd just ask what date that it was and
11 what is it she's looking at.
12 MR. ALBUKERR: Q Ma'am, if you could read that over
13 and let me know when your memory is refreshed.
14 A Yes, I've looked at it.
15 Q Okay. Thank you.
16 Now, again, what medications were you
17 taking in May of 2005 that was reflected on that medical
18 alert summary sheet?
19 A I was taking florinef, which is a mineral
20 corticosteroid hormone. I was told by my cardiologist --
21 MR. DALXIN: Objection.
22 THE COURT: Sustained.
23 MR. ALBUKERR: Q Just what was on, what was in that
24 record that you gave them?

1 A Florinef, Norvasc, Singulair, extra fluids,
2 extra salt, Advair. I'm not sure if it's Advair, but I
3 have to look at it again, but some asthma medications
4 also.
5 Q How much salt does the medical alert page say
6 you need?
7 A It just said push salt.
8 Q And what does that mean in medical terms?
9 A I'm supposed to have five grams extra salt per
10 day in my diet.
11 MR. DALKIN: Objection.
12 THE COURT: Overruled.
13 MR. ALBUKERRK: Q How much is five grams of extra
14 salt? Is that like a cup full, a spoonful?
15 A It's about a teaspoon.
16 Q Did the staff provide you with the steroid that
17 was in the medical alert?
18 MR. DALKIN: Objection. Relevance.
19 THE COURT: Overruled.
20 THE WITNESS: A No.
21 MR. ALBUKERRK: Q Did the staff provide you with any
22 salt?
23 A No.
24 Q Did you ask for salt?

EE 26

05

1 A Repeatedly.
2 Q Who did you tell about your medical needs in the
3 Cermak Health Services?
4 MR. DALKIN: Objection.
5 THE COURT: Overruled.
6 THE WITNESS: Q I told nurses and guards.
7 MR. ALBUKERRK: Q Did you tell the doctors?
8 A I think the first doctor, I just told him to
9 read my medic alert summary. I think later, a couple days
10 later, I told the doctor.
11 Q Did you ever receive this salt?
12 A No.
13 Q Did you ever ask for phone calls while you were
14 at Cermak Health Services?
15 A Repeatedly.
16 Q Why did you ask for the phone calls?
17 MR. DALKIN: Objection.
18 THE COURT: Sustained.
19 MR. ALBUKERRK: Q Did you need to call anybody?
20 MR. DALKIN: Objection.
21 THE COURT: Sustained.
22 MR. ALBUKERRK: Q Who do you live with?
23 MR. DALKIN: Objection.
24 THE COURT: Sustained.

EE 27

1 MR. ALBUKERR: Judge, if I could have a side bar.
2 THE COURT: Objection will be sustained.
3 MR. ALBUKERR: I -- can I ask for a proffer, an offer
4 of proof?
5 THE COURT: Proceed to your next question, please.
6 MR. ALBUKERR: Q Is your father in good health?
7 MR. DALKIN: Objection.
8 THE COURT: Overruled.
9 THE WITNESS: A My father has severe Parkinsons
10 disease and --
11 MR. DALKIN: Objection.
12 THE COURT: Objection sustained.
13 THE WITNESS: A And several months before --
14 MR. ALBUKERR: Q Who cares for your father?
15 MR. DALKIN: Objection.
16 THE COURT: Sustained.
17 MR. ALBUKERR: Q Was there anybody at home with your
18 father when you went into custody?
19 MR. DALKIN: Objection.
20 THE COURT: Sustained.
21 MR. ALBUKERR: Judge, if I could have a side bar.
22 THE COURT: The objection will be sustained. It's
23 not relevant.
24 THE WITNESS: It is relevant.

EE 28

066

1 THE COURT: Wait for a question, Miss Shelton.
2 THE WITNESS: It's extremely relevant, your Honor.
3 Would you please go for a side bar with him?
4 THE COURT: Ask another question, Mr. Alburkerk.
5 THE WITNESS: It was imperative that I make remarks,
6 and I couldn't make arrangements for my father.
7 THE COURT: The jury will disregard statements of the
8 defendant.
9 MR. ALBUKERR: Q Were you ever given any free phone
10 calls while you were at Cermak Health Services?
11 A The law requires that --
12 MR. DALKIN: Objection.
13 THE WITNESS: A -- when you enter a facility, you
14 get a phone call. They denied that phone call and I was
15 not allowed to make arrangements for my father, so I was
16 frantic about this.
17 THE COURT: The jury will disregard the answer of the
18 defendant.
19 MR. ALBUKERR: Q When you were placed in custody,
20 did you have a plan for getting out of custody?
21 A Yes.
22 MR. ALBUKERR: Q What was that plan?
23 THE COURT: Overruled.
24 THE WITNESS: A To write a motion and give it to the

EE 29

1 appellate court and request a stay of sentence --
2 MR. DALKIN: Objection.
3 THE WITNESS: -- and a bond so I could get out and
4 care for my father.
5 MR. ALBUKERRK: Q In order to write this motion, did
6 you need anything?
7 A You have to have a pen and paper and a way of
8 getting the document to the court in order for the court
9 to hear it.
10 Q Would you -- were you given, in the first three,
11 four days that you were in custody from May 10th on, were
12 you given a pen and paper?
13 A They refused to allow me to have it.
14 Q Did you ask for a pen and paper?
15 A I repeatedly told them it was my constitutional
16 right --
17 MR. DALKIN: Objection.
18 THE WITNESS: A -- to appeal, and they denied my
19 rights.
20 THE COURT: The answer will stand.
21 MR. ALBUKERRK: Q Did they ever give you a pen?
22 A About four days into it they gave me a pen and a
23 couple of pieces of paper.
24 Q Was it enough paper?

067

1 A No, it was not.
2 Q Did they ever take the pen away from you?
3 A Yes.
4 Q Why did they take the pen away from you?
5 A Because they wouldn't allow me to arrange for
6 the care of my father who --
7 MR. DALKIN: Objection.
8 THE COURT: Sustained.
9 THE WITNESS: A My father was deteriorated and very
10 ill.
11 THE COURT: Objection sustained.
12 MR. ALBUKERRK: Q Why did they take the pen away from
13 you?
14 A I'm trying to explain that.
15 Q Go ahead.
16 A I was very upset. They denied my constitutional
17 right to make a phone call to an attorney and to a family
18 member, and I was not allowed to make phone calls to
19 arrange for the care of my disabled father who was home
20 alone.
21 Q So what did you do?
22 A I was also upset because they didn't give me the
23 appropriate medication, and I knew that without florinac
24 and salt, I would deteriorate rapidly and be unable to

1 stand within a day or two.
2 Q So what did you do?
3 A I did the only thing that's legal to do in a
4 jail. I complained repetitively, I banged on the door, I
5 kept asking for supervisors, I asked for social workers,
6 and to no avail.
7 Q And when they -- after you were banging on the
8 doors and complaining for several days, what did the Cook
9 County sheriffs do, if anything?
10 A They were all annoyed with me and they started
11 injecting me involuntarily, repeatedly, with sedatives to
12 shut me up.
13 Q When they gave you these shots, what did they
14 do?
15 A They would -- there would be a mass of guards
16 outside the door, you know, three, four, five, and a nurse
17 with a shot. They would open the door and run in, take
18 everything out of your hand. They removed the paper and
19 pen, the wheelchair, everything around you, pin you down,
20 and then they illegally inject you. This is against the
21 law for them to do, and that's what they did repeatedly.
22 Q Now, when they did this, did they take away your
23 pen?
24 A After they gave me the pen on the fourth or so
day, then on the sixth day, on the 16th when they gave me
a shot in the morning, I was in the process of trying to
write a motion with the pen. And when they came in, they
immediately grabbed it out of my hand and took it away.
Q So they took the pen out of your hand?
A Yes.
Q Okay. Given your situation, did you at some
point decide that you wanted to -- did you at some point
go on a hunger strike?
A Yes.
Q Why did you go on a hunger strike?
A Well, within the first day it was clear that
they weren't going to allow me to arrange for the care of
my father, which is criminal.
MR. DALKIN: Objection.
THE COURT: Overruled.
THE WITNESS: A They didn't allow me to have the
proper medication. I knew within a few days I would be
getting sicker and sicker, and I know how it is to suffer
when you're sick, and I wanted to get out of there to a
place where I could arrange for the care for my father.
And to get the suffering over with
quickly, I decided to, to stop drinking, stop eating and
refuse any medication so that I would drop quicker, and

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1 the pain and suffering would be over quicker and I might
2 be able to preserve my father's health.

3 MR. ALBUKERK: Q Well, were you hoping that the
4 hunger strike would get you the things Cermak Health
5 Services were denying you, or were you hoping to go
6 someplace else, another hospital? What were you trying to
7 do?

8 A Well, I was hoping that they'd be concerned
9 about my health and get a supervisor. I kept asking for
10 supervisors to overrule their -- they told me salt was
11 contraband and anybody would be arrested for giving an
12 inmate contraband if they gave me salt. I wanted the
13 supervisors to overrule that illegal nonsense or to
14 transfer me to a hospital because I got so sick they
15 couldn't handle it.

16 Q And once you were at a real hospital, outside of
17 Cermak Health Services, then what were you hoping to do or
18 achieve?

19 MR. DALKIN: Objection.

20 THE WITNESS: A Then I was hoping to have access to
21 a phone and social worker to help me arrange for the care
22 of my father, to have access to salt and more medications,
23 and to have access to pen and paper and a way of getting
24 any motions I wrote to the court.

1 MR. ALBUKERK: Q In the days between May 10th and
2 May 16th, the date of this incident, how much did you have
3 to eat?

4 A No more than a couple bites of two meals.

5 Q How do you know that's all you ate?

6 MR. DALKIN: Objection.

7 THE COURT: Overruled.

8 THE WITNESS: A Within the last few days I reviewed
9 the tier logs and the medical records to confirm that my
10 memory was correct.

11 MR. ALBUKERK: Q What was your physical condition by
12 May 16th of 2005, six days after being put in custody?

13 A My pulse was rapid. I was so weak I couldn't
14 stand for more than a minute. I could barely stand to get
15 up to splash some water on my face or brush my teeth. I
16 was confined to a wheelchair. They had given me a
17 wheelchair because I had --

18 MR. DALKIN: Objection as to why they gave her a
19 wheelchair.

20 THE COURT: Sustained. Stricken.

21 MR. ALBUKERK: Q Were you in a wheelchair on May
22 16th?

23 A Yes.

24 Q Were you always in a wheelchair from the time

1 that you first got into Cermak Health Services?
2 A No.
3 Q When were you granted or when were you given
4 this wheelchair by the staff?
5 A I don't remember if it's one and a half or two
6 days. Some time within about one and a half or two days
7 in, I tried to take a shower, but I was unable to stand up
8 in the shower. I have passed out and crumbled to the
9 floor. And the nurse just said, "She's going to have a
10 wheelchair. She can't stand up anymore." and gave me a
11 wheelchair.
12 Q Did they ever take that wheelchair away from you
13 prior to the incident that is complained of on May 16th?
14 A Yes.
15 Q When did they take that wheelchair away?
16 A Early morning of May 16th is when they gave me
17 another illegal sedative shot.
18 MR. DALKIN: Objection.
19 THE COURT: Overruled.
20 THE WITNESS: A They, you know, when they came in in
21 force, they take everything around you away in the room
22 because they can't pounce on you if things are in the way,
23 so the first thing they remove is the wheelchair.
24 Q After they gave you this shot -- by the way, do

1 you know what the drug was that they shot you with?
2 A Ativan.
3 Q And after they gave you the shot, did they give
4 you the wheelchair back at some time?
5 A Later in the morning they gave the wheelchair
6 back.
7 Q Now, approximately 6 o'clock in the evening of
8 this date in question, May 16, 2005, what was going on in
9 the unit?
10 A That's the time they give the inmates dinner.
11 Q Did they bring you dinner?
12 A Yes.
13 Q And what did you do with that meal?
14 A I refused it.
15 Q Where were you at 6 p.m. on May 16th of 2005?
16 A I was locked in my cell.
17 Q Was the door open?
18 A No.
19 Q What were you doing prior to 6:15 on May 16th,
20 2005?
21 A Banging, pounding on the door, asking for
22 supervisors, screaming that I need to make phone calls, I
23 need a pen and paper, I need salt, you know, "what are you
24 trying to do, you know, kill me or what?"

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1 Q And was there any other -- on May 16th in
2 particular, was there any other way to try to get the
3 attention of the supervisors?
4 A Oh, after, I was getting really fed up with the
5 shots, so I decided to be more of a nuisance. They had a
6 little styrofoam cup, and I put some water in it and threw
7 it under the door to annoy them.
8 Q Now, this water that you threw under the door,
9 how many cups was it? Was it one cup, ten?
10 A I think a couple.
11 Q All right. Was there any water inside your
12 cell?
13 A Not more than a few drops. It mostly went under
14 the door.
15 Q How long did it take between the time you threw
16 the water under the door to the time a supervisor -- well,
17 Sergeant Salemi arrived at 6:25 or so. How much time
18 elapsed?
19 A Oh, about an hour.
20 Q And how do you know it was an hour between the
21 time you threw the water under the door to the time that
22 Salemi arrived?
23 A Because I reviewed the tier log within the last
24 few days to check if my memory was correct.

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1 Q Was that the first time, at 6:15? Was that the
2 first time you had seen Sergeant Salemi on May 16th?
3 A No.
4 Q Had -- when did you see Sergeant Salemi earlier
5 that day?
6 A A few hours earlier, I believe.
7 Q And what were you telling -- what were you
8 telling him a few hours before the incident?
9 MR. DALKIN: Objection.
10 THE COURT: Sustained.
11 MR. ALBUKERK: Q When Sergeant Salemi arrived, did
12 you see him coming to your door?
13 A I saw him at the front of the door.
14 Q Did you see anybody else there?
15 A I didn't see anybody else, but the officer on
16 duty is rather short, Officer Hall, so she may have
17 been -- you know, if she was there, I wouldn't have seen
18 her.
19 Q Now, where were you positioned in the cell when
20 you saw Sergeant Salemi coming to the door?
21 A I was at the door, pounding on the door, asking
22 for a supervisor, asking for a pen, asking for a phone
23 call.
24 Q So you were right up against the door?

