

**IN THE FOURTH JUDICIAL CIRCUIT
SHELBY COUNTY, ILLINOIS**

Edgar County Watchdogs, Inc.,

Plaintiff,

v.

**Shelby County, Illinois, and Shelby County
Dive Team,**

Defendant.

Case No.: 2024-ch-00004

MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT INSTANTER

Plaintiff Edgar County Watchdogs, Inc. (“Plaintiff”), by and through the undersigned counsel, moves for leave of the Court to file its First Amended Complaint, attached hereto as Exhibit 1, *instanter*. In support of its motion, Plaintiff states as follows:

1. On May 21, 2024, Plaintiff filed its Complaint wherein it brought two separate claims to force Defendant’s their compliance with Illinois’ Freedom of Information Act (“FOIA”), as codified at 5 ILCS § 140/1, *at seq.*, and produce the demanded records.

2. Plaintiff named both Shelby County, Illinois, and Shelby County Dive Team as the Defendants in this matter and was the only complainant in its suit.

3. Plaintiff’s First Amended Complaint alleges additional facts and circumstances showing that Defendants intentionally ignored their obligations under FOIA in flagrant violation of FOIA as public bodies. Plaintiffs’ Amended Complaint also adds allegations against the Shelby County State’s Attorney’s Office illustrating an overriding policy of non-compliance with FOIA by numerous individuals within the Shelby County government.

4. Illinois Code of Civil Procedure states that “[a]t any time before final judgment amendments may be allowed on just and reasonable terms, introducing any party who ought to have been joined as plaintiff or defendant, dismissing any party, changing the cause of action or

defense or adding new causes of action or defenses, and in any matter, either of form or substance, in any process, pleading, bill of particulars or proceedings, which may enable the plaintiff to sustain the claim for which it was intended to be brought or the defendant to make a defense or assert a cross claim.” 735 Il. Comp. Stat. § 5/2-616.

5. Here, the Court should permit Plaintiff to amend its Complaint because such an amendment would properly add facts necessary to the prosecution of its claims.

6. Defendants will not be prejudiced by such an amendment because it has not taken any substantive action in this litigation. Defendants have neither filed a responsive pleading nor have they entered an appearance in this matter.

7. Amendment is just and reasonable because it will further the ends of justice by allowing Plaintiff to prosecute his claims. *See, Loyola Academy v. S&S Roof Maint., Inc.*, 146 Ill. 2d 263, 272-73 (1992) (finding amendment appropriate where amendment furthered the ends of justice).

WHEREFORE, Plaintiff respectfully requests the Court grant this Motion and deem the First Amended Complaint filed, *instanter*.

Dated: October 30, 2024

Respectfully Submitted:

By: /s/ Adam Florek

Edward “Coach” Weinhaus, Esq.
Cook County #64450 / ARDC #6333901
Adam Florek - ARDC No: 6320615
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed with the Clerk of the Court using the Illinois e-filing system, said system shall serve this document on all those who have entered their appearance in this matter.

/s/ Adam Florek _____

Exhibit 1

**IN THE FOURTH JUDICIAL CIRCUIT
SHELBY COUNTY, ILLINOIS**

Edgar County Watchdogs, Inc.,

Plaintiff,

v.

**Shelby County, Illinois, Shelby County
Dive Team, and the Shelby County State’s
Attorney’s Office,**

Defendant.

Case No.: 2024-ch-00004

Amended Complaint

Plaintiff Edgar County Watchdogs, Inc. (“Plaintiff”), files its first Amended Complaint against Defendants Shelby County, Illinois, the Shelby County Dive Team, and the Shelby County State’s Attorney’s Office (the “Dive Team”, together “Defendants”) to force their compliance with Illinois’ Freedom of Information Act (“FOIA”), as codified at 5 ILCS § 140/1, *at seq.*, and produce the demanded records. Plaintiff alleges the following based on personal knowledge stemming from their acts and experiences, an investigation conducted by their attorneys, and upon information and belief. Accordingly, Plaintiff alleges as follows:

The Parties, Jurisdiction, and Venue

1. The Plaintiff, Edgar County Watchdogs, Inc. is an Illinois not-for-profit corporation licensed and registered to do business in Illinois.
2. Defendant, Shelby County, Illinois is a public body, as defined by FOIA’s Section 2(a)
3. Defendant, Shelby County Dive Team is a water rescue and recovery department established pursuant to the Illinois Water Rescue Act, as codified at 50 ILCS 755/1, *et seq.*, and

authorized by Shelby County Board Resolution and under the oversight of Shelby County Boards' Public Safety Committee.

4. The Defendant, Shelby County Dive Team, is a public body, as defined by FOIA's Section 2(a), located in Shelby County, Illinois.

5. Jurisdiction is proper in this Court because Plaintiff is an Illinois corporation doing business in Illinois and Defendants are Public Bodies under FOIA subject to the jurisdiction of the same.

6. Venue is proper based on 735 ILCS §§ 5/2-101, 103, which, *inter alia*, requires suit be brought in the county in which the transaction or some part of the transaction occurred or the cause of action arose; and 5 ILCS § 140/11, which provides, *inter alia*, that a lawsuit to enforce a demand for documents under FOIA may be brought in the county where the public body is located.

Illinois' Freedom of Information Act

7. Illinois' FOIA statute declares that it is "the public policy of the State of Illinois that all persons¹ 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 this Act." 5 ILCS § 140/1.

8. The Illinois Legislature continues to recognize that "such access is necessary to enable the people to fulfill their duties of discussing public issues fully and freely, making informed political judgments and monitoring government to ensure that it is being conducted in the public interest." *Id.*, at § 140/1.

9. "Restraints on access to information, to the extent permitted by this Act, are limited exceptions to the principle that the people of this State have a right to full disclosure of information

1. "'Person[s]' means any individual, corporation, partnership, firm, organization or association, acting individually or as a group." 5 ILCS § 140/2(b)

relating to the decisions, policies, procedures, rules, standards, and other aspects of government activity that affect the conduct of government and the lives of any or all of the people. ... This Act shall be construed to require disclosure of requested information as expediently and efficiently as possible and adherence to the deadlines established in this Act. Id., at § 140/1.

10. “All records in the custody or possession 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.” Id., at § 140/1.2.

11. In furtherance of the Illinois’ Legislatures above goals unless otherwise exempt, public bodies must comply with requests for public documents and information. Id., at §§ 140/1.2, 140/3.

12. Once a request is received, “[e]ach public body shall, promptly, either comply with or deny a request for public records within 5 business days after its receipt of the request[.]” Id., at § 140/3(d). Such time to respond may be extended for an additional five (5) business days based on good causes. Id., at § 140/3(e).

13. “[A] [d]enial shall be in writing as provided in Section 9 of this Act. Failure to comply with a written request, extend the time for response, or deny a request within 5 business days after [a requests] receipt shall be considered a denial of the request.” Id., at § 140/3(d).

14. Moreover, FOIA outlines a number of requirements for a public body and its FOIA Officer to adhere to once it receives a request for a public record. Such requirements include: (1) noting date the request was received; (2) computing the response deadline; (3) creating and maintaining an electronic or paper record of the request until the request is complied with or denied; and (4) creating a file for the retention of the request, response, and all communications concerning the same. 5 ILCS § 140/3.5(a).

15. FOIA also states that if a request is denied, the public body must, *inter alia*, “notify the requester in writing of the decision to deny the request, the reasons for the denial, including a detailed factual basis for the application of any exemption claimed, and the names and titles or positions of each person responsible for the denial.” Id., at § 140/9(a).

16. To enforce the public’s right to access public information, FOIA provides a private right of action whereby: “[a]ny person denied access to inspect or copy any public record by a public body may file suit for injunctive or declaratory relief.” Id., at § 140/11(a).

17. “If a person seeking the right to inspect or receive a copy of a public record prevails in a proceeding under this Section, the court shall award such person reasonable attorney’s fees and costs.” Id., at § 140/11(i).

18. Moreover, “[i]f the court determines that a public body willfully and intentionally failed to comply with this Act, or otherwise acted in bad faith, the court shall also impose upon the public body a civil penalty of not less than \$2,500 nor more than \$5,000 for each occurrence.” Id., at § 140/11(j).

Plaintiff Specific Allegations

19. Plaintiff submitted its FOIA request on April 25, 2024, to the Shelby County Dive Team.

20. The April 25, 2024 Request sought:

1. A copy all receipts for funds donated to the dive team and not turned in to the County Treasure in the last three years.
2. Any documents that would reflect cash on hand in the building being used by the dive team in the last three years.
3. A copy of all receipts for purchases made with funds in the control of the dive team or any designated person rather than the county treasurer in the last three years.

Thursday, April 25, 2024 E-Mail (the “April 25 Request”), attached hereto as Exhibit A.

21. Under Section 3(d) of FOIA, Defendants were obligated to validly respond to the April 25 Request by or before May 2, 2024.

22. On May 1, 2024, the Commander of the Shelby County Dive Team, Austin Pritchard (“Commander”) responded:

Kirk,

The Shelby County Board formed the Shelby County Dive Team in July of 2023, I was appointed to commander on April 11, 2024, therefore I have no records responsive to your request.

Any future requests for information should be submitted to “shelbydive@shelbycounty-il.com” and NOT my personal email, thank you.

Best regards,
Austin Pritchard
Commander, Shelby County Dive Team

May 1, 2024 E-mail (the “May 1 Response”), attached hereto as Exhibit B.

23. Commander’s May 1 Response was insufficient under FOIA because it failed to produce demanded documents, failed to seek an extension, and failed to issue a written denial as required by FOIA’s Section 9(a).

24. Following Commander’s May 1, 2024 Response, Plaintiff forwarded the same to the Shelby County State’s Attorney stating: “This is an improper foia response by Austin Prichard.”

May 1, 2024 E-mail sent 10:55 PM, attached hereto as Group Exhibit C.

25. Thereafter, the Shelby County State’s Attorney sent an e-mail to Commander admonishing him and informing him that, *inter alia*, his May 1 Response to Plaintiff’s April 25 Request “fails to comply with Illinois Law” and informed him of his obligations under FOIA. May 1, 2024 E-mail sent 11:11 PM, attached hereto as Group Exhibit C.

26. Almost instantly thereafter, the Shelby County State’s Attorney received an automated e-mail from the Dive Teams e-mail address, shelbydive@shelbycounty-il.gov, stating

that the “Shelby County Dive Team is currently not available. Please check back for updates!”
May 1, 2024 E-mail received 11:12 PM, attached hereto as Group Exhibit C.

27. Later that same night the Shelby County State’s Attorney sent another e-mail to Commander, this time at his personal e-mail address, shelbycountydiveteam@gmail.com, and informed him that the Dive Team’s official e-mail address “returns an inactive e-mail address[;]” that his personal e-mail address was subject to FOIA; that he should “[j]ust give [Plaintiff] the records he seeks.” And insisting that the request be complied with by Monday, May 6, 2024. May 1, 2024 E-mail sent 11:17 PM, attached hereto as Group Exhibit C.

28. Neither Commander nor the Dive Team ever followed up on the Shelby County State’s Attorney’s May 1, 2024 E-mail sent 11:17 PM.

29. Neither Commander nor the Dive Team ever validly respond to the April 25 Request either by producing the demanded documents, seeking an extension, or issue a written denial as required by FOIA’s Section 9(a).

30. Neither Commander nor the Dive Team ever sent a response, extension, denial, or other communication regarding the April 25 Request after Commander’s May 1 Response.

31. Moreover, upon information and belief, Commander nor the Dive Team have failed to satisfy their other obligations under FOIA, as articulated in Section 3.5(a), for the April 25 Request.

32. Commander’s decision to respond with a non-responsive auto-mailer to the State’s Attorney makes a mockery of the requirements of FOIA, for a transparent government. These counts follow.

33. Plaintiff submitted its next FOIA Request on July 10, 2024 (the “July 10 Request”) to the Shelby County State’s Attorney’s Office (“SCSAO”).

34. The July 10 Request sought, *inter alia*:

1. A copy of the police report related to Carlo Oberg case # 2022 CF 106[;]

July 10, 2024 E-Mail, attached hereto as Group Exhibit D.

35. Under Section 3(d) of FOIA, Defendant SCSAO was obligated to validly respond to the July 10 Request by or before July 17, 2024.

36. On July 11, 2024, SCSAO responded by providing various documents but failing to produce responsive documents to the request for “[a] copy of the police report related to Carlo Oberg case # 2022 CF 106[.]”

37. Instead, SCSAO stated:

I will also not be providing copies of the police reports or digital evidence as they contain sensitive information regarding the identity of a minor victim. Further, if I were to provide the digital evidence, I would then be guilty of disseminating child pornography and you would be guilty of possessing child pornography.

July 11, 2024 E-mail, attached hereto as Group Exhibit D.

38. The response failed to articulate a citation to the exemption Defendant SCSAO was relying upon, as required by FOIA’s Section 9(b).

39. The response failed to identify the names and titles of each individual responsible for the denial, as required by FOIA’s Section 9(a).

40. Moreover, the police report Defendant SCSAO declined to produce contains information that is **not exempt from disclosure**, but such information was not produced.

41. Under FOIA’s Section 7: “[w]hen a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the

information that is exempt. The public body shall make the remaining information available for inspection and copying.”

42. Defendant SCSAO had an obligation to produce those portions of the police report that were not exempt from disclosure but failed to do so.

43. On September 5, 2024, Plaintiff sent a request for review to the Office of the Illinois Attorney General’s Public Access Counselor requesting a review of its July 10 Request. September 5, 2024 Email, attached hereto as Group Exhibit D.

44. On September 13, 2024, the Office of the Illinois Attorney General sent a letter to Defendant SCSAO initiating a review of its July 11 Response. September 13, 2024 Letter, attached hereto as Group Exhibit D.

45. Upon information and belief, Defendant SCSAO has failed to cooperate with this review and is continuing to flout its obligations under FOIA.

46. Plaintiff submitted its third FOIA Request on October 23, 2024 (the “October 23 Request”) to Defendant SCSAO.

47. The October 23 Request sought a “[c]opy of email communication sent to the county board by the State’s attorney on October 22, 2024, at approximately 9:15 in the morning, to include any attachments.” October 23, 2024 Email, attached hereto as Group Exhibit E.

48. On October 26, 2024, Defendant SCSAO responded that “[t]his request is being denied as exempt pursuant to Exemption 5 as attorney-client privileged communications relating to ongoing litigation.” October 26, 2024 E-Mail, attached hereto as Group Exhibit E.

49. The response failed to articulate a citation to the exemption Defendant SCSAO was relying upon, as required by FOIA’s Section 9(b) because there is no “Exemption 5” under FOIA that is applicable hereto.

50. The response failed to identify the names and titles of each individual responsible for the denial, as required by FOIA's Section 9(a).

51. Moreover, Defendant SCSAO cannot rely on the attorney-client exemption under FOIA because the communication at issue, an email from Defendant SCSAO to the county board sent at approximately 9:15 AM on October 22, 2024, was copied to the Shelby County Clerk & Recorder.

52. The Shelby County Clerk & Recorder is not a party to the underlying litigation and therefore such communications are outside of the attorney-client exemption under FOIA.

Count I
Failure to Produce Demanded Records

1. Plaintiff incorporates the above paragraphs by reference as if fully set forth herein.
2. Defendants Shelby County and the Shelby County Dive Team are public bodies under Section 2(a) of FOIA.
3. The records requested by Plaintiff in the April 25 Request, are non-exempt public records and are subject to FOIA's inspection requirements.
4. FOIA requires Defendants to respond to a records request within five (5) days of receipt or request an additional five (5) days to respond.
5. Defendants failed to either respond to Plaintiff's April 25 Request or request additional time to respond to the same within the statutorily prescribed time period, in violation of FOIA's Section 3(d).
6. Defendants violated FOIA when it failed to produce the requested records within the statutory time period or any time thereafter; and otherwise failed to respond to Plaintiff's Request.

Count II
Willful and Intentional Violation of FOIA

7. Plaintiff incorporates the above paragraphs by reference as if fully set forth herein.

8. Defendants Shelby County and Shelby County Dive Team are public bodies under Section 2(a) of FOIA.

9. The records requested by Plaintiff's April 25 Request are non-exempt public records and are subject to FOIA's inspection requirements.

10. Upon information and belief, Defendants failed to satisfy any of FOIA's attendant requirements, including: (1) computing the response deadline; (2) creating and maintaining an electronic or paper record of the request until the request is complied with or denied; or (3) creating a file for the retention of the request, response, and all communications concerning the same, in violation of FOIA's Section 3.5(a).

11. Defendants Shelby County and Shelby County Dive Team willfully, intentionally, and in bad faith failed to comply with four (4) separate requirements of FOIA.

