

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

IN THE CIRCUIT COURT OF THE NINETEENTH
JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS

FILED

MAY 13 2024

Ena. Courtney Liscinski
CIRCUIT CLERK

PEOPLE OF THE STATE OF ILLINOIS,)
)
Petitioner,)
)
vs.)
)
CLYDE J. MCLEMORE,)
)
Respondent.)

2024 cc 5

VERIFIED PETITION FOR ADJUDICATION OF INDIRECT CRIMINAL CONTEMPT

Now comes Petitioner People of the State of Illinois, by Eric Rinehart, State's Attorney of Lake County, through Kevin J. Berrill, Assistant State's Attorney, and, in support of an adjudication of indirect criminal contempt against Respondent Clyde J. McLemore pursuant to Illinois Nineteenth Judicial Circuit Court Rule 10-1.03, alleges as follows:

1. Illinois Nineteenth Judicial Circuit Court Rule 1-4.01 provides in pertinent part that, "the taking of photographs in the courtroom during sessions of court is permitted only to the extent authorized by this Rule and/or LCR 1-4.02. Photography, videotaping, audio recording, transmitting, broadcasting or televising of circuit court proceedings is otherwise prohibited." IL R 19 CIR Rule 1-4.01(A). Said Rule further provides in pertinent part that:

"[t]he photography, videotaping, audio recording, transmitting, televising or broadcasting of events and activities in a courtroom or its environs is also prohibited unless expressly authorized by this Rule and/or LCR 1-4.02. For the purpose of this Rule, the use of the terms 'photographs, videotaping, audio recording, transmitting, televising or broadcasting' includes audio or video transmissions or recordings made by cell phones"

Id. at (B).

2. Similarly, Illinois Supreme Court Rule 44 provides in pertinent part that, “the taking of photographs in the courtroom during sessions of the court . . . [is] permitted only to the extent authorized by order of the Supreme Court.” IL R S CT Rule 44.

3. Immediately outside Courtroom T-812 of the Lake County Courthouse, notice is, and on April 25, 2024 was, posted that electronic devices—including mobile phones—must be turned off or silenced. Similarly, prior to and after proceeding through the security line to enter the Lake County Courthouse, notice is, and on April 25, 2024 was, posted that recording is strictly prohibited in courtrooms.

4. At approximately 9:20 a.m. on April 25, 2024, Respondent was present in Courtroom T-812 of the Lake County Courthouse. At that time, Jenna Melloy, a Victim Specialist with the Lake County State’s Attorney’s Office, observed Respondent using his cell phone in such a manner as to direct the cell phone’s camera towards Circuit Court proceedings taking place in the courtroom, such that she believed Respondent was recording video or taking photographs.

4. On April 26, 2024, Lake County Sheriff’s Office Sergeant Michael Kuvales observed Respondent to have posted on Respondent’s Facebook page two pictures of said Circuit Court proceedings. *See* Photographs, attached hereto as Exhibits “A” and “B,” respectively. Sgt. Kuvales also observed Respondent to have posted on said Facebook page a video, in which video Respondent acknowledged having taken pictures in the courtroom, acknowledged that he was not supposed to have done so, and stated, “. . . I do what I want to do.”

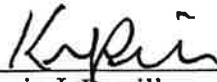
5. Respondent was not authorized to take photographs of Circuit Court proceedings in the Lake County Courthouse on April 25, 2024.

WHEREFORE, your Petitioner, People of the State of Illinois, prays that this Honorable Court, pursuant to Illinois Nineteenth Judicial Circuit Court Rule 10-1.03:

- (a) issue against Respondent Clyde J. McLemore an adjudication of indirect criminal contempt; and
- (b) grant such other and further relief as this Court deems equitable and just.

Respectfully submitted,

ERIC F. RINEHART
State's Attorney of Lake County

By: 
Kevin J. Berrill
Assistant State's Attorney

VERIFICATION

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

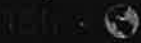
By: 
Kevin J. Berrill
Assistant State's Attorney



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