

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CRIMINAL DIVISION

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IN RE: APPOINTMENT OF A SPECIAL PROSECUTOR )  
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 ) No. 19 MR 00014  
 )  
 ) The Hon. Michael Toomin  
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**PETITION FOR MANDAMUS**

Now comes the Petitioner, Sheila M. O'Brien, *pro se* and pursuant to 735 ILCS 5/14-101 et seq., petitions this court for a writ of mandamus for Kim Foxx, State's Attorney for Cook County to comply with 55 ILCS 5/3-9001 et seq. and 15 ILCS 205/1 et seq. and to cease and desist from using tax money to hire outside counsel to represent her in this cause. In support:

1. This court has jurisdiction of the parties and the subject matter. The State's Attorney has appeared by counsel in this proceeding.
2. The duties, powers and responsibilities of the State's Attorney are enumerated in 55 ILCS 5/3-9001 et seq.
3. The duties, powers and responsibilities of the Attorney General of Illinois are enumerated in 15 ILCS 205/1 et seq.
4. It is the duty of the Attorney General to "defend all actions and proceedings against any State officer, in his official capacity, in any of the court of this State or the United States." 15 ILCS 205/4 Third.

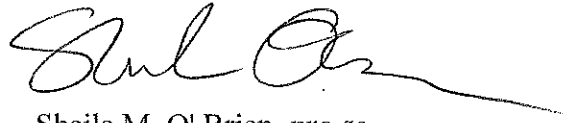
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5. The Chicago Tribune, the Chicago Sun-Times, Chicago Crain's have reported that Kim Foxx has retained Ruben Castillo, Akerman law firm, at the expense of the tax payers to represent the Office of the State's Attorney in this proceeding.
6. The Chicago Tribune, the Chicago Sun-Times, Chicago Crain's have reported that Kim Foxx has retained Michael Bromwich, Steptoe Johnson law firm, to represent either Kim Foxx personally or the Office of the State's Attorney in this proceeding with the source of payment unknown.
7. The hiring of outside counsel in defense of the Office of State's Attorney is not provided by the Illinois statutes.
8. The Office of the Special Prosecutor in this proceeding has specific instructions from this court as to its investigation which may not include this issue.
9. Petitioner has no other adequate remedy at law and the Illinois statutes are clear that this request is appropriate.
10. Kim Foxx, in her role as State's Attorney, has a clear duty to comply with the Illinois statutes.

Wherefore, Petitioner requests that a writ of mandamus issue against Kim Foxx as State's Attorney to comply with the statutes of Illinois and to cease and desist from retaining outside counsel with a cost to the taxpayers to defend her in this cause.

Further, Petitioner requests that this Court adopt the time frame as outlined in the Mandamus statute, to allow the parties time to reply and to set this Petition for a hearing after 30 days have elapsed as anticipated by the Mandamus statute.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Sheila O'Brien', with a long horizontal flourish extending to the right.

Sheila M. O'Brien, *pro se*

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*Pro Se*  
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CERTIFICATE OF SERVICE

Sheila M. O'Brien, the undersigned, *prose*, certifies that she served the foregoing *Petition for Mandamus in the matter of In Re: Appointment of Special Prosecutor, 19-MR-14* by electronic service before the hour of 5:00 pm on Thursday, January 16, 2020 to:

**Diane Walsh**

Office of Presiding Judge Toomin  
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**Kim Foxx**

Cook County State's Attorney

**Cathy McNeil Stein**

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