Count III
Failure to Produce Demanded Records

1. Plaintiff incorporates the above paragraphs by reference as if fully set forth herein.

2. Defendants Shelby County and the Shelby County State's Attorney's Office are public bodies under Section 2(a) of FOIA.

3. The records requested by Plaintiff in the July 10 Request contain non-exempt public records and are subject to FOIA's inspection requirements.

4. FOIA requires Defendants to respond to a records request within five (5) days of receipt or request an additional five (5) days to respond.

5. Defendants failed to sufficiently respond to Plaintiff's July 10 Request; to provide the non-exempt information; to identify a citation to the exemption Defendant SCSAO was relying

upon, as required by FOIA's Section 9(b); and to identify the names and titles of each individual responsible for the denial.

6. Defendants violated FOIA when it failed to produce the nonexempt information or otherwise comply with FOIA.

Count III
Failure to Produce Demanded Records

1. Plaintiff incorporates the above paragraphs by reference as if fully set forth herein.

2. Defendants Shelby County and the Shelby County State's Attorney's Office are public bodies under Section 2(a) of FOIA.

3. The records requested by Plaintiff in the October 23 Request are non-exempt public records and are subject to FOIA's inspection requirements..

4. FOIA requires Defendants to respond to a records request within five (5) days of receipt or request an additional five (5) days to respond.

5. Defendants failed to sufficiently respond to Plaintiff's October 23 Request; to provide the non-exempt information; to identify a citation to the exemption Defendant SCSAO was relying upon, as required by FOIA's Section 9(b); and to identify the names and titles of each individual responsible for the denial.

6. Defendants violated FOIA when it failed to produce the nonexempt information or otherwise comply with FOIA.

Prayer for Relief

Wherefore, Plaintiff Edgar County Watchdogs, Inc., respectfully requests that the Court find:

a. According to 5 ILCS § 140/11(h), this case be afforded precedence on the Court's docket, except for cases which the Court considers to be of greater import, and assign this matter for hearings and trial at the earliest convenience and otherwise expedited these proceedings;

b. Find that Defendants Shelby County, the Shelby County Dive Team, and the Shelby County State's Attorney's Office have violated FOIA's Section 3(d) by failing to timely respond to Plaintiff's Requests;

c. Find that Defendants Shelby County and the Shelby County Dive Team have violated FOIA's Section 3.5(a) by failing to:

- i. compute its response deadline;
- ii. create or maintain an electronic or paper record of the Request until the request is complied with or denied; and
- iii. create a file for the retention of the request, response, and all communications concerning the same;

d. Order Defendants Shelby County, the Shelby County Dive Team, and the Shelby County State's Attorney to produce all requested records, documents, and information;

e. Enjoin Defendants Shelby County and the Shelby County Dive Team from withholding non-exempt public records under FOIA;

f. Order Defendants Shelby County, the Shelby County Dive Team, and the Shelby County State's Attorney to pay civil penalties of not less than \$2,500 nor more than \$5,000 for each of the above violations of FOIA, pursuant to 5 ILCS § 140/1(j);

g. Award Plaintiff reasonable attorney's fees and costs, pursuant to 5 ILCS § 140/1(i);
and

h. Grant any and all further relief that this Court deems just and proper.

Dated: October 30, 2024

Respectfully Submitted:

By: /s/ Adam Florek

Edward "Coach" Weinhaus, Esq.
Cook County #64450 / ARDC #6333901
Adam Florek - ARDC No: 6320615
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Tele: (314) 580-9580
E-mail: eaweinhaus@gmail.com
E-mail: aflorek@florekllc.com

Exhibit A

Adam Florek

From: Kirk Allen <Kirk@illinoisleaks.com>
Sent: Thursday, April 25, 2024 12:29 PM
To: shelbycountydiveteam@gmail.com
Subject: FOIA Request

In accordance with the Freedom of Information Act of Illinois, I am requesting the following public records.

- 1. A copy all receipts for funds donated to the dive team and not turned in to the County Treasure in the last three years.
- 2. Any documents that would reflect cash on hand in the building being used by the dive team in the last three years.
- 3. A copy of all receipts for purchases made with funds in the control of the dive team or any designated person rather than the county treasurer in the last three years.
-
- I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests or commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees).

I request expedited processing on the basis of an urgency to inform the citizens and taxpayers of Illinois about their government's activities. If any element of this request is denied in whole or in part, I ask that you justify all withholdings individually by reference to specific exemptions of the Act. Please provide all responsive information to me electronically.

I request a rolling production of records, such that the public body furnishes records to my attention as soon as they are identified, preferably electronically, but as needed then to my attention, at the below address. If you have any questions please do not hesitate to contact me. Rolling production is not to be perceived as an agreement to extend the time frame for compliance under FOIA.

If you are not the FOIA officer responsible for any part of this request you are required by law to forward it to the appropriate FOIA officer.

The purpose of the request is to access and disseminate information regarding the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

As outlined in FOIA, documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

I am requesting the records be provided in electronic format if that is the method in which they are stored. If they are in paper form and the copier can convert them to electronic format I would appreciate receiving them electronically.

Thanks,

Kirk Allen

Edgar County Watchdogs

PO Box 593

Kansas, IL 61933

Exhibit B

Adam Florek

From: Shelby County Dive Team <shelbydive@shelbycounty-il.com>
Sent: Wednesday, May 1, 2024 10:41 PM
To: Kirk Allen
Subject: Re: FOIA Request

Kirk,

The Shelby County Board formed the Shelby County Dive Team in July of 2023, I was appointed to commander on April 11, 2024, therefore I have no records responsive to your request.

Any future requests for information should be submitted to "shelbydive@shelbycounty-il.com" and NOT my personal email, thank you.

Best regards,
Austin Pritchard
Commander, Shelby County Dive Team

On May 1, 2024, at 9:31 PM, Austin Pritchard <shelbycountydiveteam@gmail.com> wrote:

Caution! This message was sent from outside your organization.

Begin forwarded message:

From: Kirk Allen <Kirk@illinoisleaks.com>
Subject: FOIA Request
Date: April 25, 2024 at 11:29:24 AM CDT
To: "shelbycountydiveteam@gmail.com"
<shelbycountydiveteam@gmail.com>

In accordance with the Freedom of Information Act of Illinois, I am requesting the following public records.

- 1. A copy all receipts for funds donated to the dive team and not turned in to the County Treasure in the last three years.
- 2. Any documents that would reflect cash on hand in the building being used by the dive team in the last three years.
- 3. A copy of all receipts for purchases made with funds in the control of the dive team or any designated person rather than the county treasurer in the last three years.
-

- I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests or commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees). I request expedited processing on the basis of an urgency to inform the citizens and taxpayers of Illinois about their government's activities. If any element of this request is denied in whole or in part, I ask that you justify all withholdings individually by reference to specific exemptions of the Act. Please provide all responsive information to me electronically.

I request a rolling production of records, such that the public body furnishes records to my attention as soon as they are identified, preferably electronically, but as needed then to my attention, at the below address. If you have any questions please do not hesitate to contact me. Rolling production is not to be perceived as an agreement to extend the time frame for compliance under FOIA.

If you are not the FOIA officer responsible for any part of this request you are required by law to forward it to the appropriate FOIA officer.

The purpose of the request is to access and disseminate information regarding the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

As outlined in FOIA, documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

I am requesting the records be provided in electronic format if that is the method in which they are stored. If they are in paper form and the copier can convert them to electronic format I would appreciate receiving them electronically.

Thanks,

Kirk Allen

Edgar County Watchdogs

PO Box 593

Kansas, IL 61933

Exhibit C

Adam Florek

From: Kirk Allen <Kirk@illinoisleaks.com>
Sent: Wednesday, May 1, 2024 10:55 PM
To: States Attorney
Subject: Fwd: FOIA Request

This is an improper foia response by Austin Prichard.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Shelby County Dive Team <shelbydive@shelbycounty-il.com>
Sent: Wednesday, May 1, 2024 9:41:19 PM
To: Kirk Allen <Kirk@illinoisleaks.com>
Subject: Re: FOIA Request

Kirk,

The Shelby County Board formed the Shelby County Dive Team in July of 2023, I was appointed to commander on April 11, 2024, therefore I have no records responsive to your request.

Any future requests for information should be submitted to "shelbydive@shelbycounty-il.com" and NOT my personal email, thank you.

Best regards,
Austin Pritchard
Commander, Shelby County Dive Team

On May 1, 2024, at 9:31 PM, Austin Pritchard <shelbycountydiveteam@gmail.com> wrote:

Caution! This message was sent from outside your organization.

Begin forwarded message:

From: Kirk Allen <Kirk@illinoisleaks.com>
Subject: FOIA Request
Date: April 25, 2024 at 11:29:24 AM CDT
To: "shelbycountydiveteam@gmail.com"
<shelbycountydiveteam@gmail.com>

In accordance with the Freedom of Information Act of Illinois, I am requesting the following public records.

- 1. A copy all receipts for funds donated to the dive team and not turned in to the County Treasure in the last three years.
- 2. Any documents that would reflect cash on hand in the building being used by the dive team in the last three years.
- 3. A copy of all receipts for purchases made with funds in the control of the dive team or any designated person rather than the county treasurer in the last three years.

- I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests or commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees). I request expedited processing on the basis of an urgency to inform the citizens and taxpayers of Illinois about their government's activities. If any element of this request is denied in whole or in part, I ask that you justify all withholdings individually by reference to specific exemptions of the Act. Please provide all responsive information to me electronically.

I request a rolling production of records, such that the public body furnishes records to my attention as soon as they are identified, preferably electronically, but as needed then to my attention, at the below address. If you have any questions please do not hesitate to contact me. Rolling production is not to be perceived as an agreement to extend the time frame for compliance under FOIA.

If you are not the FOIA officer responsible for any part of this request you are required by law to forward it to the appropriate FOIA officer.

The purpose of the request is to access and disseminate information regarding the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

As outlined in FOIA, documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

I am requesting the records be provided in electronic format if that is the method in which they are stored. If they are in paper form and the copier can convert them to electronic format I would appreciate receiving them electronically.

Thanks,

Kirk Allen

Edgar County Watchdogs

PO Box 593

Kansas, IL 61933

Adam Florek

From: Shelby County States Attorney - Robert Hanlon <statesattorney@shelbycounty-il.gov>
Sent: Wednesday, May 1, 2024 11:11 PM
To: shelbydive@shelbycounty-il.com
Cc: Kirk Allen; 'Shelby County Treasurer - Erica Firnhaber'
Subject: RE: FOIA Request

Mr. Pritchard:

Your response to Mr. Allen's FOIA request fails to comply with Illinois Law. You must make a search of all records of the Dive Team, that includes documents that could have been created before the date cited in your e-mail to Mr. Allen.

Your response fails to identify any applicable FOIA exemptions and other items mandated by Statute. I am aware that you filed a police report concerning records that are applicable to Mr. Allen's request. Therefore, you are to produce those documents that are responsive to his inquiry as opposed to being cute. If not produced within the next five Business days I will undertake action required by my oath.

I am also aware that Dive Team funds were laundered into a separate entity and I have made a demand upon that entity to return to the county those funds. Because I am aware that a crime was committed concerning the concealing of funds and theft of Government property, I will be alerting the federal authorities because there has been what I can see clear violations of the following federal statutes in that you or someone on behalf of the Shelby County Dive Team collected money and deposited that money into an account of an entity with a different identity. All money of the County must be deposited in the name of the county and managed by the Treasurer. My deadline is fast approaching for the return of those funds.

You should be aware that accepting for deposit a check payable to the dive team and depositing it into another entity's account is likely in violation of the Patriot Act and a host of Federal Banking laws as well as the anti-money laundering statutes. The potential applicable statutes that could expose you to include many of the following (emphasis on the highlighted statute):

18 USC 1956(a)(1)(A)(i): - intent to promote the carrying on of specified unlawful activity;
§ 1956(a)(1)(A)(ii): intent to engage in tax evasion or tax fraud;

§ 1956(a)(1)(B)(i): knowledge that the transaction was designed to conceal or disguise the nature, location, source, ownership or control of proceeds of the specified unlawful activity; or

§ 1956(a)(1)(B)(ii): knowledge that the transaction was designed to avoid a transaction reporting requirement under State or Federal law [e.g., in violation of 31 U.S.C. §§ 5313 (Currency Transaction Reports) or 5316 (Currency and Monetary Instruments Reports), or 26 U.S.C. § 60501 (Internal Revenue Service Form 8300)].

See USDOJ Criminal Resource Manual (CRM).

The Freedom of Information Act does not allow a government actor to hide documents or records. Your refusal to produce documents may be criminal.

Shelby County State's Attorney

Robert T. Hanlon
301 E. Main St
Shelbyville, IL. 62565
(217) 774-5511
(217) 273-5291
statesattorney@shelbycounty-il.gov

From: Kirk Allen <Kirk@illinoisleaks.com>
Sent: Wednesday, May 1, 2024 9:55 PM
To: States Attorney <statesattorney@shelbycounty-il.gov>
Subject: Fwd: FOIA Request

Caution! This message was sent from outside your organization.

This is an improper foia response by Austin Prichard.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Shelby County Dive Team <shelbydive@shelbycounty-il.com>
Sent: Wednesday, May 1, 2024 9:41:19 PM
To: Kirk Allen <Kirk@illinoisleaks.com>
Subject: Re: FOIA Request

Kirk,

The Shelby County Board formed the Shelby County Dive Team in July of 2023, I was appointed to commander on April 11, 2024, therefore I have no records responsive to your request.

Any future requests for information should be submitted to “ shelbydive@shelbycounty-il.com ” and NOT my personal email, thank you.

Best regards,
Austin Pritchard
Commander, Shelby County Dive Team

On May 1, 2024, at 9:31 PM, Austin Prritchard < shelbycountydiveteam@gmail.com >
wrote:

Caution! This message was sent from outside your organization.

Begin forwarded message:

From: Kirk Allen <Kirk@illinoisleaks.com>

Subject: FOIA Request

Date: April 25, 2024 at 11:29:24 AM CDT

To: "shelbycountydiveteam@gmail.com"
<shelbycountydiveteam@gmail.com>

In accordance with the Freedom of Information Act of Illinois, I am requesting the following public records.

- 1. A copy all receipts for funds donated to the dive team and not turned in to the County Treasure in the last three years.
- 2. Any documents that would reflect cash on hand in the building being used by the dive team in the last three years.
- 3. A copy of all receipts for purchases made with funds in the control of the dive team or any designated person rather than the county treasurer in the last three years.

-
- I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests or commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees).

I request expedited processing on the basis of an urgency to inform the citizens and taxpayers of Illinois about their government's activities. If any element of this request is denied in whole or in part, I ask that you justify all withholdings individually by reference to specific exemptions of the Act. Please provide all responsive information to me electronically.

I request a rolling production of records, such that the public body furnishes records to my attention as soon as they are identified, preferably electronically, but as needed then to my attention, at the below address. If you have any questions please do not hesitate to contact me. Rolling production is not to be perceived as an agreement to extend the time frame for compliance under FOIA.

If you are not the FOIA officer responsible for any part of this request you are required by law to forward it to the appropriate FOIA officer.

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I am requesting the records be provided in electronic format if that is the method in which they are stored. If they are in paper form and the copier can convert them to electronic format I would appreciate receiving them electronically.

Thanks,

Kirk Allen

Edgar County Watchdogs

PO Box 593

Kansas, IL 61933

Adam Florek

From: Shelby County States Attorney - Robert Hanlon <statesattorney@shelbycounty-il.gov>
Sent: Wednesday, May 1, 2024 11:22 PM
To: Kirk Allen
Subject: FW: Dive Team Unavailable

Shelby County State's Attorney

Robert T. Hanlon

301 E. Main St

Shelbyville, IL. 62565

(217) 774-5511

(217) 273-5291

statesattorney@shelbycounty-il.gov

From: Shelby Dive <shelbydive@shelbycounty-il.gov>
Sent: Wednesday, May 1, 2024 10:12 PM
To: Shelby County States Attorney - Robert Hanlon <statesattorney@shelbycounty-il.gov>
Subject: Dive Team Unavailable

Shelby County Dive Team is currently not available.

Please check back for updates!

Adam Florek

From: Shelby County States Attorney - Robert Hanlon <statesattorney@shelbycounty-il.gov>
Sent: Wednesday, May 1, 2024 11:17 PM
To: shelbycountydiveteam@gmail.com
Cc: Kirk Allen; 'Shelby County Treasurer - Erica Firnhaber'
Subject: FW: FOIA Request

Mr. Pritchard:

Please see the communication below. Additionally, your request to use only the e-mail address at the county cannot be complied with as it returns an inactive e-mail address. Please read the message below. Finally, what you call your private e-mail account is subject to FOIA. Mr. Allen is fully aware of the nuances of the law on this point. So the attempt to distinguish between the two is an inapposite position. Just give him the records he seeks. I am demanding you respond fully by Monday, or I will undertake action at that time.