1 MR. DALKIN: Objection to leading.

2 THE COURT: Overruled.

3 THE WITNESS: A Yes.

4 MR. ALBUKERK: Q Did you have a conversation with
5 Salemi at the door?

6 A I -- I was just yelling at him that I need the
7 pen and I need to make a phone call.

8 Q Did Salemi say anything to you while he was
9 outside of the cell door?

10 A I don't recall, but I don't think so.

11 Q Then what happened?

12 A Then he opened the door.

13 Q How far did the door open?

14 A Just wide enough for him, for his body.

15 Q Indicating for the record two and a half to
16 three feet?

17 A Yeah, I guess about two, two to three feet.

18 Q Then what happened?

19 A He pulled the door open with his left hand and
20 he lunged at me with his right hand, just pounced on me.
(Indicating).

22 Q When he lunged at you with his right hand, what
23 happened then?

24 A The force of his body and his hand, his hand

1 landed on my throat, and the force pushed the wheelchair
2 backwards and then it kind of twisted.

3 Q What happened -- what were Sergeant Salemi's
4 legs doing as he was pushing you backwards?

5 A When he lunged at me and had my throat, he, his
6 legs hit the foot rest of the wheelchair. And since it
7 began, you know, it moved it, it lurched backwards, it
8 stumbled, and he kind of slid down against the wheelchair
9 foot rest and was struggling to regain his balance and
10 kind of grabbing at me, and then was able to kind of stand
11 up.

12 Q And then what happened?

13 A He got really mad.

14 Q And then what happened?

15 A He grabbed my left arm with his left arm and he
16 grabbed the wheelchair with his right arm and he at the
17 same time ripped the wheelchair out from under me while he
18 flipped me towards the bed. He was pulling on my arm.

19 Q Now, did you sustain any injuries from this?

20 A Yes.

21 Q What sort of injuries did you sustain?

22 A I have really huge contusions on the back of my
23 knees because the wheelchair, without, with the arms
24 removed, there is, on each side of the wheelchair there

OMR

1 were two open posts, kind of metal posts that the arms
2 would go into, just a little bit above the level of the
3 seat.
4 Q Right.
5 A So when the wheelchair was forcibly pushed out
6 from under me, it raked from my left to my right thighs,
7 just raked me. And I had some abrasions, linear
8 abrasions, from the right to the left and huge contusions
9 on the back of my thighs.
10 Then when he flipped me, I landed on the
11 floor on my right knee. And when I was flipped that way,
12 my foot got caught in foot rest, and my third toe got
13 ripped against the foot rest. And it swelled up like a
14 grape, it was black and blue. Everybody thought it was
15 broken.
16 And I had bruises on my arm where his
17 fingers were, a little bruise that kind of matched the
18 pattern of the hand.
19 Q Did you have any bruise on your hip, either hip?
20 A No.
21 Q Did you land on your hip?
22 A No.
23 Q How were you feet feeling then?
24 A I was terrorized and I was stunned. I was

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1 absolutely -- I went into kind of a flashback. I -- I'm
2 treated for PTSD.
3 MR. DALKIN: Objection.
4 THE COURT: Sustained.
5 MR. ALBUKERK: Q How did you feel at the time?
6 A I was disoriented and just shocked and, just
7 terrorized.
8 Q What did Sergeant Salem do?
9 A He left the room with the wheelchair.
10 Q Did he place handcuffs on you?
11 A No.
12 Q Did anyone come in later on and offer you
13 medical attention?
14 A There were a number of people over the next few
15 hours who came, but it's kind of a blur and I wouldn't
16 recognize them. But I know some people asked me if I
17 wanted, they said they had to take me down to the ER.
18 Q And what was your response to them?
19 A I was so scared at that point, I was cowering in
20 the corner and against the wall and just yelling at
21 everybody to "stay away from me."
22 Q Now, after you calmed down a little did you ever
23 ask for medical attention?
24 A It took me a shift to calm down. But, you know,

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1 the next shift I started asking every nurse on every shift
2 that I needed to be evaluated by a doctor, that I thought
3 I may have a broken bone.

4 MR. ALBUKERK: Nothing further.

5 THE COURT: People, any questions you wish to ask?

6 MR. DALKIN: Yes.

7 CROSS-EXAMINATION

8 BY MR. DALKIN:

9 Q Miss Shelton, when you claim that Sergeant
10 Salemi threw you off that wheelchair, how did you land?

11 A I kind of flipped, landed --

12 Q What part of your body did you land on?

13 A My right knee, my knees and my hand. Mainly my
14 knee and my hand. And also at the same time I was bumped
15 against the ^{head} and landed on my right knee and my hands,
16 kind of flipped.

17 Q So you landed on your feet and your hands?

18 A Right.

19 Q And you didn't have any injuries on your knees or
20 your hands, did you?

21 A No. I had bruising on my knees.

22 Q Well, you heard the stipulation of nurse Ogall
23 that when she saw you on May 18th, that the injuries she
24 saw were a bruise on your right inner upper thigh, and a

1 bruise on your left upper posterior thigh, isn't that
2 correct?

3 A Yes.

4 Q That's not your knee, is it?

5 A She didn't document that.

6 Q Is that your knee?

7 A Officer Jackson documented the bruise on my knee
8 in her tier log the next shift.

9 THE COURT: The jury has heard the evidence. The
10 thigh is not a knee. Everybody knows that.

11 MR. DALKIN: Thank you.

12 Q And you said that you believe you had a broken
13 toe, is that correct?

14 A At the time I thought it might be broken.

15 Q And it wasn't though, right?

16 A They eventually took an X-ray and it wasn't
17 broken. It was just very contused and like a great big
18 swollen blue thing.

19 Q Now, the contusions and injuries that you had,
20 you never had any pictures taken of them, did you?

21 A I repeatedly asked for pictures.

22 Q Did you ask for pictures?

23 A No, they refused. The doctor refused,

24 Investigator Sofus refused, the nurse refused, the guard

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1 refused.
2 Q Now, you had talked about how your wheelchair
3 had been taken earlier in the day on the 15th, right?
4 A Yes.
5 Q And you said that was taken when they gave you
6 another illegal shot, is that right?
7 A Yes.
8 Q Well, isn't it true that the reason why they
9 took that wheelchair from you was because of an incident
10 where you had been using a pen and a metal Walker as a
11 weapon?
12 MR. DETERS: Objection.
13 THE COURT: Overruled.
14 THE WITNESS: A That is a falsified record written
15 on the next shift by Officer Glinsey. She was not there.
16 That did not happen. And that was perpetrated in several
17 notes afterwards, falsification of records, as you know,
18 is a crime.
19 Q So there is some record of that incident?
20 A No.
21 Q Whether you're saying it's true or not?
22 A There's a record the previous shift, when they
23 said they gave me a shot, they took away the wheelchair
24 and the pen, but they made no mention of using it as a

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1 weapon, because I have never did.
2 And the Officer Glinsey, the next shift,
3 falsified her record. She didn't like me. She had beaten
4 me. She didn't like me at all. And so she gave me a
5 rough time, and then she falsified her records. She was
6 not a witness. It was not on her shift.
7 Q When was it exactly that you claim that Officer
8 Glinsey beat you?
9 A At intake on the first day.
10 Q On May 10th?
11 A Yes.
12 Q And Officer Glinsey, that's a female officer?
13 A Yes.
14 Q And when Officer Glinsey beat you, what kind of
15 injuries did you sustain?
16 A She took a water pitcher and she bashed me on
17 the head with it, knocking me to the floor. I was briefly
18 unconscious and stunned, and I had just a little knot on
19 my head, no bleeding or anything like that.
20 Q Was anybody else present for that?
21 A No. She -- she came to the door and I asked her
22 something, so she bashed me on the head.
23 Q During the time that you were there, did any
24 other officers beat you that you know of by name?

1 MR. ALBUKERK: Objection, Judge. Beyond the scope of
2 direct.

3 THE COURT: Sustained.

4 MR. DALKIN: Q Officer Hall, you mentioned her by

5 name. She was on duty the shift that this incident

6 occurred with Sergeant Salemi, is that correct?

7 A Yes.

8 Q Now, during the time that, prior to Sergeant

9 Salemi coming to your cell, Officer Hall had been in the 3

10 East area for some time. Is that correct?

11 A She was on that shift.

12 Q Right. And the reason why-- well, you said that

13 you had been locked in your room, is that right?

14 A At one point, yes.

15 Q Right. When Sergeant Salemi got to your room,

16 you were locked in your room at that time?

17 A Right.

18 Q Other inmates were not locked in their room?

19 A They were eating dinner at that time, at the
20 tables.

21 Q That's in that area outside of where your room

22 is, right?

23 A No. It's down the hall. I'm on -- I was on

24 the nurses' side of the unit. The tables are on the other

side of the unit and that's why where they have dinner.

Q Showing you what's been marked as People's

3 Exhibit No. 10 for identification, do you know what that
4 is a picture of?

5 A That's the picture of the other half of the unit
6 with the tables and the officer's desk and the multi-unit
7 cells.

8 Q Now, does that picture, People's Exhibit 10, is
9 that a true and accurate picture of the way that that area
10 looked between May 10th and May 26th when you were there?

11 A Yes.

12 Q Is that the area that you're talking about where
13 the inmates were eating dinner?

14 A Yes.

15 Q Thank you.

16 And that's down the hall from where your
17 room was?

18 A Yes. That's on the other side of the unit.

19 Q So those other inmates were sitting down there,
20 as far as you know, eating dinner?

21 A Yes.

22 Q Now, the reason why you had been locked in your
23 room at that time was because you had previously run your
24 wheelchair into Officer Hall's desk and ..

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1 MR. ALBUKERK: Objection. Beyond the scope of
2 direct.
3 THE COURT: Sustained.
4 MR. DALKIN: Q During the time that you were in that
5 room, you had said that you were, I think the words that
6 you were using, were complaining, isn't that right?
7 A Repeatedly. The entire time I was in the jail I
8 was complaining.
9 Q Loudly, is that right?
10 A Loudly, that they were violating my civil
11 rights.
12 Q Screaming?
13 A Not screaming, just loudly pounding and yelling
14 it.
15 Q Sometimes swearing at people?
16 A No. I don't swear.
17 Q You would pound on the door?
18 A Yes.
19 Q You would kick at the door?
20 A With my good foot.
21 Q You would lay on the floor sometimes and kick at
22 the door for hours?
23 A Not for hours. I got too tired, you know.
24 After a week or two, after a week, I was so weak I could
barely pound on the door anymore.
Q So you would say that after being in custody for
a week, you would, you had continued, discontinued
pounding on the door?
A No. The frequency got less and less as I got
weaker and weaker.
Q You would sometimes use that wheelchair to bang
into the door to get attention?
A Well, not forward. It turns, kind of twists a
little bit easily, so if you sit sideways to the door, you
kind of twist it to the door and bang it against the door
and make noise.
Q And you said that you took some, a couple, a
plastic cup or a styrofoam cup and you started throwing
water under the door?
A Yes.
Q And you did that to try to get people's
attention?
A I did that because they refused to get a white
shirt, a supervisor, and I said, "Hey, I'm going to annoy
you until you start listening."
Q Now, that living unit, 3 east, that's a unit
where women who have some type of medical illness are
housed, is that correct?

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1 A Yes.
2 MR. ALBUKERK: Objection.
3 THE COURT: The answer will stand.
4 MR. DALKIN: Q And some of them have relatively
5 serious illnesses, from your knowledge, being on that tier
6 during the time of May 10th to May 26th, is that right?
7 A There was one lady who had a serious illness.
8 Q Well, knowing that, and throwing water on the
9 floor, wouldn't that pose somewhat of a risk of people
10 slipping on the floor?
11 A No, because most of the cells on my end of the
12 unit were empty, and there was only one lady and she was
13 relatively healthy.
14 Q Well, your cell was directly in front of the
15 nurses' station, is that right?
16 A No, not directly in front, kitty-corner.
17 Q To get to the nurses' station, an inmate would
18 have to walk past your cell to get to that?
19 A Yes. But it's a very wide hall and one cup of
20 water did not go across the whole hall.
21 Q Well, you didn't throw one cup of water, you
22 said a couple of cups.
23 A Yes.
24 Q I just want to go back a little bit. You talked

1 about your practice as a doctor. I just want to talk
2 about that a little bit.
3 As a doctor you were a sole practitioner
4 for some time, is that correct?
5 MR. ALBUKERK: Objection. Beyond the scope of
6 direct.
7 THE COURT: Overruled.
8 THE WITNESS: A I was working with a group practice
9 for a while and I, in neonatology and pediatrics, and I
10 was given the responsibility of opening the pediatric and
11 neonatology department at Provident Hospital, and then did
12 neonatology shifts around the city.
13 One of my sets of patients are in the
14 Guinness Book of Records as the smallest surviving triplets
15 in the world. I worked with this group of neonatology and
16 did a lot of really remarkable stuff.
17 And then when my mother was dying and I
18 really couldn't work those kind of hours anymore, I needed
19 to work part time for a year to take care of her until she
20 passed, and then because I'm a single mother and I no
21 longer had my mother to help me with my son, I decided to
22 open a solo practice. And I particularly took care of
23 disadvantaged and multiply handicapped children.
24 Q And what hours -- once you opened up that

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1 practice, what hours would you work?
2 A Well, I -- all hours of the day and night. I
3 lived above my office.
4 MR. ALBUKERK: Objection. Relevance.
5 THE COURT: Overruled.
6 THE WITNESS: A I lived above my office in an
7 apartment for some time, so if someone got sick in the
8 middle of the night, I'd tell them to come to my office.
9 I'd go downstairs to see them if there was an emergency.
10 Doctors start around seven in the
11 morning, you hope to finish by five, but if there is a
12 sick kid in the hospital, I believe in service to your
13 patients.
14 Q So you would go to the hospital?
15 A Any time of the day or night, any hospital, if I
16 had to.
17 Q And Miss Shelton, isn't it true that your
18 license to practice medicine has been suspended
19 indefinitely?
20 MR. ALBUKERK: Judge, objection.
21 THE COURT: Sustained.
22 MR. ALBUKERK: I would ask for a instruction.
23 THE COURT: The objection was sustained. The jury
24 would disregard such answers.

