

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT  
CHRISTIAN COUNTY, ILLINOIS

ROBERT THORNTON, SHAWN HOLLAND,  
ASHLEY HEFFELFINGER, CHARLES  
SPIVEY, SHANDA JACKSON, PAUL GIFFIN,  
DEAWN RHODES, MICHAEL JONES, JOSH  
RICKEY, BLAKELEE OSWALD, JACOB  
FREEMAN, JACOB ROACH, JAMES  
DUNNAN IV, JARED RUSK, JOHN CRUM,  
NATHAN DEUSHANE, NICK JONES,  
ANDREW CAMPBELL, ANDREW VOLK,  
BRADLEY ELLIS, CHAD LEMAR,  
CHRISTIAN BECKER, COURTNEY  
EDWARDS, GREG EDWARDS, HOLLY  
LEMAR, JEFF WALSH, ASHLEY HANDLEY,  
CHARLOTTE HARDEN, KAYLA NEIN,  
MELISSA ROSS, MICHAEL TIMONEY,  
CRAIG MORGAN, DION SULLIVAN, JESS  
BURLEY, NICHOLAS BYERS, JACOB ROY,  
MATTHEW VAUGHN, JEREMY FINK,  
CHERYL WHITE, DEREK PARK, MICHAEL  
DULAKIS, MICHAEL ECKERT, SHANE  
HULICK, SHARON PRICE, MATTHEW  
ORWIG

Plaintiffs,

vs.

ILLINOIS DEPARTMENT OF CORRECTIONS

ILLINOIS DEPARTMENT OF CENTRAL  
MANAGEMENT SERVICES

ROB JEFFREYS, in his capacity as Director of  
the Illinois Department of Corrections

Defendants.

~~2022-MR-~~\_\_\_\_\_

2022MR28

**PLAINTIFF'S EMERGENCY MOTION FOR ENTRY  
OF A TEMPORARY RESTRAINING ORDER WITH NOTICE**

NOW COMES the Plaintiffs, by and through their attorneys Thomas G. DeVore, and the Silver Lake Group, Ltd., and pursuant to 735 ILCS 5/11-101, moves this Court for entry of a Temporary Restraining Order against the Defendant, and hereby plead:

1. Plaintiffs have filed a Verified Complaint in this cause which complaint is incorporated herein by reference.
2. The Plaintiffs have a right to insist they not be compelled to be vaccinated or subjected to testing, which is purported to limit the spread of an infectious disease, unless first being afforded their procedural and substantive due process rights as provided under the Illinois Constitution and further codified under Illinois law.
3. The Plaintiffs all are State Employees who work for IDOC.
4. IDOC continues to force the Plaintiffs to submit to either vaccination or testing for the COVID-19, without any lawful authority to do so.
5. Plaintiffs are threatened with suspension without pay unless in violation of their Illinois constitutional and statutory rights they involuntarily sacrifice their bodily integrity and subject their bodies to testing due to the threats of discipline.
6. The Plaintiffs are suffering continuing harm in that each is being subjected to an unlawful vaccination or testing policy without being provided their statutorily protected rights of due process of law by Defendants.
7. The Plaintiffs all have clear ascertainable procedural and substantive rights under Illinois law in need of protection by this Court and every day these rights are being disregarded is irreparable.
8. The Plaintiffs have no adequate remedy at law in which to seek relief from the irreparable harm caused by the Defendants for every day the State Employees, who are otherwise perfectly healthy, are contrary to all express Illinois procedural and substantive due process of law, being forced to submit their bodies to invasive testing to allegedly prevent the spread of an infectious disease,

with such impending threat to their employment being used to coerce action not otherwise require by law

9. The Plaintiffs have shown a reasonably likelihood the Defendants are unlawfully violating the statutory procedural and substantive due process in regard to the Plaintiffs rights to not be subjected to vaccination or testing, which is alleged to prevent the spread of an infectious disease in a manner not authorized by law.
10. If the State Employees are in fact a danger to the public health such that they should be subjected to vaccination or testing, all to allegedly prevent the spread of an infectious disease, the certified local health department can follow the procedural and substantive due process rights provided the State Employees under Illinois law.