Shelby County State's Attorney

Robert T. Hanlon

301 E. Main St

Shelbyville, IL. 62565

(217) 774-5511

(217) 273-5291

statesattorney@shelbycounty-il.gov

From: Shelby County States Attorney - Robert Hanlon
Sent: Wednesday, May 1, 2024 10:11 PM
To: 'shelbydive@shelbycounty-il.com' <shelbydive@shelbycounty-il.com>
Cc: "'Kirk Allen" <Kirk@illinoisleaks.com>' <Kirk@illinoisleaks.com>; 'Shelby County Treasurer - Erica Firnhaber' <shcotre@shelbycounty-il.gov>
Subject: RE: FOIA Request

Mr. Pritchard:

Your response to Mr. Allen's FOIA request fails to comply with Illinois Law. You must make a search of all records of the Dive Team, that includes documents that could have been created before the date cited in your e-mail to Mr. Allen.

Your response fails to identify any applicable FOIA exemptions and other items mandated by Statute. I am aware that you filed a police report concerning records that are applicable to Mr. Allen's request. Therefore, you are to produce those documents that are responsive to his inquiry as opposed to being cute. If not produced within the next five Business days I will undertake action required by my oath.

I am also aware that Dive Team funds were laundered into a separate entity and I have made a demand upon that entity to return to the county those funds. Because I am aware that a crime was committed concerning the concealing of funds and theft of Government property, I will be alerting the federal authorities because there has been what I can see clear violations of the following federal statutes in that you or someone on behalf of the Shelby County Dive Team collected money and deposited that money into an account of an entity with a different

identity. All money of the County must be deposited in the name of the county and managed by the Treasurer. My deadline is fast approaching for the return of those funds.

You should be aware that accepting for deposit a check payable to the dive team and depositing it into another entity's account is likely in violation of the Patriot Act and a host of Federal Banking laws as well as the anti-money laundering statutes. The potential applicable statutes that could expose you to include many of the following (emphasis on the highlighted statute):

18 USC 1956(a)(1)(A)(i): - intent to promote the carrying on of specified unlawful activity;
§ 1956(a)(1)(A)(ii): intent to engage in tax evasion or tax fraud;

§ 1956(a)(1)(B)(i): knowledge that the transaction was designed to conceal or disguise the nature, location, source, ownership or control of proceeds of the specified unlawful activity; or

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See USDOJ Criminal Resource Manual (CRM).

The Freedom of Information Act does not allow a government actor to hide documents or records. Your refusal to produce documents may be criminal.

Shelby County State's Attorney

Robert T. Hanlon

301 E. Main St

Shelbyville, IL. 62565

(217) 774-5511

(217) 273-5291

statesattorney@shelbycounty-il.gov

From: Kirk Allen <Kirk@illinoisleaks.com>

Sent: Wednesday, May 1, 2024 9:55 PM

To: States Attorney <statesattorney@shelbycounty-il.gov>

Subject: Fwd: FOIA Request

Caution! This message was sent from outside your organization.

This is an improper foia response by Austin Prichard.

Sent from my Verizon, Samsung Galaxy smartphone

Get [Outlook for Android](#)

From: Shelby County Dive Team <shelbydive@shelbycounty-il.com>

Sent: Wednesday, May 1, 2024 9:41:19 PM

To: Kirk Allen <Kirk@illinoisleaks.com>

Subject: Re: FOIA Request

Kirk,

The Shelby County Board formed the Shelby County Dive Team in July of 2023, I was appointed to commander on April 11, 2024, therefore I have no records responsive to your request.

Any future requests for information should be submitted to “ shelbydive@shelbycounty-il.com ” and NOT my personal email, thank you.

Best regards,
Austin Pritchard
Commander, Shelby County Dive Team

On May 1, 2024, at 9:31 PM, Austin Pritchard < shelbycountydiveteam@gmail.com >
wrote:

Caution! This message was sent from outside your organization.

Begin forwarded message:

From: Kirk Allen <Kirk@illinoisleaks.com>

Subject: FOIA Request

Date: April 25, 2024 at 11:29:24 AM CDT

To: "shelbycountydiveteam@gmail.com"
<shelbycountydiveteam@gmail.com>

In accordance with the Freedom of Information Act of Illinois, I am requesting the following public records.

- 1. A copy all receipts for funds donated to the dive team and not turned in to the County Treasure in the last three years.
- 2. Any documents that would reflect cash on hand in the building being used by the dive team in the last three years.
- 3. A copy of all receipts for purchases made with funds in the control of the dive team or any designated person rather than the county treasurer in the last three years.
-
- I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of

Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests or commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees). I request expedited processing on the basis of an urgency to inform the citizens and taxpayers of Illinois about their government's activities. If any element of this request is denied in whole or in part, I ask that you justify all withholdings individually by reference to specific exemptions of the Act. Please provide all responsive information to me electronically.

I request a rolling production of records, such that the public body furnishes records to my attention as soon as they are identified, preferably electronically, but as needed then to my attention, at the below address. If you have any questions please do not hesitate to contact me. Rolling production is not to be perceived as an agreement to extend the time frame for compliance under FOIA.

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I am requesting the records be provided in electronic format if that is the method in which they are stored. If they are in paper form and the copier can convert them to electronic format I would appreciate receiving them electronically.

Thanks,
Kirk Allen
Edgar County Watchdogs
PO Box 593
Kansas, IL 61933

Group Exhibit D

Dunham, Lorraine

From: Kirk Allen <Kirk@illinoisleaks.com>
Sent: Thursday, September 5, 2024 3:52 PM
To: Public Access
Subject: [EXTERNAL] Request for review
Attachments: Oberg.pdf

Please consider this a request for review for an alleged FOIA violation.

Public Body:
Shelby County State's Attorney
301 East Main Street
Shelbyville, Illinois 62565-0647
(217) 774-5511
statesattorney@shelbycounty-il.gov

A FOIA request was sent to the Shelby County State's Attorney on July 10, 2024, that was also part of a media question for the State's Attorney. Included in this request, as should be noted below, is the original request along with the response provided to include the documents provided as attached.

I was seeking a copy of the police report for what was a convicted felon in Shelby County.

The State's Attorney denied my FOIA for the report and did not provide the exemption citation she was relying on for the denial. While she claimed she was not going to provide the police report, she also said she would not provide digital evidence as they contain sensitive information regarding the identity of a minor victim.

While I fully understand certain evidence may contain information on the identity of a minor victim, I am not seeking that information. I am seeking the requested records that can easily be redacted to protect the exempt information from disclosure.

I am asking the PAC to review this matter and make a determination as to compliance with FOIA.

Specifically, I am alleging the following provisions were violated:

(5 ILCS 140/7) Sec. 7. Exemptions.

(1) When a request is made to inspect or copy **a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is**

exempt. The public body shall make the remaining information available for inspection and copying.

(5 ILCS 140/9) (from Ch. 116, par. 209)

Sec. 9. (a) Each public body denying a request for public records shall notify the requester in writing of the decision to deny the request, the reasons for the denial, including a detailed factual basis for the application of any exemption claimed, and **the names and titles or positions of each person responsible for the denial.** Each notice of denial by a public body shall also inform such person of the right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor. Each notice of denial shall inform such person of his right to judicial review under Section 11 of this Act.

(b) When a request for public records is denied on the grounds that the records are exempt under Section 7 of this Act, **the notice of denial shall specify the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to supporting legal authority.** Copies of all notices of denial shall be retained by each public body in a single central office file that is open to the public and indexed according to the type of exemption asserted and, to the extent feasible, according to the types of records requested.

(c) Any person making a request for public records shall be deemed to have exhausted his or her administrative remedies with respect to that request if the public body fails to act within the time periods provided in Section 3 of this Act.

(Source: P.A. 96-542, eff. 1-1-10.)

Another possible point of review, the State's Attorney failed to redact private information in what she did provide, to include signatures from a sitting judge. While we go to great lengths to never publish such information by uploading them to our system and redacting such private information, anyone asking for our FOIA's received is going to get these records and may use those unredacted signatures for improper purposes. If the PAC believes providing such private information violates FOIA we ask that be included in the review of this matter.

Please communicate with me on this matter electronically. Also, please accept my electronically typed name below as my electronic signature for this request for review.

Thank You

Kirk Allen

ECWd

PO Box 593

Kansas, IL 61933+217-508-0564

From: Shelby County States Attorney - Ruth Woolery <statesattorney@shelbycounty-il.gov>

Sent: Thursday, July 11, 2024 9:12 AM

To: Kirk Allen <Kirk@illinoisleaks.com>

Subject: RE: Media Questions Regarding Carlo Oberg case # 2022 CF 106 / FOIA Request

Mr. Allen, attached please find the public records regarding Mr. Oberg and Shelby County Case No. 2022-CF-106.

I will not be providing attorney notes regarding negotiations, if any exist, as those records are subject to the attorney work product doctrine and exempt from FOIA.

I will also not be providing copies of the police reports or digital evidence as they contain sensitive information regarding the identity of a minor victim. Further, if I were to provide the digital evidence, I would then be guilty of disseminating child pornography and you would be guilty of possessing child pornography.

The investigating agency was the Shelbyville Police Department.

I have previously provided to you the emails between myself and Mr. Hanlon.

As to your media questions:

I do not have to provide you with a rationale for the negotiated plea agreement.

I would point out that Mr. Hanlon, prior to tendering his resignation, felt it was appropriate to dismiss in its entirety the case against Mark Michael, which included 48 counts of child pornography. I do not recall seeing an article regarding his rationale for dismissing that case published by your "media" organization. Or the case of Tyler Davis, 22-CF-74 where Mr. Hanlon dismissed with prejudice 17 counts of child pornography, 15 of which were Class X felonies. Or the case of Donald Plunkett, 2023-CF-20, who was charged with 22 counts of possession and dissemination of child pornography, 8 of which were Class X felonies that were dismissed as part of a negotiated plea for a probation disposition.

Mr. Oberg was charged with 14 class 3 felonies. A class 3 felony carries with it a possible sentence of 2-5 years; therefore Mr. Oberg received the maximum sentence available based upon the charges filed.

If you feel that this answer is not responsive, or is erroneous to your request, or you were otherwise denied publicly available information maintained by the State's Attorney's Office, you have the right to have this response reviewed by the Public Access Counselor by writing to:

Leah Bartelt
Public Access Counselor
Office of the Illinois Attorney General
500 south 2nd Street
Springfield, Illinois 62701
Fax 217-782-1396
Public.access@ilag.gov

If you choose to file a request for review with the public access counselor, you must do so within 60 calendar days of the date of this letter (See 5 ILCS 140/9.5(a)).

You also have the right to judicial review of a denial by filing suit in the appropriate Illinois Court. See 5 ILCS 140/11.

As always if you have any questions, please feel free to contact me with regard to your FOIA request.

From: Kirk Allen <Kirk@illinoisleaks.com>

Sent: Wednesday, July 10, 2024 9:36 AM

To: States Attorney <statesattorney@shelbycounty-il.gov>

Subject: Media Questions Regarding Carlo Oberg case # 2022 CF 106 / FOIA Request

Ms. Woolery,

A recent case you offered a plea agreement of 5 years (counts 1+-24), 3 years (counts 25-28) and counts 29-33 dismissed was the Carlo Oberg case # 2022 CF 106.

We would appreciate answers to some questions on that case for publication along with obtaining some records to support the article we are working on. The records request is below the questions under the FOIA heading.

Media Questions:

- 1) Which law enforcement agency was the arresting agency?
- 2) Can you provide your rationale for only a five-year sentence?
- 3) Did you review the images associated with this case and if so with what law enforcement agency and what officer?

FOIA - In accordance with the Freedom of Information Act of Illinois, I am requesting the following public records.

1. A copy of the police report related to Carlo Oberg case # 2022 CF 106
2. A copy of all communication related to the prosecution of Carlo Oberg. This would include but not limited to those to his attorney, and law enforcement.
3. A copy of all documents in the State's attorney file for case 2022 CF 106 including any notes or communications concerning that case, to include but not limited to the charging instrument and recent order from the court.
4. Copy of all emails sent by Robert T. Hanlon to Ruth Woolery in the period of December 2023 to 4/14/24.
5. Copy of all emails between former State's Attorney Robert Hanlon and Brad Rau in the period of January 1, 2024 to May 10, 2024.
6. Copy of any notification by any law enforcement agency that Brad Rau actually reviewed the images that were evidence against Carlo Oberg

I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests or commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees).

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I am requesting the records be provided in electronic format if that is the method in which they are stored. If they are in paper form and the copier can convert them to electronic format I would appreciate receiving them electronically.

Thanks,

Kirk Allen

Edgar County Watchdogs

PO Box 593

Kansas, IL 61933

IN THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT
SHELBY COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS,)
Plaintiff)
-vs-)
CARLO C. OBERG,)
DOB: 10/31/2000)
LKA: 5747 Chambers St.)
Stansbury Park, UT 84074)
Defendant.)

No. 2022-CF-106

F I L E D
AUG 11 2022

Karen M. Simpson
Clerk of the Circuit Court, Fourth Judicial Circuit
Shelby County, IL

INFORMATION
COUNT I

NOW COME the People of the State of Illinois by the State's Attorney of Shelby County and inform this court that on or about October 22, 2021 - October 25, 2021, in the County of Shelby, Illinois, the above-named defendant did commit the offense of TRAVELING TO MEET A CHILD, in that the said defendant, traveled to the State of Illinois to engage in unlawful sexual conduct with J.W., dob: 10/25/2007, a child, after using a device capable of electronic data storage or transmission to seduce, solicit, lure, or entice J.W., dob: 10/25/2007, a child, for such purpose, in violation of 720 ILCS 5/11-26 (Class 3 Felony) (10 years sex offender registration, 730 ILCS 150/7).

COUNT II

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals of the child, located at Camera/image0001.jpg (e05ce98a3e702c8420757c69846371808), in violation of 720 ILCS 5/11-20.1(a)(6)(vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT III

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0003.jpg (321d732dd5747392c5d54e59b389ddcd), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT IV

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed breasts of the child, located at Camera/image0006.jpg (7c9fb00ba2c89b247ea6f960f4286814), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT V

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0007.jpg (6f29b3fa26d0250779f4f4e82b731fb6), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT VI

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0008.jpg (397ab5ff885226dd6164c2cf29002c8b), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT VII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed buttocks of the child, located at Camera/image0009.jpg (6249c85ca4edf2966cafc230a0490dad), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT VIII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed buttocks of the child, located at Camera/image0010.jpg (c9c18a4d972f702134d6cd28962b53cb), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT IX

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0011.jpg (533f4373f82ed537d21d0dc84bd2e961), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT X

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0012.jpg (5a2f98b1c3cc63f44a082bea65b16d33), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XI

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0013.jpg (8c00cc9db5c37c4a8acf0470b2d92f40), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0017.jpg (9d476ab8323ef8734fd41ff43ec5a40e), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XIII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals of the child, located at Camera/image0018.jpg (2c65b1a0fb929704e7b5f8fafb5cd1bb), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XIV

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0019.jpg (dc9b3f4bc70c8de62c0fc871676c5429), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XV

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0020.jpg (1d29f89e8c0f1c2e1797b2778a8604e2), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XVI

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals of the child, located at Camera/image0021.jpg (feb245454428384c49995764670c4207), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XVII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals and breasts of the child, located at Camera/image0022.jpg (544f8470b16351ea7c64ab6b4db82c7e), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XVIII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed buttocks of the child, located at Camera/image0023.jpg (12ddcevf3e4bab1d99faf45f06abfb5b), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XIX

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals of the child, located at Camera/image0024.jpg (9fc7e93376eea9b9f77235be8309ffba), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XX

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals of the child, located at Camera/image0025.jpg (28cce24fdda5cae3578a3c798ef2ed2e), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XXI

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals of the child, located at Camera/image0026.jpg (8558f27a627071a445ef062d2779506b), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XXII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed buttocks of the child, located at Camera/image0027.jpg (19100eadf292418bbfdcc62fc89d9435), in violation of 720 ILCS 5/11-20.1(a) (6) (vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XXIII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals of the child, located at Camera/image0029.jpg (98f79f1827a9eeb3020ef7ff39504546), in violation of 720 ILCS 5/11-20.1(a)(6)(vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XXIV

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in the County of Shelby, Illinois, the above-named defendant committed the offense of CHILD PORNOGRAPHY (POSSESSION), in that the said defendant, with the knowledge of the nature or content thereof, possessed a photograph by computer of a child whom the defendant knew or reasonably should have known to be under the age of 18 actually or by simulation depicted or portrayed in any pose, posture or setting involving the lewd exhibition of the transparently clothed or unclothed genitals of the child, located at Camera/image0029.jpg (98f79f1827a9eeb3020ef7ff39504546), in violation of 720 ILCS 5/11-20.1(a)(6)(vii).