1 THE WITNESS: I would like to respond to that.
2 THE COURT: Your attorney objected to that. Don't
3 respond.
4 THE WITNESS: Don't object. Don't object.
5 MR. DALVIN: O Miss Shelton?
6 A I hope he would withdraw the objection.
7 THE COURT: One second, please. Ask the question.
8 MR. DALVIN: Q Are you currently practicing
9 medicine?
10 A My license currently, I didn't renew it in 2005,
11 and the state of Illinois, because I'm a federal witness
12 against corrupt officials in the Department of
13 Professional Regulation, is attempting to suspend my
14 license in retaliation for my activist work.
15 Q Miss Shelton, isn't it true that your license
16 was suspended for other reasons?
17 MR. ALBUKERK: Objection, Judge. Again, I voice my
18 objection.
19 THE COURT: Sustained.
20 MR. ALBUKERK: Thank you, Judge.
21 THE COURT: You don't have to thank me for ruling,
22 okay?
23 MR. ALBUKERK: Okay.
24 MR. DALVIN: O Now, Miss Shelton, you said that you

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1 needed to use the phone at times when you were on 3 East,
2 is that correct?

3 A I wanted to --

4 Q Yes or no?

5 A I said I wanted to use the phone initially.

6 Q All right. And when you were put on 3 East --

7 A Yes.

8 Q -- you were allowed to use the phone at times,

9 isn't that right?

10 A Not on the first day.

11 Q Okay. On the second day? And I don't

12 understand, were you allowed to use the phone at times?

13 A I was allowed to use a collect call phone.

14 Q All right. And every other inmate that was on 3

15 East when you were there, they too were allowed to use and

16 make collection calls?

17 A Yes, but they were allowed a free phone call on

18 the first day to their lawyer and family, and I was not.

19 Q You asked to have special circumstances to make

20 free phone calls which no other inmate was allowed to get.

21 Isn't that right? Yes or no?

22 A That is false. I asked for the phone call that

23 every inmate is allowed initially, to their lawyer, and to

24 their family member, without being collect, a free phone

1 call. They denied me. I continually asked for two and a
2 half weeks, they continually denied me. Every other
3 inmate was allowed those free phone calls.

4 It's a constitutional right, it's a

5 statutory right. The law says you can have those phone

6 calls, and they denied that to me and they gave every

7 other inmate those phone calls. They only allowed me

8 after a day to use collect calls and my father was too

9 feeble to use them properly.

10 Q When you were allowed the phone calls, they were

11 collect like every other inmate on 3 East, yes or no? Yes

12 or no?

13 A At the time I was allowed.

14 Q Collect calls, like everybody else, yes or no?

15 A Later after the first day.

16 Q Thank you.

17 Now, the time you got there till this

18 incident occurred, you claim that you had medical problems

19 that the medical staff was not handling properly, is that

20 right?

21 A I didn't claim. That's fact.

22 Q Well, when you first came in to Cermak Hospital

23 on May 10th, isn't it true that you refused to be

24 evaluated for treatment?

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1 A No. I told the doctor I was too upset to talk,
2 and here is my medic alert summary. Everything you need
3 to ask me is on there and please read it. And his
4 response is, "I don't read papers."
5 Q What doctor was that?
6 A I don't know his name. You would have to
7 decipher his signature on the medical records, which I
8 have been unable to decipher.
9 Q So a doctor said, "I don't read papers"?
10 A Yes. He refused. He said, "Take her up to the
11 unit."
12 Q And when you got to the unit, you refused to be
13 evaluated by a nurse on the unit, isn't that correct?
14 A No. I gave her my medical alert summary. I
15 said, "It's in the bag here, my medic alert summary.
16 Everything you need to know, medication, medical history,
17 my doctors' phone numbers. You can call them up. My
18 father is a professor of medicine at University of
19 Chicago. He knows my history by heart. Call him up, you
20 can get all that information."

21 I was very upset that I was jailed, and
22 I didn't want to talk to anybody at that point.

23 Q Which nurse was that?

24 A I would have to look at the medical record to

1 Figure that out.

2 Q Showing you what's marked as People's Exhibit 10
3 for identification?

4 THE COURT: You already have 10?

5 MR. DALKIN: I'm sorry, 11.

6 Q That's marked May 10, 2005, isn't it?

7 A Yes.

8 Q And that's a nurse Daggs, isn't it?

9 A That's what the signature says.

10 Q And what does it say on there?

11 A It says I refused all medical examination,
12 treatment and care. But she failed to write that I gave
13 her the medic alert. She failed to write that I was
14 wearing a medic alert bracelet, that she could have gone
15 to a phone call and gotten my entire medical history.

16 Q Showing you what's been marked as People's
17 Exhibit 12 for identification, that's also a refusal to
18 consent to evaluation, isn't that correct? And that's
19 from nurse Bensley?

20 A Every single shift, the nurse wrote I refused
21 medication and treatment.

22 Q Is that a yes?

23 A Yes, every single shift for two and a half weeks
24 they wrote I refused food, medication and treatment. You

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1 don't have to go through all these papers. It's in the
2 record.

3 Q Does it say anything about you giving them
4 papers and showing them your medical alert?

5 A This is not the medical alert. This is a
6 special form. You bother to read the medical record, it's
7 in the medical record that I gave them my medic alert. If
8 you give me the medical record, I'll point out the page to
9 you.

10 It's even written in the medical record
11 that I told them I was going to make myself sick so they
12 would have to transfer me to a hospital. I'd be happy to
13 show it to you.

14 Q Now, Miss Shelton, when you were taken into
15 custody on that contempt charge, your lawyer was present
16 with you at that time, isn't that correct?

17 MR. ALBUKERK: Objection, Judge. Relevance, and also
18 this goes directly to your ruling earlier.

19 THE COURT: Sustained.

20 MR. ALBUKERK: Thank you.

21 MR. DALKIN: Judge, it goes to the phone call she's
22 talking about.

23 THE COURT: Sustained.

24 MR. DALKIN: -- to call the lawyer.

1 THE COURT: Sustained.

2 MR. DALKIN: Q Now, during this time that you were
3 in custody prior to the 16th of May, you had all of these
4 medical issues that you were dealing with, yet it was your
5 choice to not eat the food, isn't that correct? You chose
6 to not eat the food?

7 A It was a low salt diet. It would have made me
8 sick just as well. I mean there is no point.

9 Q So you're saying that they specifically gave you
10 a low salt diet?

11 A Every inmate at Cook County Jail is given a low
12 salt diet. The director of the jail has declared that
13 salt is contraband. Any nurse, any doctor, giving salt to
14 a patient, subject to arrest for giving an inmate
15 contraband.

16 Q So because of that, you chose not to eat the
17 food?

18 A Yes.

19 Q And it was your choice to only drink small
20 amounts of water?

21 A I told them I would not eat, I would not drink,
22 I would not take medication because they were going to get
23 me sick anyways and I wanted to get the misery over

24 sooner, I told them and they wrote that I intended to

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1 make myself sick quicker by refusing food and water that I
2 would be transferred to a hospital where I would get more
3 medication and salt.
4 And I told them it was crazy and illegal
5 to deny a medication, such as salt, and call it
6 contraband. That's a denial of my constitutional right to
7 proper medical care.
8 Q Now, when Sergeant Salemi came to the door of
9 your room, at that time you said that you saw him come to
10 the door because there is a window in that door. Is that
11 correct?
12 A Correct.
13 Q And when you saw him at the door, were you able
14 to see into the nursing station?
15 A From sitting in a wheelchair, the window starts
16 about four feet up. If you're sitting in a wheelchair,
17 you cannot see into the nurses' station, because your head
18 is too far down, and there is no nurse in the nursing
19 station who could possibly see someone through the bottom
20 four feet of the door, sitting in a wheelchair, unless
21 they have X-ray vision.
22 Q Could you see the window to the nursing station?
23 A I could see the top of the windows in the
24 nursing station.

1 Q So if somebody were to walk behind Sergeant
2 Salemi, you would have been able to see that person?
3 A No, because his body was blocking them.
4 Q And you were able to see Sergeant Salemi, again,
5 at that door, when he first got to the door?
6 A He was right at the window.
7 Q So how -- how far away from you was Sergeant
8 Salemi when he, when you first saw him at that door?
9 A I believe he was within -- I believe right at
10 the door.
11 Q How many feet, three, four, five?
12 A Oh, a foot at the most. I was sitting right at
13 the door.
14 Q Well, if you're sitting in a wheel chair, your
15 knees are in front of you?
16 A Right.
17 Q That's --
18 A I'd say at least a foot away.
19 Q A foot from your knees?
20 A Yeah.
21 Q So were your knees touching the door or were
22 they back from the door?
23 A They were touching the door. I believe I had my
24 hand on the door.

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1 Q And when he opened the door, he must have backed
2 up a little bit to open the door because he couldn't open
3 the door standing right in front of it?
4 A I think he stepped to the side a little bit and
5 opened the door.
6 Q Right. And then he moved around in front. So
7 how far would you say the farthest distance was that he
8 got from you before he came into your room?
9 A He was within two to three feet when he lunged
10 at me.
11 Q And you're sure it was Sergeant Salemi?
12 A Yes.
13 Q I mean you didn't have any problem seeing him?
14 A I can see close-up without my glasses, but I
15 can't see five, 10 feet away.
16 Q Well, what do you mean without your glasses?
17 A If I'm not wearing my glasses, I'm very
18 nearsighted. I can see a body, but I can't identify the
19 face.
20 Q Well, you have glasses. You had glasses on.
21 right?
22 A No, most of the time I wasn't wearing them.
23 Q You didn't have your glasses on at that time?
24 A I don't think I did. I can't remember, but most

1 of the time in the cell, I didn't have them on. In fact
2 I'm sure I didn't have them on, because when I was thrown
3 on the floor, no glasses were thrown. I didn't have to
4 pick the glasses up, so I know I didn't have them on.
5 Q Now, normally on that wing when the doors aren't
6 locked, the doors are, they're kept open a little bit and
7 you're able to open the door and get in and out, not you
8 personally, but people, inmates, are able to get in and
9 out of their rooms when they want, right?
10 A No. You're locked down 17 hours a day.
11 Q If you're out in the, that day area, where you
12 say the inmates were eating dinner, they're able to get in
13 and out of their rooms at that time when they want, right?
14 A Not necessarily. The guards randomly lock the
15 door so you can't get back in the cell when you're out.
16 Q When the door are not locked?
17 A Right. When you first open them so you can come
18 out and get a meal.
19 Q You're able to get back in your room if you
20 want?
21 A If they have not locked the door.
22 Q If the doors are not locked?
23 A Right.
24 Q You're able to go in and out of the room?

1 A If you're able to open the door and get in and
2 out of your room, which many inmates or not if you're
3 sick.
4 Q You were not able to do that?
5 A Not easily.
6 Q But you were able to do that?
7 A With great effort.
8 Q But you were allowed to do that? Yes or no?
9 A If the door were open, with great efforts,
10 taking many minutes and maneuvering and half the time
11 other inmates and nurses would help me because they felt
12 sorry for me struggling with the doors.
13 Q Now, some time after you say Sergeant Salemi
14 came in your room, you started kicking on that door again,
15 isn't that right?
16 A Yes, later. I continued to bang on the door,
17 you know, lay on the floor. Well, they took the
18 wheelchair away so I could the scoot on the floor and kick
19 it with my good leg or bang on it with my back or fist or
20 something.
21 Q And that was after nurse Ogali came in and asked
22 if you needed any assistance?
23 A I'm not sure if it was nurse Ogali. There were
24 a few people over the next couple hours that would come by

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1 and I wouldn't let them examine me.
2 MR. DALKIN: I have nothing else.
3 THE COURT: Mr. Alburkerk, do you have anything?
4 MR. ALBUKEREK: A few brief questions.
5 REDIRECT EXAMINATION
6 BY MR. ALBUKEREK:
7 Q Did any of the nursing or guard staff document
8 the bruises on your knee?
9 A Yes.
10 Q Who?
11 A Officer Jackson.
12 Q Okay. And that is -- where is that documented?
13 MR. DALKIN: Objection.
14 THE COURT: Sustained.
15 MR. ALBUKEREK: Judge, this is redirect.
16 THE COURT: I know. Do it the right way.
17 MR. ALBUKEREK: Q Where is the, is that notation in
18 the record?
19 MR. DALKIN: Objection.
20 THE COURT: Sustained. It's hearsay.
21 MR. ALBUKEREK: Q Is that notation in the record?
22 MR. DALKIN: Objection.
23 THE COURT: It's still hearsay, even that way too.
24 MR. ALBUKEREK: Q Did you have any problems with the

67 67

1 collect calls that you did have access to?

2 MR. DALKIN: Objection.

3 THE COURT: Overruled.

4 THE WITNESS: A Yes.

5 MR. ALBUKERRK: Q What were the problems you had with
6 the collect phone calls?

7 A The way the collect calls work is when you try
8 to make a call to somebody, there is a recording. It's
9 kind of long and involved. It tells you to press all
10 sorts of buttons. And the person receiving the call --

11 MR. DALKIN: Objection.

12 THE WITNESS: A -- had to be able to do that.

13 THE COURT: Overruled.

14 THE WITNESS: A My father is very feeble. He was
15 very frantic. I got to call him the first day, and when I
16 did get to call him, he was confused on how to use the
17 system, so I couldn't get messages through to him.

18 Then after a week or two, he lost 20
19 pounds over that time, two weeks. He became very
20 dehydrated.

21 MR. DALKIN: Objection.

22 THE COURT: Sustained. Stricken.

23 THE WITNESS: He couldn't handle it.

24 MR. ALBUKERRK: Q Did you have -- did you try to call

1 other people with those collect phone calls?

2 A I tried, but most of the --

3 MR. DALKIN: Objection.

4 THE WITNESS: A Most of the numbers I knew were cell
5 phone numbers and you can't make collect calls to cell
6 phone numbers.

7 THE COURT: Overruled.

8 MR. ALBUKERRK: Thank you.

9 MR. DALKIN: I have nothing else.

10 THE COURT: Miss Shelton, you may return to your seat
11 with your attorney.

12 (Witness excused.)

13 THE COURT: We're going to take a break for a few
14 moments. While you're in the jury room, please don't
15 discuss the case with anyone else in any fashion
16 whatsoever. And we'll see you in a little bit.

17 (WHEREUPON, the following proceedings
18 were had outside the presence and the
19 hearing of the jury.)

