

FILED

January 5, 2024

IN THE SUPREME COURT OF ILLINOIS

ARDC CLERK

In the Matter of:

BRADY ALLEN,

Supreme Court No. M.R.

Movant,

Commission No. 2024PR00001

No. 6326537.

MOTION PURSUANT TO SUPREME COURT RULE 762(a)

Movant, Brady Allen, respectfully represents to the Court that:

1. Movant was licensed to practice law in Illinois on November 9, 2017.
2. Movant desires to have his name stricken from the Roll of Attorneys pursuant to Supreme Court Rule 762(a), effective immediately.
3. Filed contemporaneously with this motion is a statement of charges prepared by the Administrator and Movant's affidavit in support of this motion.

WHEREFORE, Movant respectfully requests that the Court enter an order striking his name from the Roll of Attorneys.

Brady Allen
Brendan Davis & Associates
6 Cardinal Way, Suite 900
St. Louis, MO 63102-2807



Brady Allen

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AFFIDAVIT


Affiant, Brady Allen, being first duly sworn, states:

1. Affiant has filed with this Court a motion to strike his name from the Roll of Attorneys licensed to practice law in Illinois, pursuant to Supreme Court Rule 762(a).


2. Affiant has received and reviewed a copy of the Administrator's statement of the charges that were pending against Affiant as of the filing of the instant motion. If the case proceeded to a hearing, the judgment of conviction would be offered into evidence and would constitute conclusive evidence of Affiant's guilt of the crimes for purposes of these disciplinary proceedings.

3. Affiant's motion is freely and voluntarily made.

4. Affiant understands the nature and consequences of this motion.


Brady Allen

Subscribed and sworn to before me
this 4 day of Jan, 2024


NOTARY PUBLIC

"OFFICIAL SEAL"
ERIC DEFOSSET
NOTARY PUBLIC — STATE OF ILLINOIS
MY COMMISSION EXPIRES NOV. 1, 2026

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STATEMENT OF CHARGES PURSUANT
TO SUPREME COURT RULE 762(a)

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Peter L. Rotskoff, pursuant to Supreme Court Rule 762(a), states that on the date Brady Allen (hereinafter "Movant") filed a motion requesting that his name be stricken from the roll of attorneys, the Administrator was investigating the conduct that formed the basis for Movant's guilty plea and convictions in the Circuit Court of Coles County, for two counts of attempt official misconduct, *People of the State of Illinois v. Brady Allen*. Had Movant's conduct been the subject of a hearing, the evidence described below would clearly and convincingly establish the following facts and conclusions of misconduct:

I. FACTUAL BASIS

Movant's admissions, ARDC registration records, court records, including the judgment of conviction from *People of the State of Illinois v. Brady Allen*, Coles County case number 2023CF44, and other materials would establish the following facts:

1. Movant is 34 years old and was licensed to practice law in Illinois on November 9, 2017. Between December 19, 2018, and August 23, 2020, Movant was employed as an assistant state's attorney in Coles County.
2. On June 11, 2019, a woman with the initials "K.C.", was charged in Coles County with driving under the influence. On August 3, K.C was charged with a second driving under the

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influence offense in Coles County. Movant appeared as the Assistant State's Attorney on both of K.C.'s cases.

3. Between July 2019 and August 2020, Movant solicited sexual acts from K.C., telling her that she would receive preferential treatment in her pending DUI cases in exchange for the sexual acts. Movant communicated with K.C. using social media platforms including Tinder, Snapchat, and Facebook. Movant requested and received from K.C. at least one photograph that was sexual in nature on Snapchat.

4. On April 3, 2018, a woman with the initials B.L. was charged in with criminal damage to property in Coles County. On August 1, 2018, B.L. pled guilty to the charged offense and was sentenced to two years of court supervision.

5. On August 24, 2018, B.L. was charged with DUI in Coles County. Thereafter, the State moved to revoke court supervision in her earlier case. Between at least January 2019 and August 2020, Movant appeared as the Assistant State's Attorney in both of B.L.'s cases. Between January 2019 and August 2020, Movant solicited sexual acts from B.L. and Movant represented to B.L. that she would receive preferential treatment in both pending cases in Coles County in exchange for the sexual acts. Movant communicated with B.L. using social media platforms including Tinder, Snapchat, and Facebook. Movant also communicated with B.L. via telephone using his personal cell phone. Movant also requested and received at least one photograph from B.L. that was sexual in nature.