Class 3 Felony / 2 -5 years incarceration / MSR of 1 year maximum / Lifetime Registration as a Sexual Predator / Mandatory minimum fine of \$1,000 and maximum fine of \$100,000

COUNT XXV

NOW COME the People of the State of Illinois by the State's Attorney of Shelby County and inform this court that on or about June, 2021 - February, 2022 in the County of Shelby, Illinois, the above-named defendant did commit the offense of GROOMING, in that the said defendant knowingly used a device capable of electronic data storage or transmission, to seduce, solicit, lure, or entice or attempt to seduce, solicit, lure, or entice J.W., dob: 10/25/2007, a child, to commit a sex offense, in violation of 720 ILCS 5/11-25 (Class 4 Felony) (10 years sex offender registration, 730 ILCS 150/7).

COUNT XXVI

NOW COME the People of the State of Illinois by the State's Attorney of Shelby County and inform this court that on or about June, 2021 - February, 2022 in the County of Shelby, Illinois, the above-named defendant did commit the offense of GROOMING, in that the said defendant knowingly used a device capable of electronic data storage or transmission, to seduce, solicit, lure, or entice or attempt to seduce, solicit, lure, or entice J.W., dob: 10/25/2007, a child, to distribute photographs depicting the sex organ of a child, in violation of 720 ILCS 5/11-25 (Class 4 Felony) (10 years sex offender registration, 730 ILCS 150/7).

COUNT XXVII

NOW COME the People of the State of Illinois by the State's Attorney of Shelby County and inform this court that on or about June, 2021 - February, 2022 in the County of Shelby, Illinois, the above-named defendant did commit the offense of GROOMING, in that the said defendant knowingly used a device capable of electronic data storage or transmission, to seduce, solicit, lure, or entice or attempt to seduce, solicit, lure, or entice J.W., dob: 10/25/2007, a child, to engage in unlawful sexual conduct with a child, in violation of 720 ILCS 5/11-25 (Class 4 Felony) (10 years sex offender registration, 730 ILCS 150/7).

COUNT XXVIII

NOW COME the People of the State of Illinois by the State's Attorney of Shelby County and inform this court that on or about June, 2021 - February, 2022 in the County of Shelby, Illinois, the above-named defendant did commit the offense of SOLICITATION TO MEET A CHILD, in that the said defendant, a person of the age of 18 or more years, while using a computer, cellular phone, or other device, with the intent to meet a child, solicited, enticed induced or arranged with the child to meet at a location without the knowledge of the child's parent or guardian and the meeting with the child was arranged for a purpose other than a lawful purpose under Illinois Law and the defendant believed he was 5 or more years older than the child, in violation of 720 ILCS 5/11-6.6 (Class 4 Felony)

COUNT XXIX

NOW COME the People of the State of Illinois by the State's Attorney of Shelby County and inform this court that on or about June, 2021 - February, 2022 in the County of Shelby, Illinois, the above-named defendant did commit the offense of LURING OF A MINOR, in that said defendant, a person at least 18 years of age but under 21 years of age knowingly contacted or communicated electronically to a minor, J.W., dob: 10/25/2007, knowing the minor was under 15 years of age, with the intent to persuade, lure or transport the minor away from her home or other location known by the minor's parent to be the place where the minor is to be located for an unlawful purpose, being sexual contact with the minor, without the express consent of the minor's parent with the intent to avoid the express consent of the minor's parent and committed an act in furtherance of the intent to have sexual contact with the minor in that he made physical contact with the minor and was a stranger to the minor's parents, in violation of 720 ILCS 5/10-5.1(b) (Class B Misdemeanor).

COUNT XXX

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in Shelby County Illinois, the above-named defendant committed the offense of SEXUAL EXPLOITATION OF A CHILD in that, while in the virtual presence of a child, a person under 17 years of age, J.W. (dob: 10/25/2007), and with knowledge that J.W. would view his acts, said defendant exposes his sex organ, in that he sent a photograph, from a cellular device, of his penis, said image located at Camera/image0028.jpg (fb8a919821f5dee48070fede7563a759) for the purpose of sexual arousal or gratification of such person or the child or one whom he believes to be a child, in violation of 720 ILCS 11-9.1 (a) (2). CLASS A MISDEMEANOR, 10 year sex offender registration pursuant to 730 ILCS 150/7

COUNT XXXI

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in Shelby County Illinois, the above-named defendant committed the offense of SEXUAL EXPLOITATION OF A CHILD in that, while in the virtual presence of a child, a person under 17 years of age, J.W. (dob: 10/25/2007), and with knowledge that J.W. would view his acts, said defendant exposes his sex organ, in that he sent a photograph, from a cellular device, of his penis, said image located at Camera/image0030.jpg (1c08f503835c0b92e173954a8e27eac9) for the purpose of sexual arousal or gratification of such person or the child or one whom he believes to be a child, in violation of 720 ILCS 11-9.1 (a) (2). CLASS A MISDEMEANOR, 10 year sex offender registration pursuant to 730 ILCS 150/7

COUNT XXXII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in Shelby County Illinois, the above-named defendant committed the offense of SEXUAL EXPLOITATION OF A CHILD in that, while in the virtual presence of a child, a person under 17 years of age, J.W. (dob: 10/25/2007), and with knowledge that J.W. would view his acts, said defendant exposes his sex organ, in that he sent a photograph, from a cellular device, of his penis, said image located at Camera/image0031.jpg (b3b9dfbcd11f58deb6d263e94c7b4611) for the purpose of sexual arousal or gratification of such person or the child or one whom he believes to be a child, in violation of 720 ILCS 11-9.1 (a)(2). CLASS A MISDEMEANOR, 10 year sex offender registration pursuant to 730 ILCS 150/7

COUNT XXXIII

NOW COME the People of the State of Illinois by the Shelby County State's Attorney and inform this court that on or about September, 2021 - February, 2022, in Shelby County Illinois, the above-named defendant committed the offense of SEXUAL EXPLOITATION OF A CHILD in that, while in the virtual presence of a child, a person under 17 years of age, J.W. (dob: 10/25/2007), and with knowledge that J.W. would view his acts, said defendant exposes his sex organ, in that he sent a photograph, from a cellular device, of his penis, said image located at Camera/image0033.jpg (85890c142060a283bf42849c727d7e3b) for the purpose of sexual arousal or gratification of such person or the child or one whom he believes to be a child, in violation of 720 ILCS 11-9.1 (a)(2). CLASS A MISDEMEANOR, 10 year sex offender registration pursuant to 730 ILCS 150/7

Nichole Knorck
State's Attorney

Subscribed and sworn to before me on August 9, 2022.

Kayla Human
Notary Public



FILED

MAR 07 2024

FORM VI

INTERSTATE AGREEMENT ON DETAINERS

Kristina King
Clerk of the Circuit Court
Fourth Judicial Circuit
Shelby County, IL

Five copies. All copies, with original signatures by the prosecutor and the agent, should be sent to the Agreement Administrator of their own state. After signing all copies, the Administrator should retain one for his/her files, send one to the warden/superintendent of the institution in which the inmate is located and return two copies to the prosecutor; who will give one to the agent for use in establishing his/her authority and place one in his/her files. One copy should also be forwarded to the Agreement Administrator in the sending state.

EVIDENCE OF AGENT'S AUTHORITY TO ACT FOR RECEIVING STATE

TO: Joseph Rodriguez (inmate records USCF)

Administrator of the Agreement on Detainers

1480 N. 8000 W, Salt Lake City, UT 84116

(Address)

Carlo Carlo Oberg 255942 is confined in Utah State Correctional Facility

(Inmate's name and number)

(Institution)

Salt Lake City Utah, pursuant to the Interstate Agreement on Detainers

(Address)

(IAD), will be taken into custody at the institution on or about _____

for delivery to the County of Shelby, State of Illinois for trial.

After the completion of the trial, the inmate shall be returned to the sending state.

In accordance with Article V(b) I have designated the agent(s) named below to return the prisoner.

Denise Ambroziak
(Prosecutor's Signature)

Dated: 3.6.24

Printed Name: Denise Ambroziak

Title: Assistant State's Attorney

County: Shelby

Address: 301 E. Main St.

City/State: Shelbyville, IL

Telephone: (217) 774-5511

Agent(s) printed name(s) and signature(s):

Sheriff Brian McReynolds (shelby Co IL) *B. McReynolds* and/or

Under Sheriff Daniel Gruel (shelby Co IL) *Daniel Gruel* 513 and/or

TO: Warden/Superintendent

In accordance with the above representation and the provisions of the IAD, the persons listed above are hereby designated as Agents for the State of Illinois to deliver Callo C. Obeys 255942
(Inmate's Name & Number)

To Shelby County, State of Illinois for trial. At completion of the trial
(Jurisdiction)

the above inmate shall be returned to Utah State Collectional Facility Salt Lake City
(Institution & Address) Utah

Signature: [Signature] Dated: 03/06/24
Agreement Administrator

Agreement Administrator: Sheriff Brian McReynolds

Address: 151 N. Morgan St.

City/State: Shelbyville, IL 62565

Telephone: (217) 774-3941

FILED

MAR 07 2024

FORM VII

INTERSTATE AGREEMENT ON DETAINERS

Steph J. King
Clerk of the Circuit Court
Fourth Judicial Circuit
Shelby County, IL

Six copies. **IMPORTANT:** This form should only be used when an offer of temporary custody has been received as the result of an inmate's request for disposition of a detainer. [If the offer has been received because another prosecutor in your state has initiated the request, use Form VIII.] Copies of Form VII should be sent to the warden, the inmate, the other jurisdictions in your state listed in the offer of temporary custody, and the Agreement Administrators of the sending and receiving states. Copies should be retained by the person filing the acceptance and the judge who signs it. If the offer of custody is being made to more than one jurisdiction in your state, the prosecutor from each jurisdiction should submit a Form VII.

PROSECUTOR'S ACCEPTANCE OF TEMPORARY CUSTODY OFFERED WITH AN INMATE'S REQUEST FOR DISPOSITION OF A DETAINER

TO: Bart MORTENSEN
Warden
Utah State Correctional Facility
(Institution)
1480 N. 8000 W, Salt Lake City, UT 84116
(Address) (City/State)

In response to your letter of 11/28/23 (Date) and offer of temporary custody regarding

Carlo Carroll Obera 255942 (Inmate's Name & Number), who is presently under indictment, information,

or complaint in Shelby County, IL (Jurisdiction) of which I am the Assistant State's Attorney (Title of Prosecuting Officer)

please be advised that I accept temporary custody and that I propose to bring this person to trial on the indictment, information, or complaint named in the offer within the time specified in Article III (a) of the Interstate Agreement on Detainers (IAD).

I hereby agree that immediately after the trial is completed in this jurisdiction, I will return the inmate directly to you or allow any jurisdiction you have designated to take temporary custody. I agree also to complete Form IX, Prosecutor's Report of Disposition of Charges, immediately after trial, and return it to your state with the inmate.

(If your jurisdiction is the only one named in the offer of temporary custody, use the space below to indicate when you would like to send your agents to bring the inmate to your jurisdiction. If the offer of temporary custody has been sent to other jurisdictions in your state, use the following space to make inquiry as to the order in which you will receive custody, or to indicate any arrangements you have already made with other jurisdictions in your state in this regard. Each prosecutor in a receiving state jurisdiction should submit a Form VII in accordance with the instructions above.)

ARRANGEMENTS/INQUIRY: Sheriff Brian McReynolds
Shelby County Illinois Detention Center
151 North Morgan Street, Shelbyville, Illinois 62505
(217) 774-3941

Prosecutor's Signature: [Signature] Dated: 3/6/24
Printed Name/Title: Shelby County State's Attorney
County/Jurisdiction: Shelby County, Illinois
Address: 301 E. Main Street
City/State: Shelbyville, Illinois
Telephone: 217-274-5511

I hereby certify that the person whose signature appears above is an appropriate officer within the meaning of Article IV (a) and that the facts recited herein are correct and that having duly recorded this acceptance, I hereby transmit it for action in accordance with its terms and the provisions of the IAD.

Judge's Signature: [Signature] Dated: 3/7/2024
Printed Name: Amanda S. Ade-Harlow
Court/Judicial District: Resident Circuit Judge Shelby County, IL / 4th Circuit
Address: 301 E. Main
City/State: Shelbyville, Illinois
Telephone: (217) 774-4212

CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT

SHELBY COUNTY

Shelbyville, ILLINOIS 62565
217-774-4212

PEOPLE OF THE STATE OF ILLINOIS)
VS.) Case number: 2022CF000106
OBERG, CARLO C)
5747 CHAMBERS ST)

STANSBURY PARK UT 84074-0000
10/31/2000
UT 220G85781

WARRANT OF ARREST

TO ALL PEACE OFFICERS OF THE STATE OF ILLINOIS:

You are hereby commanded to arrest OBERG, CARLO C and bring said person without unnecessary delay before Judge OF THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT, SHELBY COUNTY, in the courtroom usually occupied by him, or if he is unable to act, before the nearest or most accessible court in said County, to answer a charge made against said person for the offense of:

TRAVELING TO MEET A MINOR TRAVELING TO MEET A MINOR

and hold said person to bail. If any geographical limitation is placed on the execution of the warrant, specify such limitation as follows:

Geographical limit on the execution of this warrant:
No Limits

The amount of bail is 10% to apply

ISSUED AT SHELBY COUNTY, SHELBYVILLE, ILLINOS this 8/11/2022



PRESIDING JUDGE

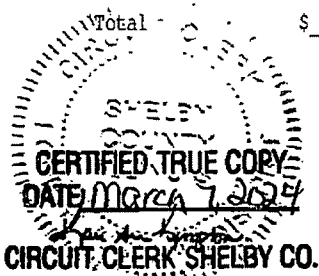
STATE OF ILLINOIS }
COUNTY OF SHELBY }

I have executed the within Warrant by arresting the within-named defendant.

In accordance with the provisions of 725 ILCS 5/110-9 defendant released on bail in the sum of \$ _____ with security; _____ this _____ day of _____, 20____, to appear in court on _____, 20____, at _____ am/pm.

Fees: Service and return:\$ _____
Mileage @ _____:\$ _____
Total \$ _____

Deputy Sheriff



IN THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT OF ILLINOIS
SHELBY COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS,)

-vs-)

Carlo Oberg)

Defendant.)

No. 22CF106

F I L E D
APR 10 2024

WAIVER OF PRELIMINARY HEARING

I, the undersigned, Defendant in the above titled case, do hereby, *Carlo Oberg*
Client of the Circuit Court, Fourth Judicial Circuit
Shelby County, IL
understandingly waive my right to Preliminary Hearing in said case. I am 23 years of age.

Signed in open Court at Shelbyville, Illinois, this 10th day of April,
2024.

C. Oberg
DEFENDANT

Signed in the presence of:

John M. Kelly

4-10-2024
ADDRESS

IN THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT OF ILLINOIS
SHELBY COUNTY, ILLINOIS

THE PEOPLE OF THE)
STATE OF ILLINOIS,)

-vs-)

CARLO C. OBERG,)

Defendant.)

No. 2022-CF-106

**DEFENDANT’S MOTION
PURSUANT TO RULE 415(c)**

NOW COMES, Defendant, CARLO C. OBERG, by his attorney, Bradford A. Rau, Jr.,
Shelby County Public Defender, and moves this Honorable Court as follows:

1. Rule 415(c) holds in pertinent part as follows:

Any materials furnished to an attorney pursuant to these rules shall remain in his or her exclusive custody unless the court authorizes dissemination pursuant to this rule, shall be used only for the purposes of conducting his or her side of the case, and shall be subject to such other terms and conditions as the court may provide. Upon motion of the attorney, the court shall, within 5 court days, enter an order allowing the attorney to provide a copy of the discovery to the defendant unless good cause is shown otherwise....”

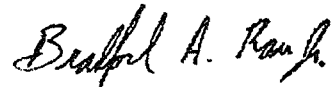
2. That the comments to Rule 415 state as follows: “If materials were to become, in effect, matters of public availability once they were turned over to counsel for the limited purposes which pre-trial disclosures are designed to serve, the administration of justice would be prejudiced.”

3. That it has for some time been common practice for defense counsel to deliver copies of discovery to clients in criminal cases for their review in the preparation of their defense.

4. That it is constitutionally required for counsel to advise their clients of the nature and extent of the evidence facing them in order for the client to make informed decisions concerning his or her case. *People v. Bien*, 277 Ill.App.3d 744, 661 N.E.2d 511, 516 (1996).
5. That the most expeditious method, and indeed the only effective method, of carrying out this duty is to supply copies of discovery to the client.