20 THE COURT: Are you calling any other witnesses?

21 MR. ALBUKERRK: We have one very short witness.

22 THE COURT: He'll take a break and bring out that
23 last witness before lunch.

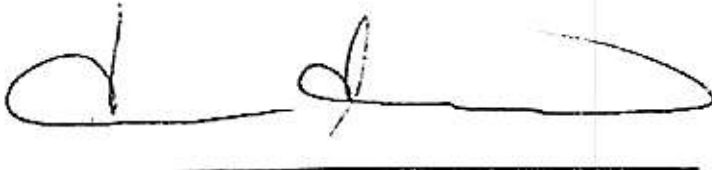
24 (A recess was taken.)

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STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

I, Susan M. Sychta, do hereby certify that I am a Certified Shorthand Reporter doing business in the City of Chicago; that I reported in shorthand the proceedings at the hearing in the above-entitled cause; that I further reduced said shorthand to typewriting, and that this transcript is a true and accurate record of my shorthand notes so taken at said hearing before Judge Joseph Kazmierski, Judge of said court, on the 23rd day of September, A.D. 2007, and contains all of the evidence had and testimony taken on said date.



Certified Shorthand Reporter
CSR License No. 084-001178

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STATE OF ILLINOIS)
COUNTY OF C O O K) SS.

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT - CRIMINAL DIVISION

THE PEOPLE OF THE)
STATE OF ILLINOIS,)

Plaintiff,)

vs.)

LINDA SHELTON,)

Defendant.)

Indictment No.
05 CR 12718-01
Charge:
Aggravated Battery

REPORT OF PROCEEDINGS had in the hearing of the above-entitled cause, before the Honorable JOSEPH G. KAZMIERSKI, Judge of said court, on the 3rd day of December, A.D., 2007.

APPEARANCES:

HON. RICHARD A. DEVINE
State's Attorney of Cook County, by
MR. ANDREW DALVIN and
MR. JOHN MAHER,
Assistant State's Attorney,
appeared on behalf of the People;

MR. NICHOLAS J. ALBUKERK and
MR. RICHARD DETERS,
appeared on behalf of the
Defendant.

Etta R. Jones, CSR, 084-003372
Official Court Reporter
2650 South California Ave.
Chicago, Illinois 60608

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I N D E X

People vs. Linda Shelton

<u>WITNESSES</u>	<u>DX</u>	<u>CX</u>
<u>For the Defense:</u>		
Allan Lorincz, M.D.	7	
Vivian J. Daggs	14	
Frank Judon	36	
David Cady	48	52
Jason Tabour	57	
Debra Pearson	63	
Joseph McElligott	70	76

Closing Statements:

Mr. Dalkin: Page 78
Ms. Shelton: Page 83

Sentencing: Page 128

Reporter's Certificate: Page 135

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1 everybody can hear you.

2 THE WITNESS: Okay.

3 VIVIAN V. DAGGS,

4 called as a witness on behalf of the
5 Defendant, having been first duly sworn, was
6 examined and testified as follows:

7 DIRECT EXAMINATION

8 BY MS. SHELTON:

9 Q. Ms. Daggs, would you please state
10 your full name for the record and spell your
11 last name.

12 A. Vivian V. Daggs, V-i-v-i-a-n,
13 D-a-g-g-s.

14 Q. What city do you live in?

15 A. Chicago.

16 Q. How long have you lived here?

17 A. My entire life.

18 Q. Are you married?

19 A. Not at the time, no.

20 Q. Do you have children?

21 A. One son.

22 Q. Did you -- where did you go to high
23 school?

24 A. Wendell Phillips.

1 Q. How about college or trade school or
2 whatever?

3 A. I went through Health Occupational
4 Careers for a licensed practical nurse.

5 Q. When did you graduate?

6 A. It's been over 25 years.

7 Q. Where have you worked since you
8 graduated?

9 A. Several places. Provident Hospital,
10 University of Chicago, Advocate, Cermak.

11 Q. How long have you been working at
12 Cermak?

13 A. Approximately three years.

14 Q. What divisions have you been working
15 on?

16 A. Mainly Cermak Health Care.

17 Q. In the women's division or the men's
18 division?

19 A. Well, it is both.

20 Q. How do you know the defendant? Me.
21 How do you know me?

22 A. As a patient at Cermak.

23 Q. Are you familiar with my medical
24 condition?

PP 15

PP 16

090

1 A. Somewhat.
2 Q. Are they unusual and confusing in
3 regards to symptoms?
4 MR. DALKIN: Objection.
5 THE COURT: Overruled. You can
6 answer that.
7 THE WITNESS: Can you repeat the
8 question.
9 BY MS. SHELTON:
10 Q. Are my medical conditions unusual and
11 confusing with regard to symptoms when
12 nurses and doctors see what's happening to
13 me?
14 A. Unusual?
15 Q. Yes.
16 A. I couldn't say that.
17 Q. Has the jail medical and nursing
18 staff had difficulty at times in recognizing
19 and interpreting my symptoms in both -- all
20 the times that you have seen me?
21 A. I couldn't answer that.
22 Q. Did you see me both in May 2005 and
23 over the last eight weeks?
24 A. May I don't know the exact dates that

1 I saw you, but I know, yes, over the last
2 two weeks I have seen you.
3 Q. Would it help to refresh your memory
4 if I showed you the medical chart from May
5 2005?
6 A. Perhaps.
7 (Brief pause.)
8 BY MS. SHELTON:
9 Q. In the normal course of your affairs,
10 do you make any kind of record?
11 A. Nurse's notes?
12 Q. Yes.
13 A. Yes.
14 Q. Would you please review these and see
15 if you recognize them as your handwriting or
16 your notes from the period of time May 2005.
17 A. It appears to be my handwriting, yes.
18 Q. Could you return them to
19 Mr. Albuquerk.
20 (Documents tendered.)
21 BY MS. SHELTON:
22 Q. Has the jail or medical staff been
23 unable at times or not fully understanding
24 my need for certain medications such as

PP 17

PP 18

091

1 salt?

2 A. I can't answer for the medical staff.

3 Q. In these medical records -- first of
4 all, do I need a very high salt diet for my
5 medical condition?

6 A. You say you need a very high salt. I
7 just go by what the doctor orders, and
8 that's what I give you.

9 Q. Have the doctors ordered a high
10 salt -- an unusually high salt supplement?

11 A. Well, I couldn't say if it is
12 unusually high, Doctor. I can't do that.

13 Q. Are other patients given salt as a
14 medication ?

15 MR. DALKIN: Objection.

16 THE COURT: Sustained. We can hear
17 another question.

18 BY MS. SHELTON:

19 Q. Are other patients given salt as a
20 medication?

21 MR. DALKIN: Objection.

22 THE COURT: That was the objection.
23 Sustained as to that question.
24

PP 19

092

BY MS. SHELTON:

Q. Am I given salt as a medication over
the last eight weeks?

MR. DALKIN: Objection.

THE COURT: Overruled.

THE WITNESS: You are given sodium
chloride every other day, a bottle, a liter.

BY MS. SHELTON:

Q. Is that salt?

A. Yes, to my knowledge.

Q. Have you -- over the last eight weeks
has there been a period of time when they
did not give me the salt supplement?

A. I couldn't answer that. I don't know
what they give you, who gives you. I just
know what I do.

Q. Do you have the medical chart with
you?

A. No.

Q. Have you been giving me salt over the
last eight weeks?

A. Yes.

Q. For how many weeks?

A. Sodium chloride.

PP 20

1 Q. For how many weeks have you been
2 giving it to me?
3 A. I couldn't say exactly how many.
4 Q. So you would need the medical record?
5 A. If you have them. I don't know
6 exactly how many weeks you have been getting
7 salt.
8 Q. Have you seen me when I did not have
9 the salt treatment?
10 A. Before you started the salt
11 treatments I did, I saw you.
12 Q. Was there any effect on my blood
13 pressure, vital signs, mental health because
14 of the lack of salt?
15 MR. DALKIN: Objection.
16 THE COURT: Overruled.
17 THE WITNESS: You often complained of
18 maybe fatigue, weakness.
19 BY MS. SHELTON:
20 Q. Was I able to stand up and push a
21 wheelchair when I was without salt?
22 A. You said you could not.
23 Q. So did you observe me try to push a
24 wheelchair?

PP 21

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1 A. I observed you attempting to stand,
2 and there was weakness, yes.
3 Q. I have here the medical record for
4 2005 that documents what medications were
5 given to me. I want to ask you if that's
6 part of the nursing records.
7 (Brief pause.)
8 THE WITNESS: This appears to be
9 records, medical records, for May of 2005.
10 MS. SHELTON: Thank you.
11 BY MS. SHELTON:
12 Q. In those medical records is there any
13 evidence that I was given salt as I am being
14 prescribed salt now?
15 A. I don't see the sodium chloride, if
16 that's what you are asking me.
17 THE COURT: You said you did or you
18 didn't?
19 THE WITNESS: I did not.
20 BY MS. SHELTON:
21 Q. Nurse Daggs, are you familiar with
22 how my vital signs have varied over the last
23 eight weeks?
24 A. I have taken your vital signs.

PP 22

1 Q. Can you tell the Court what happens
2 to my vital signs when I am given salt?

3 MR. DALKIN: Objection.

4 THE COURT: Overruled. If you know.

5 MS. SHELTON: Do I need to clarify
6 that?

7 THE WITNESS: Yes, please.

8 BY MS. SHELTON:

9 Q. What I am asking is do my vital signs
10 improve, worsen, high blood pressure, high
11 heart rate, low blood pressure. What effect
12 does the salt have on my vital signs?

13 A. Your vital signs in the past week to
14 me have been perfectly normal.

15 Q. Prior to getting salt or when you
16 observed me dizzy or unable to stand or
17 unable to push the wheelchair, what were my
18 vital signs without the salt? Were they
19 high, low, normal, abnormal?

20 A. Average I would say.

21 Q. Were they as normal as they are with
22 the salt?

23 MR. DALKIN: Objection.

24 THE COURT: Overruled.

1 THE WITNESS: They appear to somewhat
2 balanced to me.

3 MS. SHELTON: I am not sure I
4 understand what you mean.

5 BY MS. SHELTON:

6 Q. Are they different when I have salt
7 and when I don't have salt is what I am
8 asking.

9 A. They seem to be a little more
10 elevated with the salt.

11 Q. I have here the vital sign records
12 from May 2005.

13 MR. DALKIN: Objection to relevance.

14 THE COURT: Sustained.

15 MS. SHELTON: I am trying, your
16 Honor, to have this witness explain what the
17 effect of jail is on my medical condition,
18 which is a mitigating factor.

19 THE COURT: Why don't you ask her
20 that.

21 MS. SHELTON: I am getting all the
22 details.

23 THE COURT: Ask her the question if
24 you want to ask her the question.

PP 23

PP 24

094

1 MS. SHELTON: I was just going to ask
2 her in May 2005 when I didn't have salt if
3 she could review the vital signs and tell
4 whether they were unusually high or normal
5 as they are when I am on salt right now.

6 MR. DALKIN: Objection.

7 THE COURT: Overruled.

8 MR. DALKIN: Judge --

9 THE COURT: Overruled.

10 MR. DALKIN: I believe what she is
11 trying to do is trying to relitigate this.
12 What she did is ask this witness what her
13 condition was when she was not taking salt,
14 what she believed the defendant's condition
15 was when she was not taking salt. I think
16 she said something about that she was --
17 appeared to be fatigued, and I don't know
18 what the words were. I think that by asking
19 about May 2005 the defendant is attempting
20 to relitigate whether or not she was
21 physically able to commit this crime.

22 THE COURT: I don't know what she is
23 trying to do by that. I think what she said
24 is showing her physical condition.

1 MR. DALKIN: Which I believe is her
2 defense during the trial.

3 THE COURT: Okay.

4 BY MS. SHELTON:

5 Q. Ms. Daggs, can you tell us if those
6 vital signs are elevated or normal like they
7 have been this past week when I have
8 sufficient salt?

9 A. They appear to be perfectly normal.

10 Q. So heart rates of 90 is normal for
11 me?

12 A. I don't know exactly what's normal
13 for your heart rate. I am not a physician.
14 I can't answer.

15 Q. But my heart rates while I have been
16 on salt this past week have been running 90s
17 or what?

18 A. The past week, no.

19 Q. What have they been running?

20 A. I don't have it in front of me, but
21 probably in the 70s and 80s.

22 Q. My blood pressures this past week?

23 A. Has been perfectly normal.

24 Q. How have they been running, the

1 numbers? What are the numbers
2 approximately?

3 A. Estimating probably from the last
4 time I took it in the 120 over maybe 80 or
5 76 or something like that.

6 Q. Blood pressures there have been
7 higher than that, the same as that, lower
8 than that?

9 A. There is a mixture of blood pressures
10 from 2005.

11 Q. Pardon me.

12 A. There is a mixture of blood pressures
13 here, and they are not all mine.

14 Q. Are they mostly high, mostly low,
15 mostly the same as this week?

16 A. They appear to be average, mostly
17 average.

18 Q. The same as this week?

19 A. The blood pressure.

20 Q. They are not elevated in any way?

21 A. Maybe one or two. Maybe three.

22 Q. There are some elevated blood
23 pressures and some elevated heart rates on
24 the 2005 --

1 A. It fluctuates here.

2 Q. In the 2005 record, not on the
3 records from the last eight weeks, which we
4 don't have, but from what your memory is,
5 have my -- have there been some difficulties
6 in obtaining a diet over the last eight
7 weeks that I could tolerate?

8 A. You told me that you were having
9 difficulty in the evenings obtaining your
10 renal diet. You told me that.

11 Q. Why are they giving me a renal diet?

12 A. I am not sure, Doctor, why they are
13 giving you a renal diet.

14 Q. I don't have any renal conditions.
15 That's correct, right?

16 A. As far as I know.

17 Q. Do you know why I have to consume
18 this mixture instead of the lunch that is
19 given to the average prisoner when I am in
20 the courthouse?

21 A. I know what you told the doctor.

22 Q. Could you explain that to the Court.

23 A. That you need food and that you be
24 hungry and you need the energy level lifted.

1 Q. Right.

2 The doctor -- the renal diet
3 doesn't contain certain foods that the
4 normal diet contains; is that correct?

5 A. I am not a dietician, Doctor.

6 Q. All right. Thank you.

7 Have I been confined over the
8 last eight weeks 24 hours a day to a single
9 room?

10 A. Confined?

11 Q. Yes. Most people in jail, there is
12 day rooms and you are let out for a certain
13 number of hours a day and interact with
14 other people.