**WHEREFORE**, the Plaintiffs pray for an order:

- a) Find the Plaintiffs have statutorily protected rights of procedural and substantive due process to not be subjected to vaccination or testing, except as provided by law;
- b) Find the Plaintiffs will continue to suffer irreparable harm if the injunction is not granted in that the ongoing forcing of the vaccination or testing will continue, unless this Court enjoins the Defendants to comply with the law.
- c) Find the Plaintiffs have no adequate remedy at law to protect them from procedural and substantive due process violations being engaged by the Defendants;
- d) Find the Plaintiffs have shown a reasonable likelihood of success that Defendants are violating the procedural and substantive due process rights of the Plaintiffs as provided under Illinois law;
- e) Entering a temporary restraining order enjoining the Defendants, or any of its agents, from requiring Plaintiffs to either vaccinate or test for COVID-19 to prevent the spread of an

infectious disease unless the Plaintiffs have first been afforded their procedural and substantive due process rights under *20 ILCS 2305 et seq.*

f) For such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Thomas G. DeVore  
Counsel for Plaintiffs  
IL Bar No. 06305737  
Silver Lake Group, Ltd.  
118 N. 2nd St.  
Greenville, IL 62246  
Telephone - 618-664-9439  
[tom@silverlakelaw.com](mailto:tom@silverlakelaw.com)

**VERIFICATION**

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, if any, and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Date: 04 / 12 / 2022

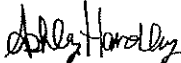
By: 

Ashley Heffelfinger

**VERIFICATION**

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Date: 04 / 11 / 2022

By: 

Ashley Marie Handley

**VERIFICATION**

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Date: 04 / 11 / 2022

By: *Andrew Campbell*

Andrew Campbell

**VERIFICATION**

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Date: 04 / 12 / 2022

By: 

Shawn Holland



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Date: 04 / 12 / 2022

By: 

Andrew Volk

**VERIFICATION**

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By: 

Blakelee Oswald

**VERIFICATION**

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Date: 04 / 12 / 2022

By: 

Bradley Ellis

**VERIFICATION**

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By: 

Nicholas Byers

**VERIFICATION**

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Date: 04 / 11 / 2022


By: *Chad LeMar*

Chad LeMar

**VERIFICATION**

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Date: 04 / 12 / 2022

By: 

Courtney Edwards

**VERIFICATION**

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By: *Charles Spivey*

Charles Spivey

**VERIFICATION**

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Date: 04 / 12 / 2022

By: *Cheryl White*

Cheryl White



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Date: 04 / 12 / 2022

By: *Christian M Becker*  
Christian Becker

**VERIFICATION**

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Date: 04 / 12 / 2022

By: *Deawn Rhodes*

Deawn Rhodes

**VERIFICATION**

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By: 

Derek Park

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Date: 04 / 12 / 2022

By:


  
\_\_\_\_\_

Nathan Deushane

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Date: 04 / 12 / 2022

By: 

Dion Sullivan

**VERIFICATION**

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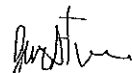
By: *Craig Morgan*

Craig Morgan

**VERIFICATION**

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Date: 04 / 12 / 2022


By: 

Jacob Freeman

**VERIFICATION**

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Date: 04 / 11 / 2022

By: 

Charlotte Harden



**VERIFICATION**

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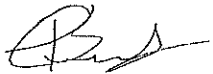
By: *Holly LeMar*

Holly LeMar

**VERIFICATION**

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Date: 04 / 11 / 2022

By: 

Jess Burley

**VERIFICATION**

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By: \_\_\_\_\_

Jacob Roach

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By: 

Michael Jones

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By:   
John Crum

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Date: 04 / 12 / 2022

By: *Josh Rickey*  
josh rickey

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By: Jared Rusk

Jared Rusk

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Date: 04 / 12 / 2022

By: 

Jacob Roy



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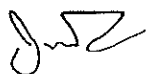
By: 

Jeff Walsh

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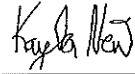
By:   
\_\_\_\_\_

James Dunnan IV

**VERIFICATION**

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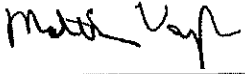
By:   
Kayla Nein

03887

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By: 

Matthew Vaughn

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Date: 04 / 11 / 2022

By: *Melissa Ross*  
Melissa Ross

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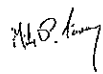
By: *Michael J Eckert*

Michael Eckert

**VERIFICATION**

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By: 

Michael Timoney

**VERIFICATION**

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By: *Jeremy M Fink*

Jeremy Fink



**VERIFICATION**

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By: 

Nick Jones

**VERIFICATION**

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By: 

Paul Giffin

**VERIFICATION**

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By: *Shane Hulick*

Shane Hulick

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By: 

Sharon Price

**VERIFICATION**

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By: 

Shanda Jackson

**VERIFICATION**

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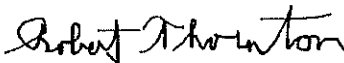
Greg Edwards

04/11/22

**VERIFICATION**

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By: 

Robert Thornton

**VERIFICATION**

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By: 

Dulakis Michael



**VERIFICATION**

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Date: 04 / 12 / 2022

By:  \_\_\_\_\_

Matthew Orwig