

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
COUNTY OF WINNEBAGO

THE PEOPLE OF THE STATE OF ILLINOIS)

)	Judge: J. Edward Prochaska
Plaintiff,)	
)	Case Nos. 01-CF-2701
vs.)	01-CM 8121
)	02-CM-637
Clarence L. Vance,)	02-CM-3066
)	02-CM-6438
Defendant,)	

REQUEST TO TAKE JUDICIAL NOTICE

Now comes Clarence L. Vance, the named as Defendant in the above styled matters, and states to this Court as follows:

1. The BILL QUIA TIMET filed by said Defendant on April 20, 2007, is hereby incorporated by reference as though stated in the entirety herein.

2. Said evidence of Record establishes categorically that Judge Prochaska is required, by the Code of Judicial Conduct, to disqualify himself in the above styled matters due to his noted acceptance of contributions to his election campaign from said Thomas Lester and other partners and attorneys of Hinshaw & Culbertson. Said acceptance of said contributions constitutes said conflict of interest and causes his impartiality to be reasonably questioned.

3. Said evidence of Record also establishes categorically that said Charles Prorok also accepted contributions from said Hinshaw & Culbertson partners and attorneys during his unsuccessful campaign to be elected a Winnebago County Judge in 2000, which also constitutes a similar conflict of interest. Consequently, said Charles Prorok should remove himself as the prosecutor in the above styled matters.

4. Said evidence of Record further establishes categorically that said Paul Logli instituted the charge in each of the above styled matters when said prosecutor knew "*or reasonably should* (have known that said) *charges are not supported by probable cause*".

5. In addition thereto, said evidence of Record establishes categorically that said Paul Logli and said Charles Prorok have been prosecuting said criminal charges in disregard of the fact that said "*charges are not supported by probable cause*".

6. Said Paul Logli has reason to know that: (A) The said "*charges are not supported by probable cause*"; (B) He had no lawful authority to institute said charges; and (C) No other prosecutor has any lawful authority to prosecute said charges.

7. Said Paul Logli has reason to know that the institution of said criminal charges was, in the recent words of the North Carolina Attorney General, "*a rush to judgment*".

8. Said Defendant requests this Court to take Judicial Notice of said evidence of Record and pertinent Law.

Dated: April 20, 2007

Respectfully submitted,

Clarence L. Vance
Named as Defendant

2203 Halsted Rd.
Rockford, IL 61103

AFFIDAVIT

Pursuant to 735 ILCS 1-109, the undersigned certifies that the statements set forth in the foregoing REQUEST TO TAKE JUDICIAL NOTICE are true and correct and that he will serve, either personally or by depositing in the U.S. Mail with postage prepaid, a true and correct copy of said REQUEST upon each of the following:

Paul A. Logli
Winnebago County State's Attorney
400 West State Street
Rockford, IL 61101

Lisa Madigan
Illinois Attorney General
100 West Randolph Street
Chicago, IL 60601

Executed: April 20, 2007

Clarence L. Vance