15 A. I know you come out with me daily for
16 showers.

17 Q. Am I allowed to come out and sit out
18 with the other prisoners?

19 A. I haven't seen that.

20 Q. Is the unit I am on for the purpose
21 of keeping people in a room 24 hours a day?

22 MR. DALKIN: Objection.

23 THE COURT: Overruled.

24 THE WITNESS: I don't know if that's

1 why those rooms are designed that way. I am
2 not sure if that's the reason.

3 BY MS. SHELTON:

4 Q. Is it called the JD unit?

5 A. A portion of it is, Doctor, not the
6 entire unit.

7 Q. Is there any day room where people
8 can just sit and -- sit out with each other?

9 A. Not in the isolated area. There is
10 no sitting out.

11 Q. So in the isolated area where I am
12 being held, there is no place to sit out,
13 and you stay in your room all day unless you
14 get a shower; is that correct?

15 MR. DALKIN: Objection to relevance.

16 THE COURT: Overruled.

17 BY MS. SHELTON:

18 Q. Is that correct?

19 A. Can you repeat the question.

20 Q. In the unit I have been held on, are
21 the inmates kept in the room 24 hours a day
22 because there is no day room to come out to
23 and because of their conditions?

24 MR. DALKIN: Objection.

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THE COURT: Overruled.
THE WITNESS: There is inmates that
come out, Doctor.
BY MS. SHELTON:
Q. How long are they allowed out?
A. I am not sure.
Q. From a nursing point of view, have I
been pretty much in bed all the time 24
hours a day except to go to the bathroom and
to take a shower for the last eight weeks?
A. Basically. You do stay on the bed a
lot, yes.
Q. From a nursing point of view, what
happens to a patient who is bedridden all
the time in terms of their physical strength
and their ability to get around?
A. You are not bedridden, Doctor.
Q. If you are confined to bed pretty
much 24 hours a day, not necessarily because
you are bedridden, but because you are not
allowed out of the room or the room is too
cold or you are too weak to get around, what
happens to your strength?
MR. DALKIN: Objection.

PP 31

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THE COURT: Sustained.
BY MS. SHELTON:
Q. Are you familiar with triggers that
exacerbate my medical condition such as
severe asthma?
MR. DALKIN: Objection.
THE COURT: Overruled.
THE WITNESS: I know you have told me
things that aggravate your asthma condition.
BY MS. SHELTON:
Q. Have you witnessed asthma attacks in
the last eight weeks?
A. No.
Q. You didn't witness any time that I
was exposed to perfume and had an asthma
attack?
A. Eight weeks, no.
Q. In this past eight weeks?
A. No.
Q. Not one time?
A. I can't recall. Eight weeks?
Q. I have been there eight weeks.
A. Okay, but I can't recall an asthma
attack.

PP 32

1 Q. You can't recall an asthma attack
2 where I --

3 MR. DALKIN: Objection.

4 BY MS. SHELTON:

5 Q. -- where I was exposed to perfume?

6 THE COURT: Sustained. She answered
7 the question.

8 MS. SHELTON: I would like to refresh
9 her recollection with the medical records,
10 but we don't have it.

11 MR. DALKIN: Objection.

12 THE COURT: Ask a question,
13 Dr. Shelton.

14 MS. SHELTON: I have had asthma
15 attacks and other medical problems, and
16 that's why I called this witness, so she can
17 describe.

18 THE COURT: You will be able to
19 address the Court prior to sentencing. If
20 you have any other questions of this
21 witness, you may ask them.

22 BY MS. SHELTON:

23 Q. Do I get breathing treatments every
24 day?

1 A. Every day, Yes.

2 Q. Have I needed extra breathing
3 treatments?

4 A. Extra? Not that I know of. You get
5 q 12 hours breathing treatments daily.

6 Q. I didn't have any gasping or
7 difficulty breathing when Dr. Baker was
8 gone?

9 A. Not that I witnessed, Doctor, no.
10 Not that I witnessed. No, I don't know
11 anything about that one.

12 Q. Are you familiar with triggers that
13 cause me to have migraines with stroke-like
14 symptoms?

15 A. You have mentioned that colognes and
16 cleaning fluids aggravate your asthma
17 condition.

18 Q. How about the basilar migraine
19 condition with stroke-like conditions? Have
20 I had any difficulties with basilar
21 migraines where my arms went numb, weak and
22 I had little slurred speech, was ill over
23 the last eight weeks?

24 A. Not that I recall documenting

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anything like that.
Q. You don't recall the four days where I had the basilar migraines?
MR. DALKIN: Objection.
THE WITNESS: You did mention you had a migraine headache.
BY MS. SHELTON:
Q. Did I have difficulty getting out of bed, difficulty moving, those kind of stroke-like symptoms on those days?
A. I can't say stroke-like symptoms, Doctor. You just said you didn't want to be bothered.
Q. And I had difficulty getting out of bed, right?
A. That's what you said, yes.
Q. During May of 2005 -- I wanted to let you have your records to refresh your memory. I want to ask if I had any exacerbations of my asthma condition.
MR. DALKIN: Objection as to foundation.
BY MS. SHELTON:
Q. Do you recall May 2005 if I had any

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asthma attacks?
THE COURT: You want to show her the records.
(Brief pause.)
THE WITNESS: I do see it here, yes, May 2005.
BY MS. SHELTON:
Q. Can you give the dates and tell me how many asthma attacks I had during that time?
A. It appears May 11th it appears to be of 2005. In my documentation here it appears one time here.
Q. Was that -- did that require emergency room treatment?
A. Yes, you did go down to the emergency room this particular time.
Q. When you -- I don't know if you recall in 2005. Do you recall whether I was in a wheelchair or not?
A. I don't recall right off, Doctor.
Q. Do you recall if you ever gave me a cane or offered to give me a cane? If you need to refresh your memory, use your notes.

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(Brief pause.)
THE WITNESS: If there was a cane offered, Doctor, ordered by the doctor, I probably did. I can't recall.
BY MS. SHELTON:
Q. You don't see in your notes the mention about offering a cane or refusing a cane or anything like that?
(Brief pause.)
MS. SHELTON: If you need me to point it out, I can.
THE WITNESS: It says here you continued to refuse wooden cane.
MS. SHELTON: Okay. Thank you very much.
BY MS. SHELTON:
Q. Am I able when I am in a wheelchair to open the cell door?
MR. DALKIN: Objection.
THE COURT: Sustained.
MS. SHELTON: I would like to make an offer of proof.
THE COURT: The objection was sustained. Ask another question of this

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witness if you have any more.
MS. SHELTON: That's all the questions I have.
THE COURT: Do you have any questions of Nurse Daggs?
MR. DALKIN: No.
THE COURT: You are excused, Ms. Daggs. Thank you.
(Witness excused.)
THE COURT: Defendant may call her next witness. Do you have another witness?
MS. SHELTON: Officer Judon.
(Witness sworn.)
FRANK JUDON,
called as a witness on behalf of the defendant, having been first duly sworn, was examined and testified as follows:
DIRECT EXAMINATION
BY MS. SHELTON:
Q. Officer, could you state your name for the record and spell it, please.
A. Frank Judon, F-r-a-n-k, J-u-d-o-n.
Q. What city do you live in?
A. Chicago, Illinois.

1 witness if you have any more.

2 MS. SHELTON: That's all the
3 questions I have.

4 THE COURT: Do you have any questions
5 of Nurse Daggs?

6 MR. DALKIN: No.

7 THE COURT: You are excused,
8 Ms. Daggs. Thank you.

9 (Witness excused.)

10 THE COURT: Defendant may call her
11 next witness. Do you have another witness?

12 MS. SHELTON: Officer Judon.

13 (Witness sworn.)

14 FRANK JUDON,

15 called as a witness on behalf of the
16 defendant, having been first duly sworn, was
17 examined and testified as follows:

18 DIRECT EXAMINATION

19 BY MS. SHELTON:

20 Q. Officer, could you state your name
21 for the record and spell it, please.

22 A. Frank Judon, F-r-a-n-k, J-u-d-o-n.

23 Q. What city do you live in?

24 A. Chicago, Illinois.

1 Q. Are you married?

2 A. Yes.

3 Q. Do you have children?

4 MR. DALKIN: Objection.

5 THE COURT: Sustained.

6 BY MS. SHELTON:

7 Q. How long have you lived here?

8 A. All my life.

9 Q. Where did you go to high school?

10 MR. DALKIN: Objection.

11 THE COURT: Sustained.

12 BY MS. SHELTON:

13 Q. What kind of education do you have?

14 MR. DALKIN: Objection.

15 THE COURT: Sustained.

16 BY MS. SHELTON:

17 Q. Where are you employed?

18 A. Cook County Correctional Department.

19 Q. On what unit have you been working on
20 in the last two months?

21 A. Division 8.

22 Q. The section that you have been
23 working in?

24 A. The isolation unit.

D/02

1 Q. Can you explain what the isolation
2 unit is?

3 A. It is a unit that detainees are
4 housed that have infections or need to be
5 separated from the community due to their
6 internal problems or mental state.

7 Q. Why am I being held there?

8 A. I guess the last one I said.

9 Q. You said mental state?

10 A. Yes, I guess so.

11 Q. What proof do you have of that?

12 MR. DALKIN: Objection.

13 THE COURT: Sustained.

14 BY MS. SHELTON:

15 Q. What is my mental state?

16 MR. DALKIN: Objection.

17 THE COURT: Sustained.

18 BY MS. SHELTON:

19 Q. Isn't it true that I am being held
20 there so I can't talk to the other inmates?

21 MR. DALKIN: Objection.

22 THE COURT: Overruled.

23 THE WITNESS: No, you are not.
24

1 BY MS. SHELTON:

2 Q. Isn't it true that they are claiming
3 I am there for protective custody to protect
4 me from other inmates but holding me there
5 so I can't tell the other inmates their
6 rights?

7 A. No. You disrupt the other inmates
8 and we don't want you hurt.

9 Q. When have I disrupted other inmates?
10 When I was brought in here, I was put in
11 there immediately. Isn't that true?

12 A. No.

13 Q. What unit was I on before I was put
14 on 3-South?

15 A. 3-East. That's where you go to get
16 showers in the morning and they be wanting
17 you to hurry up and get out.

18 Q. Was I ever housed on 3-East since
19 October 10th?

20 A. The one day you were there, and then
21 they hurried up and got you out.

22 Q. I was taken there late, told to take
23 my clothes off and immediately taken to
24 3-South. So I was never housed there.

PP 40

PP 41

0103

1 Isn't that correct?

2 A. I don't do the paperwork as far as
3 your housing.

4 Q. Now, have I been allowed to walk
5 outside of the cell, go outside, get
6 exercise or hang around with the other
7 inmates?

8 A. Your door is left unlock for an hour
9 a day, but you don't come out because you
10 say you can't walk. We can't carry you out.
11 Q. You never unlock the door, Officer
12 Judon, for an hour a day. I have been
13 making three grievances about that.

14 MR. DALKIN: Objection.

15 THE COURT: Sustained.

16 MS. SHELTON: And that has not
17 occurred. I am giving you the opportunity
18 to correct your statement.

19 MR. DALKIN: Objection.

20 THE COURT: Ask another question,
21 Ms. Shelton.

22 BY MS. SHELTON:

23 Q. Officer Judon, isn't it true I have
24 not been allowed out of the cell over the

1 last eight weeks despite numerous grievances
2 because everybody says I have to have a
3 doctor's order and there haven't been any
4 doctor's orders?

5 MR. DALKIN: Objection.

6 THE COURT: Overruled.

7 THE WITNESS: You get an hour every
8 morning, but you use your hour to take
9 showers because you state that the water in
10 your shower area is too cold. Now, what you
11 do with that hour is up to you.

12 BY MS. SHELTON:

13 Q. That's not an hour a day. I am
14 allowed out of the cell per the orders of
15 the administrators and the doctors because
16 the shower in the cell is not working and
17 has running cold water. Isn't that correct?

18 A. No, ma'am.

19 Q. Have you observed me walk from my
20 cell to the 3-East shower?

21 A. Yes.

22 Q. How do I get there?

23 A. Walking.

24 Q. Walking just normally?

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PP 43

0104

1 A. No, a little difficulty, but you get
2 there.

3 Q. Do I use assistive devices?

4 A. I have seen you use a cane or a
5 walker.

6 Q. When have I used a cane?

7 A. It was quite some time ago.

8 Q. Isn't it true the cane was

9 confiscated when I came in and I have never
10 used a cane in the last eight weeks because
11 it was confiscated and placed into storage?

12 A. No, ma'am.

13 Q. Isn't it true that I only have a
14 walker to use or a wheelchair when I am
15 unable to walk with a walker?

16 A. Yes, you use a walker now because all
17 the canes were confiscated due to inmate
18 violence against officers.

19 Q. So I have never had a cane while on
20 that unit?

21 A. Yes, you did have a cane. It was
22 confiscated along with everyone else's.

23 Q. Isn't it true that its the policy to
24 take canes the moment you arrive?

1 MR. DALKIN: Objection.

2 THE WITNESS: No, it isn't.

3 THE COURT: Sustained.

4 BY MS. SHELTON:

5 Q. Isn't it true that canes are only
6 given with doctor's orders and only wooden
7 canes?

8 MR. DALKIN: Objection.

9 THE COURT: Overruled.

10 THE WITNESS: I wouldn't know.

11 BY MS. SHELTON:

12 Q. Isn't it true I had a metal cane and
13 metal canes are never allowed?

14 MR. DALKIN: Objection.

15 THE COURT: Overruled.

16 THE WITNESS: It would have been
17 replaced by a wooden cane.

18 BY MS. SHELTON:

19 Q. I have never been given a wooden
20 cane; isn't that correct?

21 A. You stated you wanted a walker. We
22 can only give you and assist you the best
23 way we can. If you keep refusing the
24 devices that we allow you to use, we can't

1 do anything about that.
2 Q. Isn't it true that I have never had a
3 cane in the last eight weeks?
4 MR. DALKIN: Objection.
5 THE WITNESS: I am not locked up with
6 you. I don't know.
7 THE COURT: Sustained.
8 BY MS. SHELTON:
9 Q. How have I walked to the showers;
10 slowly, fast, easily, without any trouble?
11 A. Sometimes fast, sometimes slow.
12 Q. Do I have sometimes trouble with
13 shortness of breath?
14 A. I wouldn't know. I am not a
15 physician at all. I don't know anything
16 about that.
17 Q. Have you -- do I just come out of the
18 cell, open the door myself, or do you have
19 to open the door so I can get out?
20 A. That's my job, ma'am, to unlock the
21 door and let you out.
22 Q. Do you hold the door open?
23 A. I always hold the door open for
24 everybody to make sure it is not tampered

PP 46

0108

1 with.
2 Q. Is there any way of letting the door
3 stay open on its own?
4 MR. DALKIN: Objection.
5 THE COURT: Overruled.
6 THE WITNESS: If you block it open.
7 BY MS. SHELTON:
8 Q. I am not sure what you mean by block
9 it open.
10 A. Put something in it.
11 Q. If you don't block it, does the door
12 stay open on its own if you hold it open and
13 let go?
14 MR. DALKIN: Objection.
15 THE COURT: Overruled.
16 THE WITNESS: It is a jail. The
17 doors are not designed to stay open. They
18 are meant to be locked.
19 BY MS. SHELTON:
20 Q. So they always close on their own; is
21 that correct?
22 MR. DALKIN: Objection.
23 THE COURT: Sustained.
24

PP 47

1 BY MS. SHELTON:

2 Q. Are you familiar with the wheelchairs
3 that I have used whenever I have to come to
4 court?

5 A. No.

6 Q. Have you noticed that any of the
7 wheelchairs are broken?

8 A. Well, quite a few of them are broken.

9 Q. Would you say the majority of them
10 are broken or in perfect working order?

11 MR. DALKIN: Objection.

12 THE COURT: Sustained.

13 MS. SHELTON: That's all the
14 questions I have.

15 THE COURT: Any questions of Officer
16 Judon?

17 MR. DALKIN: No.

18 THE COURT: Thank you, Officer. You
19 may step down.

20 (Witness excused.)