WHEREFORE, Defendant, CARLO C. OBERG, moves this Honorable Court, that pursuant to Rule 415's grant of authority to the trial court to place terms and conditions on the provision of discovery documents, that the trial court enter an Order herein allowing counsel to provide copies of discovery to the Defendant, and for any other relief this Court deems just.

Respectfully submitted,

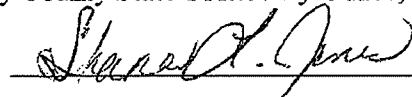


Bradford A. Rau, Jr
Shelby County Public Defender

Bradford A. Rau, Jr
Shelby County Public Defender
Shelby County Courthouse
301 E. Main
Shelbyville, Illinois 62565
(217) 774-9530

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion To Suppress Evidence and Statements has been delivered to Shelby County State's Attorney Office, by e-filing, on April 24th, 2024.



IN THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT OF ILLINOIS
SHELBY COUNTY, ILLINOIS

THE PEOPLE OF THE)
STATE OF ILLINOIS,)

-vs-)

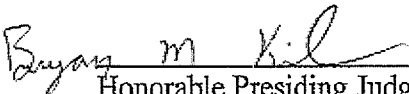
CARLO C. OBERG,)

Defendant.)

No. 2022-CF-106

**ORDER
TO RULE 415(e)**

This matter having come before this Court after reviewing the Defendant's Motion Pursuant to Rule 415 (c), the Court hereby GRANTS the Defendant's Motion and shall provide a redacted copy of the discovery materials to the Defendant. Redactions shall consist of identifying, personal information that is not pertinent to the facts of the case.

Enter: 4/24/2024 
Honorable Presiding Judge
Shelby County Circuit Court

IN THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT OF ILLINOIS
SHELBY COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS,

-vs-

FILED

No. 22 CF106

Carlo Obay

Defendant.

JUN 17 2024

Kristina D. ...
Clerk of the Circuit Court
Fourth Judicial Circuit
Shelby County, IL

PLEA OF GUILTY

I enter my plea of GUILTY to Count(s) I - XXVIII

of the Information/Indictment. I understand that I am entitled to plead not guilty and have a jury trial or bench trial (by the Judge). I am pleading guilty and waiving, or giving up my right to a jury or bench trial. I am asking the Judge to accept my plea of guilty and impose a sentence upon me.

23

AGE

C. Obay
DEFENDANT'S SIGNATURE

6/17/2024

DATE

ADDRESS

STATE OF ILLINOIS,
CIRCUIT COURT
SHELBY COUNTY

FINANCIAL SENTENCING ORDER

FILED

JUN 17 2024

Kari Strickland
Clerk of the Circuit Court
Fourth Judicial Circuit
Shelby County, IL

THE PEOPLE OF THE STATE OF ILLINOIS,

v. *Carlo Obony*

Defendant (First, middle, last name)

22 CF 100

Case Number

The Defendant has appeared before this Court and pled guilty was found guilty of the following offenses:
Counts I-XXVIII

In addition to any other sentences imposed in the case, the Defendant is ordered to pay the following fines, fees, and assessments:

1. Fines

DEFENDANT ADMONISHMENT: 705 ILCS 135/5-5 (effective July 1, 2019) established a minimum fine of \$25 for a minor traffic offense and \$75 for any other offense, unless otherwise provided by law.

If applicable, DEFENDANT HAS BEEN ADMONISHED of his/her right to elect whether he/she will be sentenced under the law in effect at the time of the offense or at the time of sentencing.

Defendant has elected (Check one):

He/she will be sentenced under the law in effect at the time of the offense;

OR

He/she will be sentenced under the law in effect at the time of the time of sentencing.

- | | | |
|--|----|-----------------------------------|
| a. Offense: <i>Traveling to Meet a Minor</i> | \$ | |
| b. Offense: <i>Child Pornography (23 Counts)</i> | \$ | <i>23,000 (\$1000 each count)</i> |
| c. Offense: <i>Carjacking (3 Counts)</i> | \$ | |
| <i>Solicitation to Meet a Minor</i> | \$ | |

Total Fine Amount: **\$ 23,000**

2. Criminal Assessment (check the highest class offense only)

- | | | |
|--|----|-------------|
| a. <input type="checkbox"/> Schedule 1, Generic Felony (705 ILCS 135/15-5) \$549 | \$ | |
| b. <input type="checkbox"/> Schedule 2, Felony DUI (705 ILCS 135/15-10) \$1,709 | \$ | |
| c. <input type="checkbox"/> Schedule 3, Felony Drug Offense (705 ILCS 135/15-15) \$2,216 | \$ | |
| d. <input checked="" type="checkbox"/> Schedule 4, Felony Sex Offense (705 ILCS 135/15-20) \$1,314 | \$ | <i>1314</i> |
| e. <input type="checkbox"/> Schedule 5, Generic Misdemeanor (705 ILCS 135/15-25) \$439 | \$ | |
| f. <input type="checkbox"/> Schedule 6, Misdemeanor DUI (705 ILCS 135/15-30) \$1,381 | \$ | |
| g. <input type="checkbox"/> Schedule 7, Misdemeanor Drug Offense (705 ILCS 135/15-35) \$905 | \$ | |
| h. <input type="checkbox"/> Schedule 8, Misdemeanor Sex Offense (705 ILCS 135/15-40) \$1,184 | \$ | |
| i. <input type="checkbox"/> Schedule 9, Major Traffic Offense (705 ILCS 135/15-45) \$325 | \$ | |
| j. <input type="checkbox"/> Schedule 10, Minor Traffic Offense (705 ILCS 135/15-50) \$225 | \$ | |
| k. <input type="checkbox"/> Schedule 10.5, Truck Weight / Load Offense (705 ILCS 135/15-52) \$260 | \$ | |
| l. <input type="checkbox"/> Schedule 11, Conservation Offense (705 ILCS 135/15-55) \$195 | \$ | |
| m. <input type="checkbox"/> Schedule 13, Non-Traffic Violation (705 ILCS 135/15-65) \$100 | \$ | |

Total Criminal Assessment Amount: **\$ 1,314**

3. Conditional Assessment (check all that apply)

- | | | | |
|----|-------------------------------------|--|-----------|
| a. | <input type="checkbox"/> | Arson/residential arson/aggravated arson (705 ILCS 135/15-70(1)) \$500 for each conviction | \$ _____ |
| b. | <input checked="" type="checkbox"/> | Child pornography (705 ILCS 135/15-70(2)) \$500 for each conviction | \$ 11,500 |
| c. | <input type="checkbox"/> | Crime lab drug analysis (705 ILCS 135/15-70(3)) \$100 | \$ _____ |
| d. | <input type="checkbox"/> | DNA analysis (705 ILCS 135/15-70(4)) \$250 | \$ _____ |
| e. | <input type="checkbox"/> | DUI analysis (705 ILCS 135/15-70(5)) \$150 | \$ _____ |
| f. | <input type="checkbox"/> | Drug-related offense, possession/delivery (705 ILCS 135/15-70(6)) Street value | \$ _____ |
| g. | <input type="checkbox"/> | Judicial facilities fee (Kane or Will County only) (705 ILCS 135/15-70(6.5)) \$30 | \$ _____ |
| h. | <input type="checkbox"/> | Methamphetamine-related offense, possession/manufacture (705 ILCS 135/15-70(7)) Street Value | \$ _____ |
| i. | <input type="checkbox"/> | Order of protection violation (705 ILCS 135/15-70(8)) \$200 for each conviction | \$ _____ |
| j. | <input type="checkbox"/> | Order of protection violation (705 ILCS 135/15-70(9)) \$25 for each conviction | \$ _____ |
| k. | <input type="checkbox"/> | State's Attorney petty or business offense (705 ILCS 135/15-70(10)(A)) \$4 | \$ _____ |
| l. | <input type="checkbox"/> | State's Attorney conservation or traffic offense (705 ILCS 135/15-70(10)(B)) \$2 | \$ _____ |
| m. | <input type="checkbox"/> | Speeding in a construction zone (705 ILCS 135/15-70(11)) \$250 | \$ _____ |
| n. | <input type="checkbox"/> | Supervision disposition under Vehicle Code (705 ILCS 135/15-70(12)) \$0.50 | \$ _____ |
| o. | <input type="checkbox"/> | Guilty plea or no contest, DV against family member (705 ILCS 135/15-70(13)) \$200 for each sentenced violation | \$ _____ |
| p. | <input type="checkbox"/> | EMS response reimbursement, vehicle/snowmobile/boat violation (705 ILCS 135/15-70(14)) \$1,000 | \$ _____ |
| q. | <input type="checkbox"/> | EMS response reimbursement, controlled substances (705 ILCS 135/15-70(15)) Maximum amount is \$1,000 | \$ _____ |
| r. | <input type="checkbox"/> | EMS response reimbursement, reckless driving/aggravated reckless driving/speed in excess 26 mph (705 ILCS 135/15-70(16)) Maximum amount is \$1,000 | \$ _____ |
| s. | <input type="checkbox"/> | Weapons violation, Trauma Center Fund (705 ILCS 135/15-70(18)) \$100 for each conviction | \$ _____ |

Total Conditional Assessment Amount: \$ 11,500

4. Other Assessments

- | | | | |
|----|--------------------------|---|----------|
| a. | <input type="checkbox"/> | Restitution | \$ _____ |
| b. | <input type="checkbox"/> | Probation/Supervision/Conditional Discharge Fee \$ _____ month x _____ months | \$ _____ |
| c. | <input type="checkbox"/> | Service Provider Fee _____ | \$ _____ |
| d. | <input type="checkbox"/> | Public Defender assessment | \$ _____ |
| e. | <input type="checkbox"/> | Other: _____ | \$ _____ |

5. Credits (to be applied before offsets)

- | | | | |
|----|-------------------------------------|---|----------|
| a. | <input type="checkbox"/> | Bond applied | \$ _____ |
| b. | <input checked="" type="checkbox"/> | Credit for time served <u>201</u> days x \$30.00 day credit | \$ 6030 |

Total Credits: \$ 6030

6. Offsets of Assessments

- | | | | |
|----|--------------------------|--|----------|
| a. | <input type="checkbox"/> | Public/Community Service (1 hour = \$4.00 subtracted from criminal assessment only) (705 ILCS 128/5-20(e)) | \$ _____ |
|----|--------------------------|--|----------|

b. Waiver of Court Assessment (Criminal) granted _____
(does not apply to fines or IVC) Date

i. Full waiver granted, 100% waived

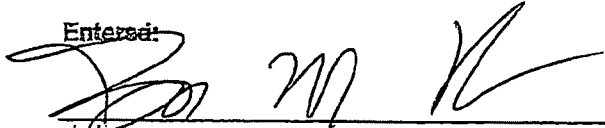
ii. Partial waiver granted. 25% 50% 75% waived (\$.)

Total Offsets: (\$)

The Court orders:

By this date, _____, Defendant shall pay the circuit court of this county:
Date

Total Amount Due: |\$ 29,784|

Entered:


Judge

6-17-2024

Date

I am the Defendant and I have read and understand this Financial Sentencing Order.

Signature of Defendant

IN THE CIRCUIT COURT OF Shelby County ILLINOIS
Fourth JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS

Vs.

Carlo Obey
 Defendant

Case No. 22CF106

Date of Sentence 6/17/2024

Date of Birth 10/31/2000

(Defendant)

JUDGMENT – SENTENCE TO ILLINOIS DEPARTMENT OF CORRECTIONS

WHEREAS the above-named defendant has been adjudged guilty of the offenses enumerated below; IT IS THEREFORE ORDERED that the defendant be and hereby is sentenced to confinement in the Illinois Department of Corrections for the term of years and months specified for each offense.

COUNT	OFFENSE	DATE OF OFFENSE	STATUTORY CITATION	CLASS	SENTENCE	MSR
<u>I</u>	<u>Traveling to Meet a Child</u>	<u>11/22/21-11/15/21</u>	<u>720 ILCS 5/11-26</u>	<u>3</u>	<u>5</u> Yrs. <u>0</u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>I, II</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>II</u>	<u>Child Pornography</u>	<u>9/2021-2/2022</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u>0</u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>I, III</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>III</u>	<u>Child Pornography</u>	<u>9/2021-2/2022</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u>0</u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>I, II</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						

This Court finds that the defendant is:

- Convicted of a class _____ offense but sentenced as a class X offender pursuant to 730 ILCS 5/5-4.5-95.
- Convicted of a Class 3 or 4 offense (other than a violent crime as defined in Section 3 of the Rights of Crime Victims & Witnesses Act) _____ 4 or more months remaining _____ fewer than 4 months remaining 730 ILCS 5/5-4-1(c-7) (effective 7/1/21 P.A. 101-652)

The Court further finds that the defendant is entitled to receive credit for time actually served in custody (of 201 days as of the date of this order) from (specify dates) 11/24/23 - Present and/or credit for time served on electronic monitoring, GPS monitoring, or home confinement (of _____ days as of the date of this order) from (specify dates) _____. The defendant is also entitled to receive credit for the additional time served in custody from the date of this order until the defendant is received at the Illinois Department of Corrections.

The Court further finds that the conduct leading to conviction for the offenses enumerated in counts _____ resulted in great bodily harm to the victim. (730 ILCS 5/3-6-3(a)(2)(iii))

The Court further finds that the defendant meets the eligibility requirements for possible placement in the Impact Incarceration Program. (730 ILCS 5/5-4-1(a))

The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program. (730 ILCS 5/5-4-1(a))

The defendant successfully completed a full-time (60-day or longer) Pre-Trial Program _____ Educational/Vocational _____ Substance Abuse _____ Behavior Modification _____ Life Skills _____ Re-Entry Planning – provided by the county jail while held in pre-trial detention prior to this commitment and if eligible for sentence credit in accordance with 730 ILCS 5/3-6-3(a)(4). THEREFORE IT IS ORDERED that the defendant shall be awarded one day of sentence credit for each day in which the Defendant is engaged in the activities, _____ days, if not previously awarded. (effective 7/1/21 P.A. 101-652)

The defendant passed the high school level test for General Education and Development (GED) on _____ while held in pre-trial detention prior to this commitment and is eligible to receive Pre-Trial GED Program Credit in accordance with 730 ILCS 5/3-6-3(a)(4.1). THEREFORE IT IS ORDERED that the defendant shall be awarded 90 days of additional sentence credit, if not previously awarded.

The Court further finds that the Defendant served _____ days engaged in a self-improvement program, volunteer work, or work assignments, and shall receive 0.5 days of sentence credit for each day the Defendant was engaged in activities for a total of _____. (730 ILCS 5/3-6-3(a)(4.2))

The Court further finds that the Defendant has been advised of and given a copy of the financial obligations and statutory fines, fees and assessments pursuant to SCR 452.

IT IS FURTHER ORDERED the sentence(s) imposed on count(s) _____ be (concurrent with) (consecutive to) the sentence imposed in case number _____ in the Circuit Court of _____ County.

IT IS FURTHER ORDERED that _____
 The Clerk of the Court shall deliver a certified copy of this order to the sheriff. The Sheriff shall take the defendant into custody and deliver the defendant to the Department of Corrections which shall confine said defendant until expiration of this sentence or until otherwise released by operation of law.

This order is (X effective immediately) (_____ stayed until _____)

DATE: 6-17-2024

ENTER:

Bryan M. Kible
 Bryan M. Kible
 (PLEASE PRINT JUDGE'S NAME HERE)

IN THE CIRCUIT COURT OF Shelby County ILLINOIS
Fourth JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS

Vs.

Carlo Obry
 Defendant

Case No. 22 CF 106

Date of Sentence _____
 Date of Birth _____
 (Defendant)

JUDGMENT – SENTENCE TO ILLINOIS DEPARTMENT OF CORRECTIONS

WHEREAS the above-named defendant has been adjudged guilty of the offenses enumerated below; IT IS THEREFORE ORDERED that the defendant be and hereby is sentenced to confinement in the Illinois Department of Corrections for the term of years and months specified for each offense.

COUNT	OFFENSE	DATE OF OFFENSE	STATUTORY CITATION	CLASS	SENTENCE	MSR
<u>IV</u>	<u>Child Pornography</u>	<u>9/21-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u>12</u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>IV</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>V</u>	<u>Child Pornography</u>	<u>6/1-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u>12</u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>IV</u> and served at <u>80%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>VI</u>	<u>Child Pornography</u>	<u>9/21-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u>12</u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>IV</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						

This Court finds that the defendant is:
 _____ Convicted of a class _____ offense but sentenced as a class X offender pursuant to 730 ILCS 5/5-4.5-95.
 _____ Convicted of a Class 3 or 4 offense (other than a violent crime as defined in Section 3 of the Rights of Crime Victims & Witnesses Act)
 _____ 4 or more months remaining _____ fewer than 4 months remaining 730 ILCS 5/5-4-1(c-7) (effective 7/1/21 P.A. 101-652)

The Court further finds that the defendant is entitled to receive credit for time actually served in custody (of 201 days as of the date of this order) from (specify dates) _____ and/or credit for time served on electronic monitoring, GPS monitoring, or home confinement (of _____ days as of the date of this order) from (specify dates) _____. The defendant is also entitled to receive credit for the additional time served in custody from the date of this order until the defendant is received at the Illinois Department of Corrections.