6. On January 25, 2023, the Office of the Attorney General, appointed as Special Prosecutor, filed a 32-count information against Movant as a result of his conduct with K.C. and B.L. On February 16, 2023, the Special Prosecutor amended the information charging Movant with nine felony counts of bribery, in violation of 720 ILCS 5/33-1(e) (Counts 1-3, 13-16, 26-27);

nine felony counts of official misconduct, in violation of 720 ILCS 5/33-3(a)(4) (Counts 4-6, 18-21, 28-29); ten felony counts of official misconduct, in violation of 720 ILCS 5/33-3(a)(2) (Counts 7-9, 11, 22-25, 30-31); two felony counts of official misconduct, in violation of 720 ILCS 5/33-3(a)(3) (Count 12, 32); one felony count of witness intimidation, in violation of 720 ILCS 5/32-4(b) (Count 10); and one felony count of witness harassment, in violation of 720 ILCS 5/32-4a(a)(2) (Count 17). The Clerk of the Circuit Court of Coles County docketed the matter as *People of the State of Illinois v. Brady L. Allen*, Case No. 2023CF44.

7. On December 20, 2023, the Special Prosecutor filed an amended information in case number 2023CF44 as follows:

Count 1

The undersigned states to the Court that he is the duly elected, qualified and acting Attorney General for the State of Illinois and has been appointed Special Prosecutor to prosecute this case, and that BRADY L. ALLEN, between July 31, 2019, and on or about August 23, 2020, at and within the County of Coles and State of Illinois, committed the offense of ATTEMPT OFFICIAL MISCONDUCT, in that said Defendant took a substantial step toward the commission of the offense of OFFICIAL MISCONDUCT, in that said Defendant, then a public officer and/or public employee, in his official capacity, solicited for the performance of any act, a reward which he knew he was not authorized by law, in that he solicited [K.C.] to engage in sexual acts with him, pursuant to an understanding that [K.C.] would receive preferential treatment in her criminal court cases pending in Coles County. This act is in violation of 720 ILCS S/33-3(a)(4) and 720 ILCS S/8-4(a), a Class A Misdemeanor.

Count II

The undersigned states to the Court that he is the duly elected, qualified and acting Attorney General for the State of Illinois and has been appointed Special Prosecutor to prosecute this case, and that BRADY L. ALLEN, between January 9, 2019, and on or about August 23, 2020, at and within the County of Coles and State of Illinois, committed the offense of ATTEMPT OFFICIAL MISCONDUCT, in that said Defendant took a substantial step toward the commission of the offense of OFFICIAL MISCONDUCT, in that said Defendant, then a public officer and/or public employee, in his official capacity, solicited for the performance of any act, a reward which he knew he was not authorized by law, in that he solicited [B.L.] to engage in sexual acts with him, pursuant to an understanding that [B.L.] would receive preferential treatment in her criminal court cases pending in Coles

County. This act is in violation of 720 ILCS 5/33-3(a)(4) and 720 ILCS 5/8-4(a), a Class A Misdemeanor.

8. On December 20, 2023, Movant pled guilty to the two counts of attempt official misconduct as set forth above, in violation of 720 ILCS 5/33-3(a)(4) and 720 ILCS 5/8-4(a), both Class A misdemeanors. On the same date, in exchange for Movant's plea, the Special Prosecutor agreed to dismiss the remaining 30 felony counts.

9. On December 20, 2023, the Honorable Mitchell K. Shick entered a judgment of conviction against Movant on the two counts of attempt official misconduct, sentenced Movant to two years of probation, and fined Movant \$2,500 per count. Judge Shick also sentenced Movant to 120 days in the Coles County Jail, ordered Movant not to have contact with K.C. or B.L. for the duration of probation, and allowed the two victims to give victim impact statements during Movant's sentencing.

II. CONCLUSION OF MISCONDUCT

10. As a result of the judgment of conviction and the conduct described above, Movant has engaged in the following misconduct:

- a. committing criminal acts that reflect adversely on his honesty, trustworthiness, or fitness as a lawyer in other respects, by engaging in the offenses of attempt official misconduct, in violation of 720 ILCS 5/33-3(a)(4) and 720 ILCS 5/8-4(a), and in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/Peter L. Rotskoff

Peter L. Rotskoff
Counsel for the Administrator
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Email: Protskoff@iadc.org

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No. 6326537.

Supreme Court No. M.R.

Commission No. 2024PR00001

NOTICE OF FILING

TO: Brady Allen
Movant
lee@bdavisassociates.com

PLEASE TAKE NOTICE that on January 5, 2024, electronic copy of the Administrator's STATEMENT OF CHARGES, was submitted to the Clerk of the Supreme Court for filing. On that same date, a copy was served on Movant, by email at lee@bdavisassociates.com at or before 4:00 p.m.

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Peter L. Rotskoff
Peter L. Rotskoff

Peter L. Rotskoff
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PROOF OF SERVICE

The undersigned, an attorney, hereby certifies, pursuant to the Illinois Code of Civil Procedure, 735 ILCS 5/109, that the Administrator served copies of the Notice of Filing and the Administrator's STATEMENT OF CHARGES PURSUANT TO SUPREME COURT RULE 762(a), on the individual at the address shown on the forgoing Notice of Filing, by email at lee@bdavisassociates.com on January 5, 2024 at or before 4:00 p.m.

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 stated 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.

/s/ Peter L. Rotskoff

Peter L. Rotskoff

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