21 MS. SHELTON: I would like for the
22 Court to note for the record that the
23 wheelchair I am in today is broken and
24 rigged and that every wheelchair I have been

1 in with this Court has been broken.

2 MR. DALKIN: Objection.

3 THE COURT: Do you have another
4 witness you want to call?

5 MS. SHELTON: I need to ask for
6 technical advice for a second.

7 (Brief pause.)

8 MS. SHELTON: Your Honor, at this
9 time I have an editorial by Dr. Richard
10 Ravenport, who, as I mention in my
11 pre-sentencing report, is one of the
12 country's leading forensic psychiatrists who
13 has evaluated me. He wrote an editorial
14 about my situation in one of the leading
15 forensic psychiatry journals, Journals of
16 the American Academy of Psychiatry and the
17 Law.

18 It is relatively short. I would
19 like to read it. If I can't read it, I
20 would like to have it tendered in the record
21 and have you consider this.

22 THE COURT: Let me take a look at it.

23 MS. SHELTON: The whole packet isn't
24 the article, just those couple of pages at

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0107

1 the top of it.
2 MR. DALKIN: I just ask if I can get
3 a copy of that as well.

4 (Brief pause.)
5 THE COURT: I will take a look at the
6 article. I am not going to read it in open
7 court. I will take a look at it and make it
8 part of your file.

9 (Witness excused.)
10 MS. SHELTON: I would like to call
11 Dave Cady.

12 THE COURT: Sir, please raise your
13 right hand.

14 (Witness sworn.)

15 DAVID CADY,
16 called as a witness on behalf of the
17 Defendant, having been first duly sworn, was
18 examined and testified as follows:

19 DIRECT EXAMINATION

20 BY MS. SHELTON:

21 Q. Mr. Cady, could you state your full
22 name for the record and spell it, please.

23 A. David Cady. C-a-d-y is the last
24 name.

1 THE COURT: You are excused, sir.
2 MS. SHELTON: I need to ask a technical
3 question for just a few minutes.

4 (Brief pause.)

5 MS. SHELTON: I call Mr. Joe McElligott,
6 please.

7 (Witness sworn.)

8 JOSEPH McELLIOTT,

9 called as a witness on behalf of the defendant,
10 having been first duly sworn, was examined and
11 testified as follows:

12 DIRECT EXAMINATION

13 BY MS. SHELTON:

14 Q. Mr. McElligott, would you state and
15 spell your name for the record.

16 A. Sure. Joseph McElligott,
17 M-c-E-l-l-i-g-o-t-t.

18 Q. Where do you live?

19 A. I live in Chicago.

20 Q. How long have you lived there?

21 A. All my life.

22 Q. What is your profession?

23 A. I am an attorney.

24 Q. Where have you worked?

1 A. I am in private practice now. Prior to
2 that I worked for 25 years in the Cook County
3 public defender's office.

4 Q. How do you know the defendant?

5 A. I first met you I believe it was the
6 summer of 2002 in the Bridgeview courthouse.

7 Q. What was your role in relation to the
8 defendant?

9 A. I was appointed to represent you after
10 your prior public defender had left the office.

11 Q. Did you have occasion to observe my
12 interaction with the deputies in the courthouse
13 when I was entering the courthouse or coming to
14 your office?

15 A. Yes.

16 Q. Did I have some difficulty in them
17 harassing me and trying to not allow me to come
18 to your office at times?

19 A. I would say there was conflict between
20 you and the sheriffs.

21 Q. Were you aware of any orders that I
22 wasn't allowed in the courthouse?

23 A. I don't know if you were not allowed in
24 the courthouse. However, your movement within

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1 the courthouse was limited.
2 Q. Was there any legal order allowing that?
3 A. I have to be honest with you. Actually,
4 I don't know that for a fact.
5 Q. On October 8th of 2002 before Judge
6 Carmiti (phonetic), we were in the courthouse and
7 you were representing me, and at some point you
8 stepped down as the public defender in my case;
9 is that correct?
10 A. I filed a motion to withdraw.
11 Q. Didn't I ask that your office be
12 appointed stand-by counsel?
13 A. I am not sure, but I believe you did.
14 Q. At the end of the proceedings on
15 October 8th, I do have the transcript of it here,
16 do you remember if I stated to the state's
17 attorney that I had a U.S. Supreme Court
18 motion -- it wasn't a motion; it was a complaint
19 for supervisory order, I believe -- to deliver to
20 the judge?
21 MR. DALKIN: Objection.
22 THE COURT: Overruled.
23 THE WITNESS: I don't have any
24 particular recollection, but I know you did have

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1 some appeals of different issues before the
2 court.
3 BY MS. SHELTON:
4 Q. Would it help to refresh your memory if
5 you saw the transcript?
6 A. I guess it would.
7 MR. DALKIN: I am going to object to the
8 relevance.
9 THE COURT: What's the relevancy of
10 this?
11 MS. SHELTON: It is the impeachment of
12 the deputy, Sergeant Bialek, who said I tried to
13 attack the judge or something like that or was
14 unruly with the Court and was kicked out the
15 courtroom. This proves that was not the case. I
16 was totally lawful and within my rights.
17 (Brief pause.)
18 MS. SHELTON: This impeaches a witness,
19 your Honor.
20 (Brief pause.)
21 MS. SHELTON: At this point I want to
22 give judicial notice of Supreme Court rules that
23 for judicial orders when the judge is a
24 respondent the judge must be served. Actually I

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1 have been in Washington before and the Supreme
2 Court clerk told me I should serve the judge's
3 clerk, which is what I was doing, which is
4 documented in this transcript.

5 THE COURT: Let the witness take a look
6 at it and we will go from there.

7 (Brief pause.)

8 BY MS. SHELTON:

9 Q. Mr. McElligott, do you recall that I
10 made a motion for substitution of judges in July
11 prior to this October hearing?

12 MR. DALKIN: Objection.

13 THE COURT: Sustained.

14 BY MS. SHELTON:

15 Q. After reviewing this record, do you
16 recall that I at the end of the hearing told the
17 state's attorney that I was serving them and the
18 judge with a U.S. Supreme Court document?

19 A. I would just indicate from reviewing the
20 transcript you did have something from the
21 Supreme Court and you were leaving it there.
22 That's what the record indicates.

23 Q. And that this transcript confirms that I
24 told the judge I am just trying to leave this

1 here; is that correct?

2 MR. DALKIN: Objection.

3 THE COURT: Overruled.

4 THE WITNESS: The transcript does
5 indicate that you were leaving it there.

6 MS. SHELTON: Your Honor, I would just
7 like to point out that this is the day that
8 Sergeant Bialek said -- I am not sure I am
9 pronouncing her name right -- testified that at
10 the end --

11 MR. DALKIN: Objection.

12 THE COURT: You are ahead of yourself.
13 Do you have any questions for Mr. McElligott?

14 BY MS. SHELTON:

15 Q. Mr. McElligott, did you ever see me
16 attack a judge?

17 A. No.

18 Q. Did you ever see me physically threaten
19 a judge?

20 A. No.

21 Q. Did you ever hear me verbally threaten a
22 judge I was going to do something to him?

23 A. Not to my recollection.

24 MS. SHELTON: That's all. Thank you.

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1 THE COURT: Do you have any questions of
2 Mr. McElligott?

3 MR. DALKIN: I do.

4 CROSS EXAMINATION

5 BY MR. DALKIN:

6 Q. That transcript that the defendant just
7 asked you about, on the last page it states the
8 Court stating, quote, I am not accepting anything
9 from you; is that correct?

10 A. I believe that's what the transcript
11 does state.

12 Q. The defendant states, under Supreme
13 Court, I am leaving it here; is that correct?

14 A. I believe that's what the transcript
15 states.

16 Q. The Court then states, escort her out of
17 the courtroom. We are off the record. We are
18 done. Isn't that correct?

19 A. I believe that's what the transcript
20 states.

21 MR. DALKIN: I have nothing else.

22 MS. SHELTON: Your Honor, I would like
23 to give judicial notice of U.S. code that it is a
24 federal felony --

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1 THE COURT: Do you have any other
2 questions of Mr. McElligott?

3 MS. SHELTON: No.

4 THE COURT: You are excused,
5 Mr. McElligott.

6 THE WITNESS: Thank you.

7 (Witness excused.)

8 MS. SHELTON: I would like to give
9 judicial notice at this time that it is a federal
10 crime to refuse service of Supreme Court cases.
11 I am not sure what it is called.

12 THE COURT: Do you have any other
13 witnesses you wish to call?

14 MS. SHELTON: No other witnesses at this
15 time other than myself.

16 THE COURT: You may proceed.

17 What I am going to do -- you are
18 going to have a chance to address the Court prior
19 to sentencing. I want to conclude your
20 litigation before we do that. If there is
21 nothing else that you have to offer by way of
22 witnesses, I am going to give the State a chance
23 to say something and you will be able to address
24 the Court prior to sentencing.

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1 anything like that.

2 Q. You don't recall the four days where
3 I had the basilar migraines?

4 MR. DALKIN: Objection.

5 THE WITNESS: You did mention you had
6 a migraine headache.

7 BY MS. SHELTON:

8 Q. Did I have difficulty getting out of
9 bed, difficulty moving, those kind of
10 stroke-like symptoms on those days?

11 A. I can't say stroke-like symptoms,
12 Doctor. You just said you didn't want to be
13 bothered.

14 Q. And I had difficulty getting out of
15 bed, right?

16 A. That's what you said, yes.

17 Q. During May of 2005 -- I wanted to let
18 you have your records to refresh your
19 memory. I want to ask if I had any
20 exacerbations of my asthma condition.

21 MR. DALKIN: Objection as to
22 foundation.

23 BY MS. SHELTON:

24 Q. Do you recall May 2005 if I had any

asthma attacks?

THE COURT: You want to show her the
records.

(Brief pause.)

THE WITNESS: I do see it here, yes,
May 2005.

BY MS. SHELTON:

Q. Can you give the dates and tell me
how many asthma attacks I had during that
time?

A. It appears May 11th it appears to be
of 2005. In my documentation here it
appears one time here.

Q. Was that -- did that require
emergency room treatment?

A. Yes, you did go down to the emergency
room this particular time.

Q. When you -- I don't know if you
recall in 2005. Do you recall whether I was
in a wheelchair or not?

A. I don't recall right off, Doctor.

Q. Do you recall if you ever gave me a
cane or offered to give me a cane? If you
need to refresh your memory, use your notes.

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(Brief pause.)
THE WITNESS: If there was a cane offered, Doctor, ordered by the doctor, I probably did. I can't recall.
BY MS. SHELTON:
Q. You don't see in your notes the mention about offering a cane or refusing a cane or anything like that?
(Brief pause.)
MS. SHELTON: If you need me to point it out, I can.
THE WITNESS: It says here you continued to refuse wooden cane.
MS. SHELTON: Okay. Thank you very much.
BY MS. SHELTON:
Q. Am I able when I am in a wheelchair to open the cell door?
MR. DALKIN: Objection.
THE COURT: Sustained.
MS. SHELTON: I would like to make an offer of proof.
THE COURT: The objection was sustained. Ask another question of this

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witness if you have any more.
MS. SHELTON: That's all the questions I have.
THE COURT: Do you have any questions of Nurse Daggs?
MR. DALKIN: No.
THE COURT: You are excused, Ms. Daggs. Thank you.
(Witness excused.)
THE COURT: Defendant may call her next witness. Do you have another witness?
MS. SHELTON: Officer Judon.
(Witness sworn.)
FRANK JUDON,
called as a witness on behalf of the defendant, having been first duly sworn, was examined and testified as follows:
DIRECT EXAMINATION
BY MS. SHELTON:
Q. Officer, could you state your name for the record and spell it, please.
A. Frank Judon, F-r-a-n-k, J-u-d-o-n.
Q. What city do you live in?
A. Chicago, Illinois.

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1 witness if you have any more.
2 MS. SHELTON: That's all the
3 questions I have.
4 THE COURT: Do you have any questions
5 of Nurse Daggs?
6 MR. DALKIN: No.
7 THE COURT: You are excused,
8 Ms. Daggs. Thank you.
9 (Witness excused.)
10 THE COURT: Defendant may call her
11 next witness. Do you have another witness?
12 MS. SHELTON: Officer Judon.
13 (Witness sworn.)
14 FRANK JUDON,
15 called as a witness on behalf of the
16 defendant, having been first duly sworn, was
17 examined and testified as follows:
18 DIRECT EXAMINATION
19 BY MS. SHELTON:
20 Q. Officer, could you state your name
21 for the record and spell it, please.
22 A. Frank Judon, F-r-a-n-k, J-u-d-o-n.
23 Q. What city do you live in?
24 A. Chicago, Illinois.