_____ The Court further finds that the conduct leading to conviction for the offenses enumerated in counts _____ resulted in great bodily harm to the victim. (730 ILCS 5/3-6-3(a)(2)(iii))

_____ The Court further finds that the defendant meets the eligibility requirements for possible placement in the Impact Incarceration Program. (730 ILCS 5/5-4-1(a))

_____ The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program. (730 ILCS 5/5-4-1(a))

_____ The defendant successfully completed a full-time (60-day or longer) Pre-Trial Program _____ Educational/Vocational _____ Substance Abuse _____ Behavior Modification _____ Life Skills _____ Re-Entry Planning – provided by the county jail while held in pre-trial detention prior to this commitment and if eligible for sentence credit in accordance with 730 ILCS 5/3-6-3(a)(4). THEREFORE IT IS ORDERED that the defendant shall be awarded one day of sentence credit for each day in which the Defendant is engaged in the activities, _____ days, if not previously awarded. (effective 7/1/21 P.A. 101-652)

_____ The defendant passed the high school level test for General Education and Development (GED) on _____ while held in pre-trial detention prior to this commitment and is eligible to receive Pre-Trial GED Program Credit in accordance with 730 ILCS 5/3-6-3(a)(4.1). THEREFORE IT IS ORDERED that the defendant shall be awarded 90 days of additional sentence credit, if not previously awarded.

_____ The Court further finds that the Defendant served _____ days engaged in a self-improvement program, volunteer work, or work assignments, and shall receive 0.5 days of sentence credit for each day the Defendant was engaged in activities for a total of _____. (730 ILCS 5/3-6-3(a)(4.2))

_____ The Court further finds that the Defendant has been advised of and given a copy of the financial obligations and statutory fines, fees and assessments pursuant to SCR 452.

_____ IT IS FURTHER ORDERED the sentence(s) imposed on count(s) _____ be (concurrent with) (consecutive to) the sentence imposed in case number _____ in the Circuit Court of _____ County.

_____ IT IS FURTHER ORDERED that _____
 The Clerk of the Court shall deliver a certified copy of this order to the sheriff. The Sheriff shall take the defendant into custody and deliver the defendant to the Department of Corrections which shall confine said defendant until expiration of this sentence or until otherwise released by operation of law.

This order is (X effective immediately) (_____ stayed until _____)

DATE: 6-17-2024

ENTER: Bryan M. Kibler
 (PLEASE PRINT JUDGE'S NAME HERE)

IN THE CIRCUIT COURT OF Shelby County ILLINOIS
Fourth JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS)

Vs.)

Carlo Obrey
 Defendant)

) Case No 22CF106

Date of Sentence _____
 Date of Birth _____
 (Defendant)

JUDGMENT – SENTENCE TO ILLINOIS DEPARTMENT OF CORRECTIONS

WHEREAS the above-named defendant has been adjudged guilty of the offenses enumerated below; IT IS THEREFORE ORDERED that the defendant be and hereby is sentenced to confinement in the Illinois Department of Corrections for the term of years and months specified for each offense.

COUNT	OFFENSE	DATE OF OFFENSE	STATUTORY CITATION	CLASS	SENTENCE	MSR
<u>VI</u>	<u>Child Pornography</u>	<u>9/21-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u> </u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>VI, VII, VIII, IX</u> and served at <u>(50%, 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3)</u>						
<u>VIII</u>	<u>Child Pornography</u>	<u>9/21-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u> </u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>I-VII, IX</u> and served at <u>(50%, 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3)</u>						
<u>IX</u>	<u>Child Pornography</u>	<u>9/21-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u> </u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>I-VII, VIII</u> and served at <u>(50%, 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3)</u>						

This Court finds that the defendant is:
 _____ Convicted of a class _____ offense but sentenced as a class X offender pursuant to 730 ILCS 5/5-4.5-95.
 _____ Convicted of a Class 3 or 4 offense (other than a violent crime as defined in Section 3 of the Rights of Crime Victims & Witnesses Act)
 _____ 4 or more months remaining _____ fewer than 4 months remaining 730 ILCS 5/5-4-1(c-7) (effective 7/1/21 P.A. 101-652)

The Court further finds that the defendant is entitled to receive credit for time actually served in custody (of 201 days as of the date of this order) from (specify dates) _____ and/or credit for time served on electronic monitoring, GPS monitoring, or home confinement (of _____ days as of the date of this order) from (specify dates) _____. The defendant is also entitled to receive credit for the additional time served in custody from the date of this order until the defendant is received at the Illinois Department of Corrections.

_____ The Court further finds that the conduct leading to conviction for the offenses enumerated in counts _____ resulted in great bodily harm to the victim. (730 ILCS 5/3-6-3(a)(2)(iii))

_____ The Court further finds that the defendant meets the eligibility requirements for possible placement in the Impact Incarceration Program. (730 ILCS 5/5-4-1(a))

_____ The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program. (730 ILCS 5/5-4-1(a))

_____ The defendant successfully completed a full-time (60-day or longer) Pre-Trial Program _____ Educational/Vocational _____ Substance Abuse _____ Behavior Modification _____ Life Skills _____ Re-Entry Planning – provided by the county jail while held in pre-trial detention prior to this commitment and if eligible for sentence credit in accordance with 730 ILCS 5/3-6-3(a)(4). THEREFORE IT IS ORDERED that the defendant shall be awarded one day of sentence credit for each day in which the Defendant is engaged in the activities, _____ days, if not previously awarded. (effective 7/1/21 P.A. 101-652)

_____ The defendant passed the high school level test for General Education and Development (GED) on _____ while held in pre-trial detention prior to this commitment and is eligible to receive Pre-Trial GED Program Credit in accordance with 730 ILCS 5/3-6-3(a)(4.1). THEREFORE IT IS ORDERED that the defendant shall be awarded 90 days of additional sentence credit, if not previously awarded.

_____ The Court further finds that the Defendant served _____ days engaged in a self-improvement program, volunteer work, or work assignments, and shall receive 0.5 days of sentence credit for each day the Defendant was engaged in activities for a total of _____. (730 ILCS 5/3-6-3(a)(4.2))

_____ The Court further finds that the Defendant has been advised of and given a copy of the financial obligations and statutory fines, fees and assessments pursuant to SCR 452.

IT IS FURTHER ORDERED the sentence(s) imposed on count(s) _____ be (concurrent with) (consecutive to) the sentence imposed in case number _____ in the Circuit Court of _____ County.

IT IS FURTHER ORDERED that _____
 The Clerk of the Court shall deliver a certified copy of this order to the sheriff. The Sheriff shall take the defendant into custody and deliver the defendant to the Department of Corrections which shall confine said defendant until expiration of this sentence or until otherwise released by operation of law.

This order is (X effective immediately) (_____ stayed until _____).

DATE: 6-17-2024 ENTER: [Signature]
Bryan M. Kible
 (PLEASE PRINT JUDGE'S NAME HERE)

IN THE CIRCUIT COURT OF Shelby County ILLINOIS
Fourth JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS

Vs.

Carlo Oberny
 Defendant

Case No. 22 CF 106

Date of Sentence _____

Date of Birth _____

(Defendant)

JUDGMENT – SENTENCE TO ILLINOIS DEPARTMENT OF CORRECTIONS

WHEREAS the above-named defendant has been adjudged guilty of the offenses enumerated below; IT IS THEREFORE ORDERED that the defendant be and hereby is sentenced to confinement in the Illinois Department of Corrections for the term of years and months specified for each offense.

COUNT	OFFENSE	DATE OF OFFENSE	STATUTORY CITATION	CLASS	SENTENCE	MSR
<u>X</u>	<u>Child Pornography</u>	<u>2/1-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u> </u> Mos.	<u>12</u> Yrs. <u> </u> Mos.
To run <u>(concurrent with)</u> (consecutively to) count(s) <u>X, XI</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>XI</u>	<u>Child Pornography</u>	<u>2/1-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u> </u> Mos.	<u>12</u> Yrs. <u> </u> Mos.
To run <u>(concurrent with)</u> (consecutively to) count(s) <u>X, XII</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>XII</u>	<u>Child Pornography</u>	<u>2/1-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u> </u> Mos.	<u>12</u> Yrs. <u> </u> Mos.
To run <u>(concurrent with)</u> (consecutively to) count(s) <u>X, XI</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						

This Court finds that the defendant is:
 _____ Convicted of a class _____ offense but sentenced as a class X offender pursuant to 730 ILCS 5/5-4.5-95.
 _____ Convicted of a Class 3 or 4 offense (other than a violent crime as defined in Section 3 of the Rights of Crime Victims & Witnesses Act)
 _____ 4 or more months remaining _____ fewer than 4 months remaining 730 ILCS 5/5-4-1(c-7) (effective 7/1/21 P.A. 101-652)

The Court further finds that the defendant is entitled to receive credit for time actually served in custody (of _____ days as of the date of this order) from (specify dates) _____ and/or credit for time served on electronic monitoring, GPS monitoring, or home confinement (of _____ days as of the date of this order) from (specify dates) _____. The defendant is also entitled to receive credit for the additional time served in custody from the date of this order until the defendant is received at the Illinois Department of Corrections.

_____ The Court further finds that the conduct leading to conviction for the offenses enumerated in counts _____ resulted in great bodily harm to the victim. (730 ILCS 5/3-6-3(a)(2)(iii))

_____ The Court further finds that the defendant meets the eligibility requirements for possible placement in the Impact Incarceration Program. (730 ILCS 5/5-4-1(a))

_____ The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program. (730 ILCS 5/5-4-1(a))

_____ The defendant successfully completed a full-time (60-day or longer) Pre-Trial Program _____ Educational/Vocational _____ Substance Abuse _____ Behavior Modification _____ Life Skills _____ Re-Entry Planning – provided by the county jail while held in pre-trial detention prior to this commitment and if eligible for sentence credit in accordance with 730 ILCS 5/3-6-3(a)(4). THEREFORE IT IS ORDERED that the defendant shall be awarded one day of sentence credit for each day in which the Defendant is engaged in the activities, _____ days, if not previously awarded. (effective 7/1/21 P.A. 101-652)

_____ The defendant passed the high school level test for General Education and Development (GED) on _____ while held in pre-trial detention prior to this commitment and is eligible to receive Pre-Trial GED Program Credit in accordance with 730 ILCS 5/3-6-3(a)(4.1). THEREFORE IT IS ORDERED that the defendant shall be awarded 90 days of additional sentence credit, if not previously awarded.

_____ The Court further finds that the Defendant served _____ days engaged in a self-improvement program, volunteer work, or work assignments, and shall receive 0.5 days of sentence credit for each day the Defendant was engaged in activities for a total of _____. (730 ILCS 5/3-6-3(a)(4.2))

_____ The Court further finds that the Defendant has been advised of and given a copy of the financial obligations and statutory fines, fees and assessments pursuant to SCR 452.

IT IS FURTHER ORDERED the sentence(s) imposed on count(s) _____ be (concurrent with) (consecutive to) the sentence imposed in case number _____ in the Circuit Court of _____ County.

IT IS FURTHER ORDERED that _____
 The Clerk of the Court shall deliver a certified copy of this order to the sheriff. The Sheriff shall take the defendant into custody and deliver the defendant to the Department of Corrections which shall confine said defendant until expiration of this sentence or until otherwise released by operation of law.

This order is (X) effective immediately) (_____ stayed until _____)

DATE: 6-17-2024

ENTER: _____

Bryan M. Kible
 (PLEASE PRINT JUDGE'S NAME HERE)

IN THE CIRCUIT COURT OF Shelby County ILLINOIS
Fourth JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS

Vs.

Carlo Obery
 Defendant

Case No. 22 CP 106

Date of Sentence _____
 Date of Birth _____
 (Defendant)

JUDGMENT – SENTENCE TO ILLINOIS DEPARTMENT OF CORRECTIONS

WHEREAS the above-named defendant has been adjudged guilty of the offenses enumerated below; IT IS THEREFORE ORDERED that the defendant be and hereby is sentenced to confinement in the Illinois Department of Corrections for the term of years and months specified for each offense.

COUNT	OFFENSE	DATE OF OFFENSE	STATUTORY CITATION	CLASS	SENTENCE	MSR
<u>XVI</u>	<u>Child Pornography</u>	<u>9/21-2/02</u>	<u>720 ILCS 5/11-20.1(c)(2)</u>	<u>3</u>	<u>5</u> Yrs. ___ Mos. ___ Yrs. <u>12</u> Mos.	
To run (concurrent with) (consecutively to) count(s) <u>XVI</u> ; and served at <u>(50%)</u> 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>XVII</u>	<u>Child Pornography</u>	<u>9/21-2/02</u>	<u>720 ILCS 5/11-20.1(c)(2)</u>	<u>3</u>	<u>5</u> Yrs. ___ Mos. ___ Yrs. <u>12</u> Mos.	
To run (concurrent with) (consecutively to) count(s) <u>XVI</u> ; and served at <u>(50%)</u> 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>XVIII</u>	<u>Child Pornography</u>	<u>9/21-2/02</u>	<u>720 ILCS 5/11-20.1(c)(2)</u>	<u>3</u>	<u>5</u> Yrs. ___ Mos. ___ Yrs. <u>12</u> Mos.	
To run (concurrent with) (consecutively to) count(s) <u>XVI</u> ; and served at <u>(50%)</u> 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						

This Court finds that the defendant is:

- Convicted of a class _____ offense but sentenced as a class X offender pursuant to 730 ILCS 5/5-4.5-95.
- Convicted of a Class 3 or 4 offense (other than a violent crime as defined in Section 3 of the Rights of Crime Victims & Witnesses Act) _____ 4 or more months remaining _____ fewer than 4 months remaining 730 ILCS 5/5-4-1(c-7) (effective 7/1/21 P.A. 101-652)

The Court further finds that the defendant is entitled to receive credit for time actually served in custody (of 201 days as of the date of this order) from (specify dates) _____ and/or credit for time served on electronic monitoring, GPS monitoring, or home confinement (of _____ days as of the date of this order) from (specify dates) _____. The defendant is also entitled to receive credit for the additional time served in custody from the date of this order until the defendant is received at the Illinois Department of Corrections.

The Court further finds that the conduct leading to conviction for the offenses enumerated in counts _____ resulted in great bodily harm to the victim. (730 ILCS 5/3-6-3(a)(2)(iii))

The Court further finds that the defendant meets the eligibility requirements for possible placement in the Impact Incarceration Program. (730 ILCS 5/5-4-1(a))

The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program. (730 ILCS 5/5-4-1(a))

The defendant successfully completed a full-time (60-day or longer) Pre-Trial Program _____ Educational/Vocational _____ Substance Abuse _____ Behavior Modification _____ Life Skills _____ Re-Entry Planning – provided by the county jail while held in pre-trial detention prior to this commitment and if eligible for sentence credit in accordance with 730 ILCS 5/3-6-3(a)(4). THEREFORE IT IS ORDERED that the defendant shall be awarded one day of sentence credit for each day in which the Defendant is engaged in the activities, _____ days, if not previously awarded. (effective 7/1/21 P.A. 101-652)

The defendant passed the high school level test for General Education and Development (GED) on _____ while held in pre-trial detention prior to this commitment and is eligible to receive Pre-Trial GED Program Credit in accordance with 730 ILCS 5/3-6-3(a)(4.1). THEREFORE IT IS ORDERED that the defendant shall be awarded 90 days of additional sentence credit, if not previously awarded.

The Court further finds that the Defendant served _____ days engaged in a self-improvement program, volunteer work, or work assignments, and shall receive 0.5 days of sentence credit for each day the Defendant was engaged in activities for a total of _____. (730 ILCS 5/3-6-3(a)(4.2))

The Court further finds that the Defendant has been advised of and given a copy of the financial obligations and statutory fines, fees and assessments pursuant to SCR 452.

IT IS FURTHER ORDERED the sentence(s) imposed on count(s) _____ be (concurrent with) (consecutive to) the sentence imposed in case number _____ in the Circuit Court of _____ County.

IT IS FURTHER ORDERED that _____
 The Clerk of the Court shall deliver a certified copy of this order to the sheriff. The Sheriff shall take the defendant into custody and deliver the defendant to the Department of Corrections which shall confine said defendant until expiration of this sentence or until otherwise released by operation of law.

