

No. 1-12-0732

NOTICE: This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

LAVELDA TUPLEY,)	Appeal from the
)	Circuit Court of
Plaintiff-Appellee,)	Cook County.
)	
v.)	No. 11 M1 158241
)	
JACQUELINE GARDNER,)	The Honorable
)	Pamela E. Hill Veal,
Defendant-Appellant.)	Judge Presiding.

PRESIDING JUSTICE LAMPKIN delivered the judgment of the court.
Justices Hall and Robert E. Gordon concurred in the judgment.

ORDER

¶ 1 *Held:* Where a former tenant brought an action against her former landlord to recover a security deposit, the circuit court's judgment for the tenant in the amount of \$3,600 plus costs would not be disturbed where the *pro se* defendant presented an incomplete record on appeal.

¶ 2 Plaintiff LaVelda Tupley (alternatively in the record as LaVelda Stuckey-Tapley) was a former tenant of defendant Jacqueline Gardner. Plaintiff brought this *pro se* action to recover the unreturned balance of her security deposit. A trial was held, and the circuit court then entered

1-12-0732

judgment for plaintiff in the amount of \$3,600, plus costs. The record does not contain any of the lease agreements, a trial transcript, a bystander's report, or an agreed statement of the facts.

¶ 3 Defendant has appealed *pro se*, contending that there was no security deposit and that the circuit court did not consider documents that support defendant's position. Plaintiff has responded *pro se*. Both parties have presented information and documents in their briefs that are *dehors* the record.

¶ 4 The record shows that a trial took place, but the record does not contain the lease agreements or transcripts, bystander's reports, or agreed statements of fact for the proceedings in the circuit court. Therefore, we do not know what, if any, evidence was presented to the circuit court or what arguments were made. Illinois Supreme Court Rules 321 (eff. Feb. 1, 1994) and 323 (eff. Dec. 13, 2005) require any documentary exhibits that were offered and filed as well as a report of proceedings or an acceptable substitute, such as a bystander's report or agreed statement of facts, and it is the appellant's burden to provide an adequate record to support her contentions on appeal (see *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391-92 (1984)). Defendant has not met her burden here. Therefore, we will presume that the circuit court's decisions conformed to the law and were supported by a sufficient factual basis (*In re Marriage of Gulla*, 234 Ill. 2d 414, 423-24 (2009); *Webster v. Hartman*, 309 Ill. App. 3d 459, 460-62 (1999), *aff'd*, 195 Ill. 2d 426, 432-34 (2001); *Foutch*, 99 Ill. 2d at 391-92), and we will resolve any doubts resulting from the incompleteness of the record against defendant (see *Elias v. McDonnell*, 408 Ill. App. 3d 301, 322 (2011)).

1-12-0732

¶ 5 Both parties have submitted information and documents (lease agreements and a lease extension) in their *pro se* briefs that they did not include in the record on appeal. Our review is limited to the certified record on appeal, and we cannot consider information and documents *dehors* the record. See *In re Marriage of Kohl*, 334 Ill. App. 3d 867, 874 (2002); *Bianchi v. Savino Del Bene International Freight Forwarders, Inc.*, 329 Ill. App. 3d 908, 929 (2002); *Harris v. Old Kent Bank*, 315 Ill. App. 3d 894, 898-99 (2000); *Regal Package Liquor, Inc. v. J.R.D., Inc.*, 125 Ill. App. 3d 689, 691 (1984); *Etten v. Lane*, 138 Ill. App. 3d 439, 442 (1985).

¶ 6 We recognize that defendant is a *pro se* litigant; however, as the appellant, she is required to comply with the procedural rules of the Illinois Supreme Court governing appellate review, and her *pro se* status did not excuse her failure to do so. See *Twardowski v. Holiday Hospitality Franchising, Inc.*, 321 Ill. App. 3d 509, 511 (2001); *First Illinois Bank & Trust v. Galuska*, 255 Ill. App. 3d 86, 94 (1993); *Rock Island County v. Boalbey*, 242 Ill. App. 3d 461, 462-63 (1993); *Paddock v. Department of Employment Security*, 184 Ill. App. 3d 945, 949 (1989).

¶ 7 The judgment of the circuit court is affirmed.

¶ 8 Affirmed.