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1 Q. Are you married?
2 A. Yes.
3 Q. Do you have children?
4 MR. DALKIN: Objection.
5 THE COURT: Sustained.
6 BY MS. SHELTON:
7 Q. How long have you lived here?
8 A. All my life.
9 Q. Where did you go to high school?
10 MR. DALKIN: Objection.
11 THE COURT: Sustained.
12 BY MS. SHELTON:
13 Q. What kind of education do you have?
14 MR. DALKIN: Objection.
15 THE COURT: Sustained.
16 BY MS. SHELTON:
17 Q. Where are you employed?
18 A. Cook County Correctional Department.
19 Q. On what unit have you been working on
20 in the last two months?
21 A. Division 8.
22 Q. The section that you have been
23 working in?
24 A. The isolation unit.

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1 Q. Can you explain what the isolation
2 unit is?

3 A. It is a unit that detainees are
4 housed that have infections or need to be
5 separated from the community due to their
6 internal problems or mental state.

7 Q. Why am I being held there?

8 A. I guess the last one I said.

9 Q. You said mental state?

10 A. Yes, I guess so.

11 Q. What proof do you have of that?

12 MR. DALKIN: Objection.

13 THE COURT: Sustained.

14 BY MS. SHELTON:

15 Q. What is my mental state?

16 MR. DALKIN: Objection.

17 THE COURT: Sustained.

18 BY MS. SHELTON:

19 Q. Isn't it true that I am being held
20 there so I can't talk to the other inmates?

21 MR. DALKIN: Objection.

22 THE COURT: Overruled.

23 THE WITNESS: No, you are not.
24

1 BY MS. SHELTON:

2 Q. Isn't it true that they are claiming
3 I am there for protective custody to protect
4 me from other inmates but holding me there
5 so I can't tell the other inmates their
6 rights?

7 A. No. You disrupt the other inmates
8 and we don't want you hurt.

9 Q. When have I disrupted other inmates?
10 When I was brought in here, I was put in
11 there immediately. Isn't that true?

12 A. No.

13 Q. What unit was I on before I was put
14 on 3-South?

15 A. 3-East. That's where you go to get
16 showers in the morning and they be wanting
17 you to hurry up and get out.

18 Q. Was I ever housed on 3-East since
19 October 10th?

20 A. The one day you were there, and then
21 they hurried up and got you out.

22 Q. I was taken there late, told to take
23 my clothes off and immediately taken to
24 3-South. So I was never housed there.

1 Isn't that correct?

2 A. I don't do the paperwork as far as
3 your housing.

4 Q. Now, have I been allowed to walk
5 outside of the cell, go outside, get
6 exercise or hang around with the other
7 inmates?

8 A. Your door is left unlock for an hour
9 a day, but you don't come out because you
10 say you can't walk. We can't carry you out.

11 Q. You never unlock the door, Officer
12 Judon, for an hour a day. I have been
13 making three grievances about that.

14 MR. DALKIN: Objection.

15 THE COURT: Sustained.

16 MS. SHELTON: And that has not

17 occurred. I am giving you the opportunity
18 to correct your statement.

19 MR. DALKIN: Objection.

20 THE COURT: Ask another question,
21 Ms. Shelton.

22 BY MS. SHELTON:

23 Q. Officer Judon, isn't it true I have
24 not been allowed out of the cell over the

1 last eight weeks despite numerous grievances
2 because everybody says I have to have a
3 doctor's order and there haven't been any
4 doctor's orders?

5 MR. DALKIN: Objection.

6 THE COURT: Overruled.

7 THE WITNESS: You get an hour every
8 morning, but you use your hour to take
9 showers because you state that the water in
10 your shower area is too cold. Now, what you
11 do with that hour is up to you.

12 BY MS. SHELTON:

13 Q. That's not an hour a day. I am
14 allowed out of the cell per the orders of
15 the administrators and the doctors because
16 the shower in the cell is not working and
17 has running cold water. Isn't that correct?

18 A. No, ma'am.

19 Q. Have you observed me walk from my
20 cell to the 3-East shower?

21 A. Yes.

22 Q. How do I get there?

23 A. Walking.

24 Q. Walking just normally?

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1 A. No, a little difficulty, but you get
2 there.

3 Q. Do I use assistive devices?

4 A. I have seen you use a cane or a
5 walker.

6 Q. When have I used a cane?

7 A. It was quite some time ago.

8 Q. Isn't it true the cane was

9 confiscated when I came in and I have never
10 used a cane in the last eight weeks because
11 it was confiscated and placed into storage?

12 A. No, ma'am.

13 Q. Isn't it true that I only have a
14 walker to use or a wheelchair when I am
15 unable to walk with a walker?

16 A. Yes, you use a walker now because all
17 the canes were confiscated due to inmate
18 violence against officers.

19 Q. So I have never had a cane while on
20 that unit?

21 A. Yes, you did have a cane. It was
22 confiscated along with everyone else's.

23 Q. Isn't it true that its the policy to
24 take canes the moment you arrive?

MR. DALKIN: Objection.

THE WITNESS: No, it isn't.

THE COURT: Sustained.

BY MS. SHELTON:

Q. Isn't it true that canes are only
given with doctor's orders and only wooden
canes?

MR. DALKIN: Objection.

THE COURT: Overruled.

THE WITNESS: I wouldn't know.

BY MS. SHELTON:

Q. Isn't it true I had a metal cane and
metal canes are never allowed?

MR. DALKIN: Objection.

THE COURT: Overruled.

THE WITNESS: It would have been
replaced by a wooden cane.

BY MS. SHELTON:

Q. I have never been given a wooden
cane; isn't that correct?

A. You stated you wanted a walker. We
can only give you and assist you the best
way we can. If you keep refusing the
devices that we allow you to use, we can't

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1 do anything about that.
2 Q. Isn't it true that I have never had a
3 cane in the last eight weeks?

4 MR. DALKIN: Objection.

5 THE WITNESS: I am not locked up with
6 you. I don't know.

7 THE COURT: Sustained.

8 BY MS. SHELTON:

9 Q. How have I walked to the showers;
10 slowly, fast, easily, without any trouble?

11 A. Sometimes fast, sometimes slow.

12 Q. Do I have sometimes trouble with
13 shortness of breath?

14 A. I wouldn't know. I am not a
15 physician at all. I don't know anything
16 about that.

17 Q. Have you -- do I just come out of the
18 cell, open the door myself, or do you have
19 to open the door so I can get out?

20 A. That's my job, ma'am, to unlock the
21 door and let you out.

22 Q. Do you hold the door open?

23 A. I always hold the door open for
24 everybody to make sure it is not tampered

1 with.
2 Q. Is there any way of letting the door
3 stay open on its own?

4 MR. DALKIN: Objection.

5 THE COURT: Overruled.

6 THE WITNESS: If you block it open.

7 BY MS. SHELTON:

8 Q. I am not sure what you mean by block
9 it open.

10 A. Put something in it.

11 Q. If you don't block it, does the door
12 stay open on its own if you hold it open and
13 let go?

14 MR. DALKIN: Objection.

15 THE COURT: Overruled.

16 THE WITNESS: It is a jail. The
17 doors are not designed to stay open. They
18 are meant to be locked.

19 BY MS. SHELTON:

20 Q. So they always close on their own; is
21 that correct?

22 MR. DALKIN: Objection.

23 THE COURT: Sustained.
24

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1 BY MS. SHELTON:

2 Q. Are you familiar with the wheelchairs
3 that I have used whenever I have to come to
4 court?

5 A. No.

6 Q. Have you noticed that any of the
7 wheelchairs are broken?

8 A. Well, quite a few of them are broken.

9 Q. Would you say the majority of them
10 are broken or in perfect working order?

11 MR. DALKIN: Objection.

12 THE COURT: Sustained.

13 MS. SHELTON: That's all the
14 questions I have.

15 THE COURT: Any questions of Officer
16 Judon?

17 MR. DALKIN: No.

18 THE COURT: Thank you, Officer. You
19 may step down.

20 (Witness excused.)

21 MS. SHELTON: I would like for the
22 Court to note for the record that the
23 wheelchair I am in today is broken and
24 rigged and that every wheelchair I have been

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1 in with this Court has been broken.

2 MR. DALKIN: Objection.

3 THE COURT: Do you have another
4 witness you want to call?

5 MS. SHELTON: I need to ask for
6 technical advice for a second.

7 (Brief pause.)

8 MS. SHELTON: Your Honor, at this
9 time I have an editorial by Dr. Richard
10 Ravenport, who, as I mention in my
11 pre-sentencing report, is one of the
12 country's leading forensic psychiatrists who
13 has evaluated me. He wrote an editorial
14 about my situation in one of the leading
15 forensic psychiatry journals, Journals of
16 the American Academy of Psychiatry and the
17 Law.

18 It is relatively short. I would
19 like to read it. If I can't read it, I
20 would like to have it tendered in the record
21 and have you consider this.

22 THE COURT: Let me take a look at it.

23 MS. SHELTON: The whole packet isn't
24 the article, just those couple of pages at

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1 the top of it.
2 MR. DALKIN: I just ask if I can get
3 a copy of that as well.

4 (Brief pause.)
5 THE COURT: I will take a look at the
6 article. I am not going to read it in open
7 court. I will take a look at it and make it
8 part of your file.

9 (Witness excused.)
10 MS. SHELTON: I would like to call
11 Dave Cady.

12 THE COURT: Sir, please raise your
13 right hand.

14 (Witness sworn.)

15 DAVID CADY,
16 called as a witness on behalf of the
17 Defendant, having been first duly sworn, was
18 examined and testified as follows:

19 DIRECT EXAMINATION

20 BY MS. SHELTON:

21 Q. Mr. Cady, could you state your full
22 name for the record and spell it, please.

23 A. David Cady. C-a-d-y is the last
24 name.

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1 THE COURT: You are excused, sir.

2 MS. SHELTON: I need to ask a technical
3 question for just a few minutes.

4 (Brief pause.)

5 MS. SHELTON: I call Mr. Joe McElligott,
6 please.

7 (Witness sworn.)

8 JOSEPH McELLIOTT,

9 called as a witness on behalf of the defendant,
10 having been first duly sworn, was examined and
11 testified as follows:

12 DIRECT EXAMINATION

13 BY MS. SHELTON:

14 Q. Mr. McElligott, would you state and
15 spell your name for the record.

16 A. Sure. Joseph McElligott,
17 M-c-E-l-l-i-g-o-t-t.

18 Q. Where do you live?

19 A. I live in Chicago.

20 Q. How long have you lived there?

21 A. All my life.

22 Q. What is your profession?

23 A. I am an attorney.

24 Q. Where have you worked?

1 A. I am in private practice now. Prior to
2 that I worked for 25 years in the Cook County
3 public defender's office.

4 Q. How do you know the defendant?

5 A. I first met you I believe it was the
6 summer of 2002 in the Bridgeview courthouse.

7 Q. What was your role in relation to the
8 defendant?

9 A. I was appointed to represent you after
10 your prior public defender had left the office.

11 Q. Did you have occasion to observe my
12 interaction with the deputies in the courthouse
13 when I was entering the courthouse or coming to
14 your office?

15 A. Yes.

16 Q. Did I have some difficulty in them
17 harassing me and trying to not allow me to come
18 to your office at times?

19 A. I would say there was conflict between
20 you and the sheriffs.

21 Q. Were you aware of any orders that I
22 wasn't allowed in the courthouse?

23 A. I don't know if you were not allowed in
24 the courthouse. However, your movement within

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1 the courthouse was limited.

2 Q. Was there any legal order allowing that?

3 A. I have to be honest with you. Actually,
4 I don't know that for a fact.

5 Q. On October 8th of 2002 before Judge
6 Carmiti (phonetic), we were in the courthouse and
7 you were representing me, and at some point you
8 stepped down as the public defender in my case;
9 is that correct?

10 A. I filed a motion to withdraw.

11 Q. Didn't I ask that your office be
12 appointed stand-by counsel?

13 A. I am not sure, but I believe you did.

14 Q. At the end of the proceedings on
15 October 8th, I do have the transcript of it here,
16 do you remember if I stated to the state's
17 attorney that I had a U.S. Supreme Court
18 motion -- it wasn't a motion; it was a complaint
19 for supervisory order, I believe -- to deliver to
20 the judge?

21 MR. DALKIN: Objection.

22 THE COURT: Overruled.

23 THE WITNESS: I don't have any
24 particular recollection, but I know you did have

1 some appeals of different issues before the
2 court.

3 BY MS. SHELTON:

4 Q. Would it help to refresh your memory if
5 you saw the transcript?

6 A. I guess it would.

7 MR. DALKIN: I am going to object to the
8 relevance.

9 THE COURT: What's the relevancy of
10 this?

11 MS. SHELTON: It is the impeachment of
12 the deputy, Sergeant Bialek, who said I tried to
13 attack the judge or something like that or was
14 unruly with the Court and was kicked out the
15 courtroom. This proves that was not the case. I
16 was totally lawful and within my rights.

17 (Brief pause.)

18 MS. SHELTON: This impeaches a witness,
19 your Honor.

20 (Brief pause.)

21 MS. SHELTON: At this point I want to
22 give judicial notice of Supreme Court rules that
23 for judicial orders when the judge is a
24 respondent the judge must be served. Actually I

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1 have been in Washington before and the Supreme
2 Court clerk told me I should serve the judge's
3 clerk, which is what I was doing, which is
4 documented in this transcript.

5 THE COURT: Let the witness take a look
6 at it and we will go from there.

7 (Brief pause.)

8 BY MS. SHELTON:

9 Q. Mr. McElligott, do you recall that I
10 made a motion for substitution of judges in July
11 prior to this October hearing?

12 MR. DALKIN: Objection.

13 THE COURT: Sustained.

14 BY MS. SHELTON:

15 Q. After reviewing this record, do you
16 recall that I at the end of the hearing told the
17 state's attorney that I was serving them and the
18 judge with a U.S. Supreme Court document?

19 A. I would just indicate from reviewing the
20 transcript you did have something from the
21 Supreme Court and you were leaving it there.
22 That's what the record indicates.

23 Q. And that this transcript confirms that I
24 told the judge I am just trying to leave this

1 here; is that correct?