This order is (X effective immediately) (_____ stayed until _____).

DATE: 6-17-2024

ENTER: _____

Bryan M. Kibice

(PLEASE PRINT JUDGE'S NAME HERE)

IN THE CIRCUIT COURT OF Shelby County ILLINOIS
Fourth JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS)

Vs.)

Carlo Oberny
 Defendant)

Case No 22CF106

Date of Sentence _____

Date of Birth _____

(Defendant)

JUDGMENT – SENTENCE TO ILLINOIS DEPARTMENT OF CORRECTIONS

WHEREAS the above-named defendant has been adjudged guilty of the offenses enumerated below; IT IS THEREFORE ORDERED that the defendant be and hereby is sentenced to confinement in the Illinois Department of Corrections for the term of years and months specified for each offense.

COUNT	OFFENSE	DATE OF OFFENSE	STATUTORY CITATION	CLASS	SENTENCE	MSR
<u>XX</u>	<u>Child Pornography</u>	<u>9/21-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u>12</u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>XX</u> ; and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>XX</u>	<u>Child Pornography</u>	<u>4/21-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u>12</u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>XX</u> ; and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>XXI</u>	<u>Child Pornography</u>	<u>9/21-2/22</u>	<u>720 ILCS 5/11-20.1(a)(6)</u>	<u>3</u>	<u>5</u> Yrs. <u>12</u> Mos.	<u>12</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>XX</u> ; and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						

This Court finds that the defendant is:
 _____ Convicted of a class _____ offense but sentenced as a class X offender pursuant to 730 ILCS 5/5-4.5-95.
 _____ Convicted of a Class 3 or 4 offense (other than a violent crime as defined in Section 3 of the Rights of Crime Victims & Witnesses Act)
 _____ 4 or more months remaining _____ fewer than 4 months remaining 730 ILCS 5/5-4-1(c-7) (effective 7/1/21 P.A. 101-652)

The Court further finds that the defendant is entitled to receive credit for time actually served in custody (of 201 days as of the date of this order) from (specify dates) _____ and/or credit for time served on electronic monitoring, GPS monitoring, or home confinement (of _____ days as of the date of this order) from (specify dates) _____. The defendant is also entitled to receive credit for the additional time served in custody from the date of this order until the defendant is received at the Illinois Department of Corrections.

_____ The Court further finds that the conduct leading to conviction for the offenses enumerated in counts _____ resulted in great bodily harm to the victim. (730 ILCS 5/3-6-3(a)(2)(iii))

_____ The Court further finds that the defendant meets the eligibility requirements for possible placement in the Impact Incarceration Program. (730 ILCS 5/5-4-1(a))

_____ The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program. (730 ILCS 5/5-4-1(a))

_____ The defendant successfully completed a full-time (60-day or longer) Pre-Trial Program _____ Educational/Vocational _____ Substance Abuse _____ Behavior Modification _____ Life Skills _____ Re-Entry Planning – provided by the county jail while held in pre-trial detention prior to this commitment and if eligible for sentence credit in accordance with 730 ILCS 5/3-6-3(a)(4). THEREFORE IT IS ORDERED that the defendant shall be awarded one day of sentence credit for each day in which the Defendant is engaged in the activities, _____ days, if not previously awarded. (effective 7/1/21 P.A. 101-652)

_____ The defendant passed the high school level test for General Education and Development (GED) on _____ while held in pre-trial detention prior to this commitment and is eligible to receive Pre-Trial GED Program Credit in accordance with 730 ILCS 5/3-6-3(a)(4.1). THEREFORE IT IS ORDERED that the defendant shall be awarded 90 days of additional sentence credit, if not previously awarded.

_____ The Court further finds that the Defendant served _____ days engaged in a self-improvement program, volunteer work, or work assignments, and shall receive 0.5 days of sentence credit for each day the Defendant was engaged in activities for a total of _____. (730 ILCS 5/3-6-3(a)(4.2))

_____ The Court further finds that the Defendant has been advised of and given a copy of the financial obligations and statutory fines, fees and assessments pursuant to SCR 452.

IT IS FURTHER ORDERED the sentence(s) imposed on count(s) _____ be (concurrent with) (consecutive to) the sentence imposed in case number _____ in the Circuit Court of _____ County.

IT IS FURTHER ORDERED that _____
 The Clerk of the Court shall deliver a certified copy of this order to the sheriff. The Sheriff shall take the defendant into custody and deliver the defendant to the Department of Corrections which shall confine said defendant until expiration of this sentence or until otherwise released by operation of law.

This order is (X effective immediately) (_____ stayed until _____)

DATE: 6-17-2024

ENTER: _____

Bryan M. Kibler
 Bryan M. Kibler
 (PLEASE PRINT JUDGE'S NAME HERE)

IN THE CIRCUIT COURT OF Shelby County ILLINOIS
 JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS

Vs.

Carlo Obay
 Defendant

Case No 22CF106

Date of Sentence _____
 Date of Birth _____
 (Defendant)

JUDGMENT – SENTENCE TO ILLINOIS DEPARTMENT OF CORRECTIONS

WHEREAS the above-named defendant has been adjudged guilty of the offenses enumerated below; IT IS THEREFORE ORDERED that the defendant be and hereby is sentenced to confinement in the Illinois Department of Corrections for the term of years and months specified for each offense.

COUNT	OFFENSE	DATE OF OFFENSE	STATUTORY CITATION	CLASS	SENTENCE	MSR
XXII <u>XXIV</u>	<u>Child Pornography</u>	<u>4/11-2/22</u>	<u>720 ILCS 5/11-20.1(c)(6)</u>	<u>3</u>	<u>5</u> Yrs. ___ Mos. ___ Yrs. <u>12</u> Mos.	
To run (concurrent with) (consecutively to) count(s) XXII ; and served at <u>60%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
XXIII <u>XXIV</u>	<u>Child Pornography</u>	<u>4/21-2/22</u>	<u>720 ILCS 5/11-20.1(c)(6)</u>	<u>3</u>	<u>5</u> Yrs. ___ Mos. ___ Yrs. <u>12</u> Mos.	
To run (concurrent with) (consecutively to) count(s) XXIII ; and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
XXIV <u>XXIV</u>	<u>Child Pornography</u>	<u>4/11-2/22</u>	<u>720 ILCS 5/11-20.1(c)(6)</u>	<u>3</u>	<u>5</u> Yrs. ___ Mos. ___ Yrs. <u>12</u> Mos.	
To run (concurrent with) (consecutively to) count(s) XXIV ; and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						

This Court finds that the defendant is:

- Convicted of a class _____ offense but sentenced as a class X offender pursuant to 730 ILCS 5/5-4.5-95.
- Convicted of a Class 3 or 4 offense (other than a violent crime as defined in Section 3 of the Rights of Crime Victims & Witnesses Act) _____ 4 or more months remaining _____ fewer than 4 months remaining 730 ILCS 5/5-4-1(c-7) (effective 7/1/21 P.A. 101-652)

The Court further finds that the defendant is entitled to receive credit for time actually served in custody (of 20 days as of the date of this order) from (specify dates) _____ and/or credit for time served on electronic monitoring, GPS monitoring, or home confinement (of _____ days as of the date of this order) from (specify dates) _____. The defendant is also entitled to receive credit for the additional time served in custody from the date of this order until the defendant is received at the Illinois Department of Corrections.

The Court further finds that the conduct leading to conviction for the offenses enumerated in counts _____ resulted in great bodily harm to the victim. (730 ILCS 5/3-6-3(a)(2)(iii))

The Court further finds that the defendant meets the eligibility requirements for possible placement in the Impact Incarceration Program. (730 ILCS 5/5-4-1(a))

The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program. (730 ILCS 5/5-4-1(a))

The defendant successfully completed a full-time (60-day or longer) Pre-Trial Program _____ Educational/Vocational _____ Substance Abuse _____ Behavior Modification _____ Life Skills _____ Re-Entry Planning – provided by the county jail while held in pre-trial detention prior to this commitment and if eligible for sentence credit in accordance with 730 ILCS 5/3-6-3(a)(4). THEREFORE IT IS ORDERED that the defendant shall be awarded one day of sentence credit for each day in which the Defendant is engaged in the activities, _____ days, if not previously awarded. (effective 7/1/21 P.A. 101-652)

The defendant passed the high school level test for General Education and Development (GED) on _____ while held in pre-trial detention prior to this commitment and is eligible to receive Pre-Trial GED Program Credit in accordance with 730 ILCS 5/3-6-3(a)(4.1). THEREFORE IT IS ORDERED that the defendant shall be awarded 90 days of additional sentence credit, if not previously awarded.

The Court further finds that the Defendant served _____ days engaged in a self-improvement program, volunteer work, or work assignments, and shall receive 0.5 days of sentence credit for each day the Defendant was engaged in activities for a total of _____. (730 ILCS 5/3-6-3(a)(4.2))

The Court further finds that the Defendant has been advised of and given a copy of the financial obligations and statutory fines, fees and assessments pursuant to SCR 452.

IT IS FURTHER ORDERED the sentence(s) imposed on count(s) _____ be (concurrent with) (consecutive to) the sentence imposed in case number _____ in the Circuit Court of _____ County.

IT IS FURTHER ORDERED that _____
 The Clerk of the Court shall deliver a certified copy of this order to the sheriff. The Sheriff shall take the defendant into custody and deliver the defendant to the Department of Corrections which shall confine said defendant until expiration of this sentence or until otherwise released by operation of law.

This order is (X effective immediately) (_____ stayed until _____)

DATE: 6-17-2024

ENTER: _____

Bryan M. Kille
 (PLEASE PRINT JUDGE'S NAME HERE)

IN THE CIRCUIT COURT OF Shelby County ILLINOIS
Fourth JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS)

Vs.)

Carlo Obay
 Defendant)

) Case No 22CF06

Date of Sentence _____
 Date of Birth _____
 (Defendant)

JUDGMENT – SENTENCE TO ILLINOIS DEPARTMENT OF CORRECTIONS

WHEREAS the above-named defendant has been adjudged guilty of the offenses enumerated below; IT IS THEREFORE ORDERED that the defendant be and hereby is sentenced to confinement in the Illinois Department of Corrections for the term of years and months specified for each offense.

COUNT	OFFENSE	DATE OF OFFENSE	STATUTORY CITATION	CLASS	SENTENCE	MSR
<u>XXV</u>	<u>Carjacking</u>	<u>4/11-2/22</u>	<u>720 ILCS 5/11-25</u>	<u>4</u>	<u>3</u> Yrs. <u>6</u> Mos.	<u>6</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>XXVI</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>XXVI</u>	<u>Carjacking</u>	<u>6/11-7/20</u>	<u>720 ILCS 5/11-25</u>	<u>4</u>	<u>3</u> Yrs. <u>6</u> Mos.	<u>6</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>XXV</u> and served at <u>80%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						
<u>XXVII</u>	<u>Substantive Community</u>	<u>6/11-2/22</u>	<u>720 ILCS 5/11-25</u>	<u>4</u>	<u>3</u> Yrs. <u>6</u> Mos.	<u>6</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>XXV</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						

This Court finds that the defendant is:
 _____ Convicted of a class _____ offense but sentenced as a class X offender pursuant to 730 ILCS 5/5-4.5-95.
 _____ Convicted of a Class 3 or 4 offense (other than a violent crime as defined in Section 3 of the Rights of Crime Victims & Witnesses Act)
 _____ 4 or more months remaining _____ fewer than 4 months remaining 730 ILCS 5/5-4-1(c-7) (effective 7/1/21 P.A. 101-652)

The Court further finds that the defendant is entitled to receive credit for time actually served in custody (of _____ days as of the date of this order) from (specify dates) _____ and/or credit for time served on electronic monitoring, GPS monitoring, or home confinement (of _____ days as of the date of this order) from (specify dates) _____. The defendant is also entitled to receive credit for the additional time served in custody from the date of this order until the defendant is received at the Illinois Department of Corrections.

_____ The Court further finds that the conduct leading to conviction for the offenses enumerated in counts _____ resulted in great bodily harm to the victim. (730 ILCS 5/3-6-3(a)(2)(iii))

_____ The Court further finds that the defendant meets the eligibility requirements for possible placement in the Impact Incarceration Program. (730 ILCS 5/5-4-1(a))

_____ The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program. (730 ILCS 5/5-4-1(a))

_____ The defendant successfully completed a full-time (60-day or longer) Pre-Trial Program _____ Educational/Vocational _____ Substance Abuse _____ Behavior Modification _____ Life Skills _____ Re-Entry Planning – provided by the county jail while held in pre-trial detention prior to this commitment and if eligible for sentence credit in accordance with 730 ILCS 5/3-6-3(a)(4). THEREFORE IT IS ORDERED that the defendant shall be awarded one day of sentence credit for each day in which the Defendant is engaged in the activities, _____ days, if not previously awarded. (effective 7/1/21 P.A. 101-652)

_____ The defendant passed the high school level test for General Education and Development (GED) on _____ while held in pre-trial detention prior to this commitment and is eligible to receive Pre-Trial GED Program Credit in accordance with 730 ILCS 5/3-6-3(a)(4.1). THEREFORE IT IS ORDERED that the defendant shall be awarded 90 days of additional sentence credit, if not previously awarded.

_____ The Court further finds that the Defendant served _____ days engaged in a self-improvement program, volunteer work, or work assignments, and shall receive 0.5 days of sentence credit for each day the Defendant was engaged in activities for a total of _____. (730 ILCS 5/3-6-3(a)(4.2))

_____ The Court further finds that the Defendant has been advised of and given a copy of the financial obligations and statutory fines, fees and assessments pursuant to SCR 452.

_____ IT IS FURTHER ORDERED the sentence(s) imposed on count(s) _____ be (concurrent with) (consecutive to) the sentence imposed in case number _____ in the Circuit Court of _____ County.

_____ IT IS FURTHER ORDERED that _____
 The Clerk of the Court shall deliver a certified copy of this order to the sheriff. The Sheriff shall take the defendant into custody and deliver the defendant to the Department of Corrections which shall confine said defendant until expiration of this sentence or until otherwise released by operation of law.

This order is (X effective immediately) (_____ stayed until _____)

DATE: 6-17-2024

ENTER: _____

Bryan M. Kibler
 Bryan M. Kibler
 (PLEASE PRINT JUDGE'S NAME HERE)

IN THE CIRCUIT COURT OF Shelby County, ILLINOIS
Fourth JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS

Vs.

Carlo Obary
Defendant

) Case No 22CV106

Date of Sentence _____
Date of Birth _____
(Defendant)

JUDGMENT – SENTENCE TO ILLINOIS DEPARTMENT OF CORRECTIONS

WHEREAS the above-named defendant has been adjudged guilty of the offenses enumerated below; IT IS THEREFORE ORDERED that the defendant be and hereby is sentenced to confinement in the Illinois Department of Corrections for the term of years and months specified for each offense.

COUNT	OFFENSE	DATE OF OFFENSE	STATUTORY CITATION	CLASS	SENTENCE	MSR
<u>XVIII</u>	<u>Solicitation to Meet a Child</u>	<u>6-21-2022</u>	<u>720 ILCS 5/11-6.6</u>	<u>4</u>	<u>3</u> Yrs. ___ Mos.	<u>6</u> Mos.
To run (concurrent with) (consecutively to) count(s) <u>XVIII</u> and served at <u>50%</u> , 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3						

To run (concurrent with) (consecutively to) count(s) _____ and served at 50%, 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3

To run (concurrent with) (consecutively to) count(s) _____ and served at 50%, 75%, 85%, 100% pursuant to 730 ILCS 5/3-6-3

This Court finds that the defendant is:

- Convicted of a class _____ offense but sentenced as a class X offender pursuant to 730 ILCS 5/5-4.5-95.
- Convicted of a Class 3 or 4 offense (other than a violent crime as defined in Section 3 of the Rights of Crime Victims & Witnesses Act) _____ 4 or more months remaining _____ fewer than 4 months remaining 730 ILCS 5/5-4-1(c-7) (effective 7/1/21 P.A. 101-652)

The Court further finds that the defendant is entitled to receive credit for time actually served in custody (of _____ days as of the date of this order) from (specify dates) _____ and/or credit for time served on electronic monitoring, GPS monitoring, or home confinement (of _____ days as of the date of this order) from (specify dates) _____. The defendant is also entitled to receive credit for the additional time served in custody from the date of this order until the defendant is received at the Illinois Department of Corrections.

