EFILED
Case Number 2020MR000841
Date: 9/1/2020 9:50 AM
Mark Von Nida
Clerk of Circuit Court
Third Judicial Circuit, Madison County Illinois

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT

MADISON COUNTY, ILLIOIS

ROBERT DORMAN	)	
PLAINTIFF	)	2020MR000841
v	)	Case No.
	)	
MADISON COUNTY STATES ATTORNEY	)	
DEFENDANT		

COMPLAINT

NOW COMES PLAINTIFF, ROBERT DORMAN, by and through his attorney, Richard Bullock, and for his complaint against Defendant, THE MADISON COUNTY STATES ATTORNEY'S OFFICE, and pursuant to 5 ILCS 140/1 *et seq.*, and in support of his complaint states as follows:

1.   Pursuant to 735 ILCS 5/2-101, venue for this action lies in this court in that a) The Madison County State's Attorney's office is a public agency in Madison County, and b) the activity of which the Plaintiff complains occurred in Madison County.

2.   Plaintiff, ROBERT DORMAN, is a resident of Madison County.

3.   Pursuant to the fundamental philosophy of the American constitutional form of government, it is the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of the Illinois Freedom of Information act ("FOIA"). 5 ILCS 140/1.

4. Restraints on access to information, to the extent permitted by FOIA, are limited exceptions to the principle that the people of this state have a right to full disclosure of information relating to the decisions, policies, procedures rules, standards and other aspect of government activities that affect the conduct of government and the lives of the people. 5 ILCS 140/1

5. All public records of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt. 5 ILCS 140/3

6. Under FOIA Section 11(h), "except as to causes the court considers to be of greater importance, proceedings arising under [FOIA] shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way,"

7. On July 17, 2020, Plaintiff submitted a FOIA request to the Defendant. His FOIA request was amended on July 18, 2020.

8. Pursuant to 5 ILCS 140/3 (d) the public body must either comply or deny the request within 5 business days from receipt of the request unless the time for response is properly extended under subsection (e) for an additional 5 business days.

9. Defendant neither complied nor denied Plaintiff's request within the statutorily mandated period, nor did it seek an extension under subsection (e). It has now been more that a month since Plaintiff submitted his request with no response whatsoever.

WHEREFORE, Plaintiff prays that this court:

i) In accordance with FOIA Section 11(f), afford this case precedence on the Court's docket except as for causes the Court considers to be of greater importance, assign this case for hearing and trial at the earliest practicable date, and expedite this case in every way.

ii) Declare that the Office of the Madison County States Attorney has violated FOIA.

iii) Order the Office of the Madison County States Attorney to produce the requested records.

iv) Enjoin the Office of the Madison County States Attorney from withholding non-exempt public records under FOIA.

v) Order the Office of the Madison County States Attorney to pay civil penalties.

vi) Award Plaintiff's reasonable attorney's fees and costs.

vii) Award such other relief as the Court considers appropriate,

RESPECTFULLY SUBMITTED

TOWNE SQUARE LEGAL ADVOCATES LLC

/s/ Richard Bullock

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