2 MR. DALKIN: Objection.

3 THE COURT: Overruled.

4 THE WITNESS: The transcript does
5 indicate that you were leaving it there.

6 MS. SHELTON: Your Honor, I would just
7 like to point out that this is the day that
8 Sergeant Bialek said -- I am not sure I am
9 pronouncing her name right -- testified that at
10 the end --

11 MR. DALKIN: Objection.

12 THE COURT: You are ahead of yourself.

13 Do you have any questions for Mr. McElligott?

14 BY MS. SHELTON:

15 Q. Mr. McElligott, did you ever see me
16 attack a judge?

17 A. No.

18 Q. Did you ever see me physically threaten
19 a judge?

20 A. No.

21 Q. Did you ever hear me verbally threaten a
22 judge I was going to do something to him?

23 A. Not to my recollection.

24 MS. SHELTON: That's all. Thank you.

1 THE COURT: Do you have any questions of
2 Mr. McElligott?

3 MR. DALKIN: I do.

4 CROSS EXAMINATION

5 BY MR. DALKIN:

6 Q. That transcript that the defendant just
7 asked you about, on the last page it states the
8 Court stating, quote, I am not accepting anything
9 from you; is that correct?

10 A. I believe that's what the transcript
11 does state.

12 Q. The defendant states, under Supreme
13 Court, I am leaving it here; is that correct?

14 A. I believe that's what the transcript
15 states.

16 Q. The Court then states, escort her out of
17 the courtroom. We are off the record. We are
18 done. Isn't that correct?

19 A. I believe that's what the transcript
20 states.

21 MR. DALKIN: I have nothing else.

22 MS. SHELTON: Your Honor, I would like
23 to give judicial notice of U.S. code that it is a
24 federal felony --

1 THE COURT: Do you have any other
2 questions of Mr. McElligott?

3 MS. SHELTON: No.

4 THE COURT: You are excused,
5 Mr. McElligott.

6 THE WITNESS: Thank you.

7 (Witness excused.)

8 MS. SHELTON: I would like to give
9 judicial notice at this time that it is a federal
10 crime to refuse service of Supreme Court cases.
11 I am not sure what it is called.

12 THE COURT: Do you have any other
13 witnesses you wish to call?

14 MS. SHELTON: No other witnesses at this
15 time other than myself.

16 THE COURT: You may proceed.

17 What I am going to do -- you are
18 going to have a chance to address the Court prior
19 to sentencing. I want to conclude your
20 litigation before we do that. If there is
21 nothing else that you have to offer by way of
22 witnesses, I am going to give the State a chance
23 to say something and you will be able to address
24 the Court prior to sentencing.


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STATE OF ILLINOIS)
)SS.
COUNTY OF C O O K)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CRIMINAL DIVISION

I, Etta R. Jones, Official Court Reporter
of the Circuit Court of Cook County, Criminal
Division, do hereby certify that I reported in
shorthand the proceedings had on the hearing of
the aforementioned cause; that I thereafter
caused the foregoing to be transcribed into
typewriting, which I hereby certify to be a true
and accurate transcript of the Report of
Proceedings had before the Honorable JOSEPH G.
KAZMIERSKI, Judge of said court.

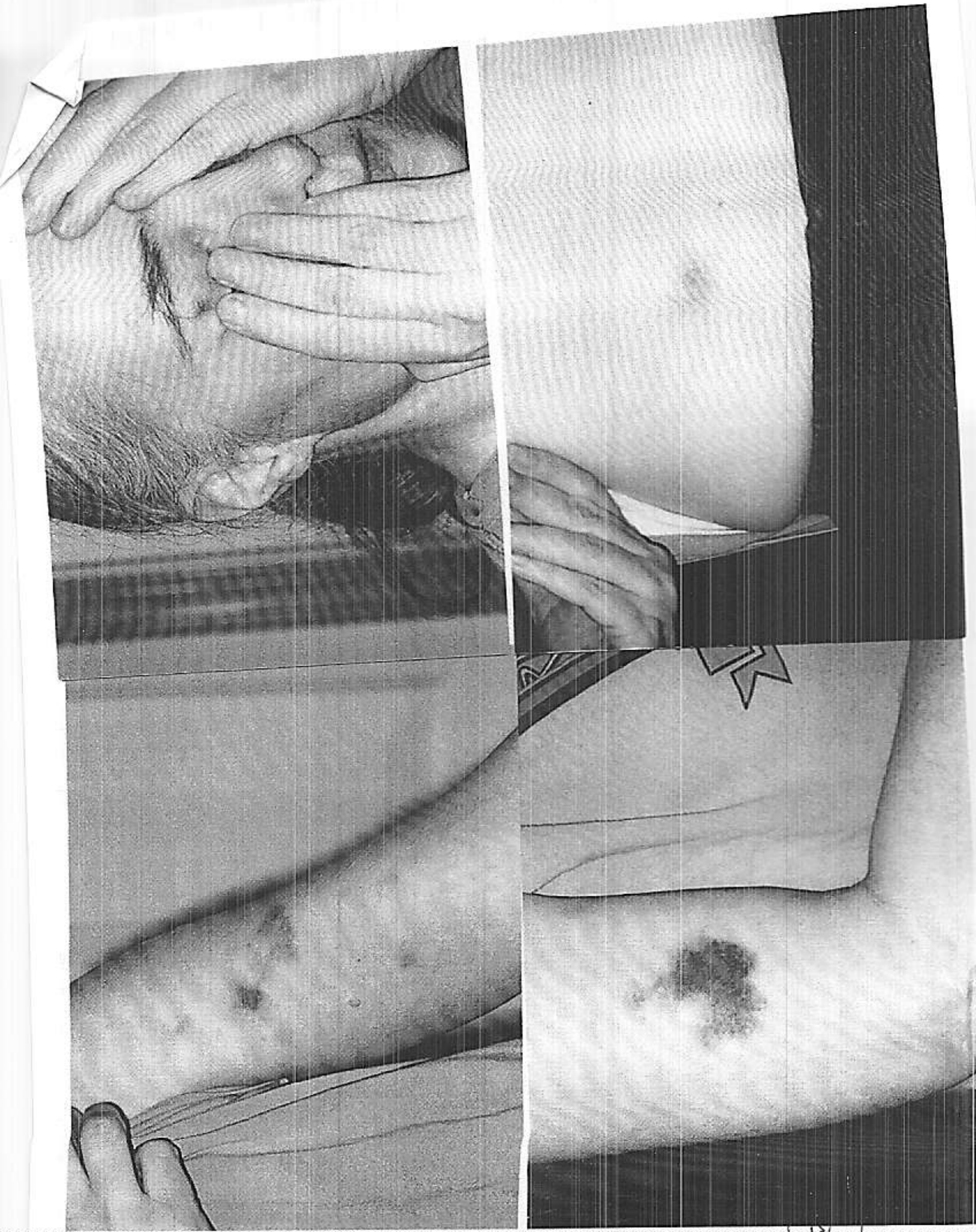


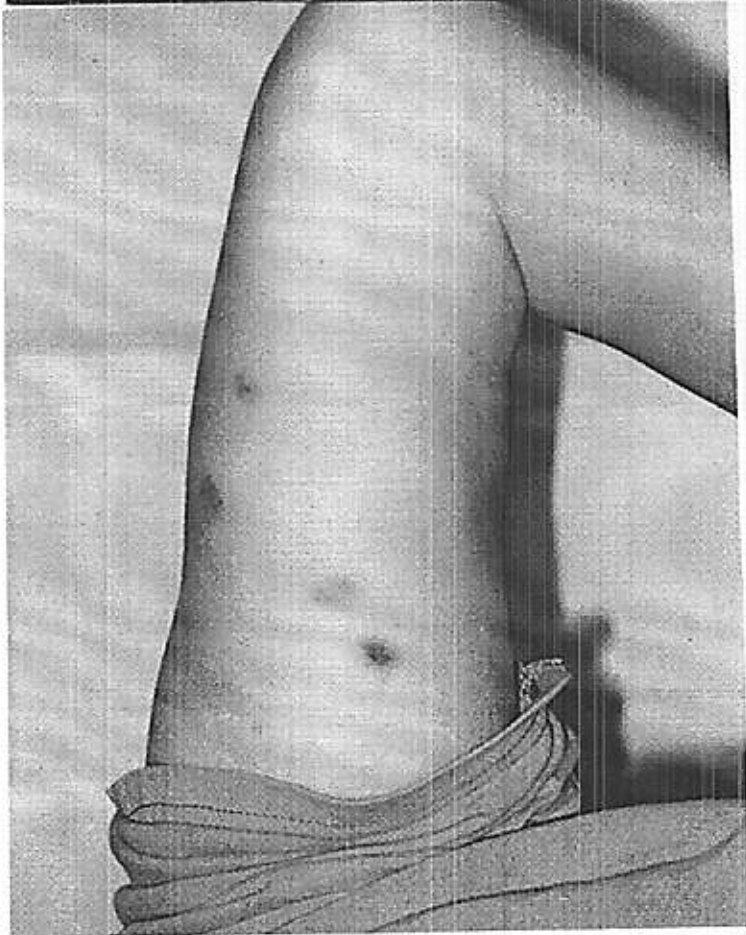
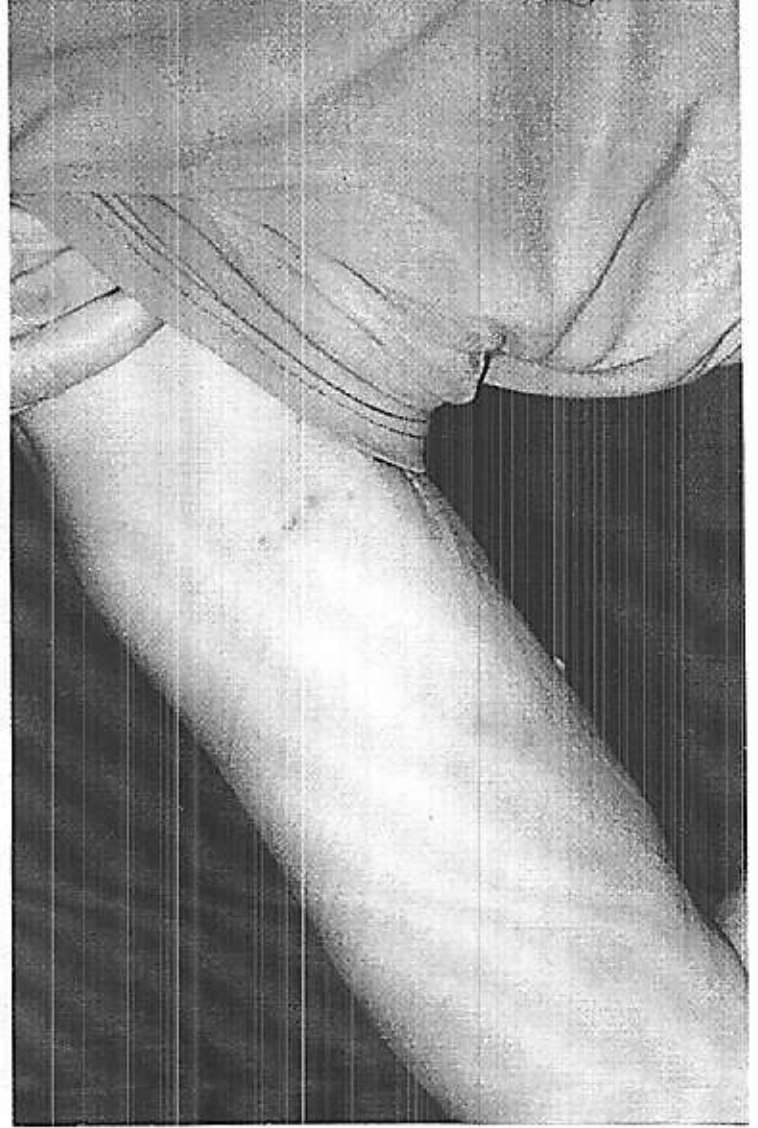
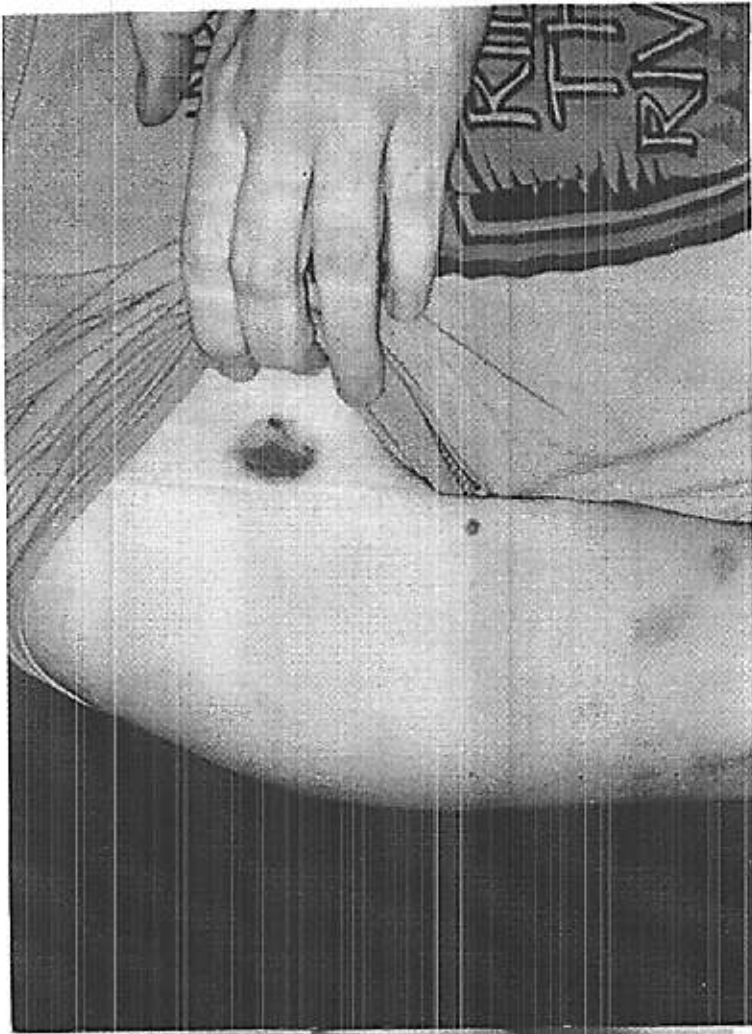
Official Court Reporter

Dated this 24th day of January, 2008.

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