The Court further finds that the conduct leading to conviction for the offenses enumerated in counts _____ resulted in great bodily harm to the victim. (730 ILCS 5/3-6-3(a)(2)(iii))

The Court further finds that the defendant meets the eligibility requirements for possible placement in the Impact Incarceration Program. (730 ILCS 5/5-4-1(a))

The Court further finds that offense was committed as a result of the use of, abuse of, or addiction to alcohol or a controlled substance and recommends the defendant for placement in a substance abuse program. (730 ILCS 5/5-4-1(a))

The defendant successfully completed a full-time (60-day or longer) Pre-Trial Program _____ Educational/Vocational _____ Substance Abuse _____ Behavior Modification _____ Life Skills _____ Re-Entry Planning – provided by the county jail while held in pre-trial detention prior to this commitment and if eligible for sentence credit in accordance with 730 ILCS 5/3-6-3(a)(4). THEREFORE IT IS ORDERED that the defendant shall be awarded one day of sentence credit for each day in which the Defendant is engaged in the activities, _____ days, if not previously awarded. (effective 7/1/21 P.A. 101-652)

The defendant passed the high school level test for General Education and Development (GED) on _____ while held in pre-trial detention prior to this commitment and is eligible to receive Pre-Trial GED Program Credit in accordance with 730 ILCS 5/3-6-3(a)(4.1). THEREFORE IT IS ORDERED that the defendant shall be awarded 90 days of additional sentence credit, if not previously awarded.

The Court further finds that the Defendant served _____ days engaged in a self-improvement program, volunteer work, or work assignments, and shall receive 0.5 days of sentence credit for each day the Defendant was engaged in activities for a total of _____. (730 ILCS 5/3-6-3(a)(4.2))

The Court further finds that the Defendant has been advised of and given a copy of the financial obligations and statutory fines, fees and assessments pursuant to SCR 452.

IT IS FURTHER ORDERED the sentence(s) imposed on count(s) _____ be (concurrent with) (consecutive to) the sentence imposed in case number _____ in the Circuit Court of _____ County.

IT IS FURTHER ORDERED that _____

The Clerk of the Court shall deliver a certified copy of this order to the Sheriff. The Sheriff shall take the defendant into custody and deliver the defendant to the Department of Corrections which shall confine said defendant until expiration of this sentence or until otherwise released by operation of law.

This order is (X effective immediately) (_____ stayed until _____)

DATE: 6-17-2024

ENTER:

Bryan M Kible
Bryan M. Kible
(PLEASE PRINT JUDGE'S NAME HERE)

FILED

JUN 17 2024

Rule 404. Application for Waiver of Court Assessments 22CF106

Kari Ann Kingston
Clerk of the Circuit Court
Fourth Judicial Circuit
Shelby County, IL

**RULE 404 CERTIFICATION FOR WAIVER OF COURT ASSESSMENTS
REPRESENTATION BY PUBLIC DEFENDER, CRIMINAL LEGAL SERVICES
PROVIDER OR COURT-SPONSORED PRO BONO PROGRAM**

Pursuant to Supreme Court Rule 404, the undersigned counsel hereby certifies that they are an attorney for Shelby County Public Defender (name of office, organization, or court program), a public defender, criminal legal services provider, or court-sponsored pro bono program as defined in Rule 404, and that they represent Carlo Obony (name of party). Carlo Obony (name of party) is therefore entitled to a waiver of assessments as defined in 725 ILCS 5/124A-20(a) without necessity of an Application.

Bradford A. Ran Jr.

Attorney Certification

Name of Office, Organization, or Court Program: Shelby County Public Defender
Attorney Name Bradford A. Ran Jr.
Attorney No. 6317260
Address 301 E. Main St.
City, State, Zip Shelbyville, IL 62565
Telephone 217-774-9530

COPY

**IN THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT
SHELBY COUNTY, ILLINOIS**

OFFICIAL STATEMENT OF FACTS OF STATE'S ATTORNEY

June 17, 2024

NAME: Carol C. Oberg B of I: #IL FBI: #

ALIAS:

Date of Birth: 10/31/2020 State of Birth: Illinois

Race: Black

**Crime: Count I – Traveling to Meet a Child
 Count II – XXIV – Possession of Child Pornography
 Count XXV - XXVII – Grooming
 Count XXVIII – Solicitation to Meet a Child**

**Dates of Crimes: October 22 – 25, 2021
 September 2021 – February 2022**

Date of Arrest: 11/29/2024

Jail Credit Due: . 201 days

Sentence: 5 years in Department of Corrections

Case Nos.: 2022 CF 106 Date of Sentence: 06/17/2024

County: Shelby

Type of Trial: () Jury () Bench (X) Guilty Plea () Admission to probation violation

State' Attorney: Ruth.A. Woolery

Defense Attorney: Bradford Rau

Judge: Bryan Kibler

Complaining Witness: Shelby County Sheriff's Department

Full Name and Address of Nearest of Kin: Unknown

Last Known Address: 5747 Chambers Street, Stansbury Park, UT 84074

COPY

Last Known Employer: N/A

Agency Conducting Pre-Trial Investigation: Shelby County Pre-trial Services

Probation History in Shelby County:

Description of Exact Circumstances of Offense: Information attached.

Submitted in accordance with provisions of 730 ILCS 5/5-4-1.

Ruth A. Woolery, State's Attorney



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

September 13, 2024

Via electronic mail

The Honorable Ruth Woolery
Shelby County State's Attorney
Shelby County State's Attorney's Office
301 East Main Street
Shelbyville, Illinois 62565
statesattorney@shelbycounty-il.gov

RE: FOIA Request for Review – 2024 PAC 82918
Requester: Mr. Kirk Allen
Date of FOIA Request: July 10, 2024

Dear Ms. Woolery:

The Public Access Bureau has received the attached Request for Review of the response by the Shelby County State's Attorney's Office (State's Attorney's Office) to a Freedom of Information Act (FOIA) request submitted by Mr. Kirk Allen on behalf of Edgar County Watchdogs. We have determined that further action is warranted.

On July 10, 2024, Mr. Allen submitted a FOIA request to the State's Attorney's Office seeking six items:

1. A copy of the police report related to Carlo Oberg case # 2022 CF 106
2. A copy of all communication related to the prosecution of Carlo Oberg. This would include but not limited to those to his attorney, and law enforcement.
3. A copy of all documents in the State's attorney file for case 2022 CF 106 including any notes or communications concerning that case, to include but not limited to the charging instrument and recent order from the court.

500 South 2nd Street
Springfield, Illinois 62701
(217) 782-1090 • Fax: (217) 782-7046

115 South LaSalle Street
Chicago, Illinois 60603
(312) 814-3000 • Fax: (312) 814-3806

1745 Innovation Drive, Suite C
Carbondale, Illinois 62903
(618) 529-6400 • Fax: (618) 529-6416

Individuals with hearing or speech disabilities can reach us by using the 7-1-1 relay service.

www.IllinoisAttorneyGeneral.gov

4. Copy of all emails sent by Robert T. Hanlon to Ruth Woolery in the period of December 2023 to 4/14/24.
5. Copy of all emails between former State's Attorney Robert Hanlon and Brad Rau in the period of January 1, 2024 to May 10, 2024.
6. Copy of any notification by any law enforcement agency that Brad Rau actually reviewed the images that were evidence against Carlo Oberg[.]^[1]

On July 11, 2024, the State's Attorney's Office responded to Mr. Allen's request by providing copies of certain records, but denied other records without asserting any FOIA exemptions. The State's Attorney's Office stated that it would not provide attorney notes, to the extent they exist, because of the attorney work product doctrine. Additionally, the State's Attorney's Office stated it would not provide police reports or digital evidence because they contain sensitive information regarding the identity of a minor. Additionally, the State's Attorney's Office stated it had already provided the e-mails between State's Attorney Ruth Woolery and Mr. Hanlon to Mr. Allen.

On September 5, 2024, Mr. Allen submitted the above-referenced Request for Review contesting the State's Attorney's Office's partial denial. Mr. Allen explained that he was not seeking information pertaining to the minor victim, and contended that the records he requested can be redacted for such exempt information. He also included the statutory language of section 9 of FOIA (5 ILCS 140/9 (West 2022)) and emphasized the language that a denial of a FOIA request shall include "the names and titles or positions of each person responsible for the denial," as well as "specify the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to supporting legal authority."

As required under section 9.5(c) of FOIA (5 ILCS 140/9.5(c) (West 2023 Supp.)), please provide unredacted copies of the withheld responsive records for this office's confidential review, together with detailed explanation of the factual and legal bases for the applicability of any FOIA exemptions to these records. In your written response, please respond to the allegation that the State's Attorney's Office's denial did not meet the requirements that FOIA sets out for denying a request. *See* 5 ILCS 140/9 (West 2022).

This information must be submitted to our office within seven (7) business days after receipt of this letter. Under FOIA, "[t]he Public Access Counselor shall forward a copy of the answer to the person submitting the request for review, with any alleged confidential information to which the request pertains redacted from the copy. The requester may, but is not required to, respond in writing[.]" 5 ILCS 140/9.5(d) (West 2023 Supp.). **If you claim that any portion of your written response is confidential, please send two versions of your response**

¹E-mail from Kirk Allen, Edgar County Watchdogs, to [Ruth] Woolery (July 10, 2024).

The Honorable Ruth Woolery
September 13, 2024
Page 3

letter: a complete copy for this office's confidential review and a redacted version suitable for this office to forward to the requester.

Please contact me at katherine.goldsmith@ilag.gov if you have questions or would like to discuss this matter. Thank you.

Very truly yours,

Katie Goldsmith

KATIE GOLDSMITH
Assistant Attorney General
Public Access Bureau

Attachment

cc: *Via electronic mail*
Mr. Kirk Allen
ECWd
P.O. Box 593
Kansas, Illinois 61933
Kirk@illinoisleaks.com

Group
Exhibit E

[REDACTED]

From: Shelby County States Attorney - Ruth Woolery <statesattorney@shelbycounty-il.gov>
Sent: Saturday, October 26, 2024 3:24 PM
To: Kirk Allen <Kirk@illinoisleaks.com>
Subject: RE: FOIA Request

1. Please see responsive documents attached hereto.
2. This request is being denied as exempt pursuant to **Exemption 5** as attorney-client privileged communications relating to ongoing litigation.

If you feel that this answer is not responsive, or is erroneous to your request, or you were otherwise denied publicly available information maintained by the State's Attorney's Office, you have the right to have this response reviewed by the Public Access Counselor by writing to:

Leah Bartelt
Public Access Counselor
Office of the Illinois Attorney General
500 south 2nd Street
Springfield, Illinois 62701
Fax 217-782-1396
Public.access@ilag.gov

If you choose to file a request for review with the public access counselor, you must do so within 60 calendar days of the date of this letter (See 5 ILCS 140/9.5(a)).
You also have the right to judicial review of a denial by filing suit in the appropriate Illinois Court. See 5 ILCS 140/11.

Ruth A. Woolery
Shelby County State's Attorney/FOIA Officer
301 E. Main St
Shelbyville, IL. 62565
(217) 774-5511
(217) 273-5291
statesattorney@shelbycounty-il.gov



State of Illinois – Shelby County - **CONFIDENTIALITY NOTICE:** The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure, or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return email and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

From: Kirk Allen <Kirk@illinoisleaks.com>
Sent: Wednesday, October 23, 2024 10:53 AM
To: States Attorney <statesattorney@shelbycounty-il.gov>
Subject: FOIA Request

In accordance with the Freedom of Information Act of Illinois, I am requesting the following public records.

1. Copy of all motions filed for the appointment of a special prosecutor since May 10, 2024.
2. Copy of email communication sent to the county board by the State's attorney on October 22, 2024, at approximately 9:15 in the morning, to include any attachments.

I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests or commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees).

I request expedited processing on the basis of an urgency to inform the citizens and taxpayers of Illinois about their government's activities. If any element of this request is denied in whole or in part, I ask that you justify all withholdings individually by reference to specific exemptions of the Act. Please provide all responsive information to me electronically.

I request a rolling production of records, such that the public body furnishes records to my attention as soon as they are identified, preferably electronically, but as needed then to my attention, at the below address. If you have any questions please do not hesitate to contact me. Rolling production is not to be perceived as an agreement to extend the time frame for compliance under FOIA.

If you are not the FOIA officer responsible for any part of this request you are required by law to forward it to the appropriate FOIA officer.

The purpose of the request is to access and disseminate information regarding the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

As outlined in FOIA, documents shall be furnished without charge or at a reduced charge, as determined by the public body, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

I am requesting the records be provided in electronic format if that is the method in which they are stored. If they are in paper form and the copier can convert them to electronic format I would appreciate receiving them electronically.

Thanks,

Kirk Allen

Edgar County Watchdogs

PO Box 593

Kansas, IL 61933

Respectfully Submitted,

/s/ Ruth A. Woolery
Ruth Woolery
Shelby County State's Attorney

PROOF OF SERVICE

I, Ruth A. Woolery, hereby certify that a copy of the above and foregoing Motion for Appointment of Counsel was served upon Counsel for Plaintiff on October 2, 2024, by email to: jstocks@decatur.legal.

/s/Ruth A. Woolery
Ruth A. Woolery
Shelby County State's Attorney

Ruth A. Woolery
Shelby County State's Attorney
Shelby County Courthouse
301 E. Main St.
Shelbyville, IL 62565
(217) 774-5511

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE **FOURTH** JUDICIAL CIRCUIT
SHELBY COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS,)
)
-vs-)
JASON R. ENGLER)
_____,)
Defendant.)

No. 2024-CF-97

MOTION FOR APPOINTMENT OF SPECIAL PROSECUTOR

COMES NOW Shelby County State's Attorney, Ruth A. Woolery, and pursuant to the provisions of 55 ILCS 5/3-9008 moves for the appointment of a Special Prosecutor in this case. The prosecution of the defendant by the State's Attorney's Office could be a conflict of interest for the office, or alternatively, could create the appearance of an impropriety. It is in the interest of justice that a Special Prosecutor be appointed to avoid any such appearance. In this particular case the reason for requesting the appointment of a Special Prosecutor is:

Prior representation of the Defendant in a divorce matter.

WHEREFORE, the People pray for the appointment of a Special Prosecutor.



Signature

8/19/24

Date

Ruth A. Woolery
State's Attorney

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE **FOURTH** JUDICIAL CIRCUIT
SHELBY COUNTY, ILLINOIS


THE PEOPLE OF THE STATE OF ILLINOIS,)
)
)
-vs-) No. 2024-DT-37
)
JASON STOKES)
_____,)
Defendant.)

MOTION FOR APPOINTMENT OF SPECIAL PROSECUTOR

COMES NOW Shelby County State's Attorney, Ruth A. Woolery, and pursuant to the provisions of 55 ILCS 5/3-9008 moves for the appointment of a Special Prosecutor in this case. The prosecution of the defendant by the State's Attorney's Office could be a conflict of interest for the office, or alternatively, could create the appearance of an impropriety. It is in the interest of justice that a Special Prosecutor be appointed to avoid any such appearance. In this particular case the reason for requesting the appointment of a Special Prosecutor is:

family relationship with the Defendant.

WHEREFORE, the People pray for the appointment of a Special Prosecutor.



Signature Date 8/19/24
Ruth A. Woolery

State's Attorney

APPOINTMENT OF SHELBY COUNTY, ILLINOIS SPECIAL ASSISTANT STATE'S ATTORNEY

OATH OF OFFICE

STATE OF ILLINOIS

ss

COUNTY OF SHELBY

To All Whom These Presents Shall Come, GREETINGS:

Know ye that I, RUTHA. WOOLERY, State's Attorney in and for the County of Shelby, Illinois, have and do hereby appoint JENNIFER MUDGE, Special Prosecutor with the State of Illinois Appellate Prosecutor, as Special Assistant State's Attorney, and as such, full faith and credit are due to all her official acts, pertaining to the following Shelby County cases:

People v. Christopher Elliot, 2023CF52; 2023CF153

People v. Jason Roberts, 2023CF76

People v. Clinton Miller, 2023CF120

People v. Justin Shoemaker, 2024CF10

Witness my hand in Shelbyville, County of Shelby, Illinois on this 17 day of June, 2024.

[Redacted Signature]

Ruth A. Woolery, Shelby County State's Attorney

STATE OF ILLINOIS

ss

COUNTY OF SHELBY

I, JENNIFER MUDGE, as an attorney in good standing in the State of Illinois, now being appointed Special Assistant State's Attorney of Shelby County, Illinois, do solemnly swear that I will support the Constitution of the United States and the Constitution of Illinois, and that I will faithfully discharge the duties of the office of State's Attorney of Shelby County, according to my best ability.

[Redacted Signature]

Jennifer Mudge

Subscribed and Sworn Before Me this 17 day of June, 2024

[Redacted Signature]

Circuit Judge

FILED

JUN 17 2024

Kari Anderson
Clerk of the Circuit Court
Fourth Judicial Circuit
Shelby County, IL