

No. 1-16-1017

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 DISTRICT

DEUTSCHE BANK NATIONAL TRUST CO., as)	Appeal from the
Trustee for Soundview Home Loan Trust 2006WK1,)	Circuit Court of
)	Cook County
Plaintiff -Appellee,)	
)	
v.)	No. 2008 CH 37871
)	
DEBRA BEAL,)	Honorable
)	Pamela McLean Meyerson,
Defendant-Appellant.)	Judge, Presiding.

PRESIDING JUSTICE HOFFMAN delivered the judgment of the court.
Justices Rochford and Delort concurred in the judgment.

ORDER

¶ 1 *Held:* The defendant-appellant's appeal is dismissed for failing to comply with Illinois Supreme Court Rule 341 (eff. Jan. 1, 2016).

¶ 2 The *pro se* defendant-appellant, Debra Beal, appeals from an order of the circuit court approving a report of sale and distribution in this foreclosure action. For the following reasons, we dismiss this appeal.

¶ 3 A complaint to foreclose a mortgage encumbering the property commonly known as 15601 Spaulding Avenue, Markham, Illinois (the premises), was filed on October 9, 2008,

naming Debra Beal as a defendant. On March 11, 2009, the circuit court entered a default-judgment of foreclosure and sale. Thereafter, Beal filed a *pro se* appearance and moved to stay the proceedings. After the circuit court granted several motions to stay, it vacated the default judgment of foreclosure and sale on May 19, 2011.

¶ 4 On September 19, 2012, the plaintiff again moved for the entry of an order of default against Beal, and a judgment of foreclosure and sale. Thereafter, Beal filed her *pro se* answer to the complaint.

¶ 5 On August 9, 2013, the plaintiff filed its motion for summary judgment on its complaint for foreclosure. Beal responded to the motion, and on January 22, 2014, the circuit court granted the plaintiff's motion for summary judgment and entered a judgment of foreclosure and sale.

¶ 6 The premises were sold at judicial sale on November 20, 2015. On March 18, 2016, the circuit court entered an order approving the report of sale and distribution of the proceeds. This appeal followed.

¶ 7 As the appellant, Beal was required to file a brief in compliance with Illinois Supreme Court Rule 341 (eff. Jan. 1, 2016). Although Beal filed this appeal *pro se*, she is not relieved from complying as nearly as possible with the Illinois Supreme Court Rules governing practice before this court. *Voris v. Voris*, 2011 IL App (1st) 103814, ¶ 8. Supreme court rules are not merely advisory suggestions. *Menard, Inc. v. 1945 Cornell, LLC*, 2013 IL App (1st) 121422, ¶ 7. "Where an appellant's brief contains numerous Rule 341 violations and, in particular, impedes our review of the case at hand because of them, it is our right to strike that brief and dismiss the appeal." *Rosestone Investments, LLC v. Garner*, 2013 IL App (1st) 123422, ¶ 18.

¶ 8 Illinois Supreme Court Rule 341(h)(6) (eff. Jan. 1, 2016) requires that an appellant's brief include a statement of facts, containing those facts "necessary to an understanding of the case,

stated accurately and fairly *** and with appropriate reference to the pages of the record on appeal." In this case, the statement of facts contained in Beal's brief consists of two short paragraphs which fail to set forth the facts necessary to an understanding of the case and which are void of any reference to the pages of the record.

¶ 9 Illinois Supreme Court Rule 341(h)(7) (eff. Jan. 1, 2016), requires that an appellant's brief contain an "Argument" section with "the contentions of the appellant and the reasons therefor." Mere contentions, without argument, do not merit consideration on appeal. *Hall v. Naper Gold Hospitality, LLC*, 2012 IL App (2d) 111151, ¶ 12. The Argument section in Beal's brief consists of nothing more than a recitation of her contentions that she was denied her right to competent representation and denied a loan modification. However, it fails to set forth any error in the circuit court's order granting the plaintiff's motion for summary judgment and ultimate disposition of this case.

¶ 10 In addition to the noted violations of Illinois Supreme Court Rule 341, Beal's brief fails to contain an appendix which includes a "complete table of contents, with page references, of the record on appeal." See Ill. S. Ct. R. 342(a) (eff. Jan. 1, 2005).

¶ 11 This court "is not merely a repository into which an appellant may 'dump the burden of argument and research,' nor is it the obligation of this court to act as an advocate or seek error in the record." *U.S. Bank v. Lindsey*, 397 Ill. App. 3d 437, 459 (2009) (quoting *Obert v. Saville*, 253 Ill. App. 3d 677, 682 (1993)). The noted deficiencies in Beal's brief make it virtually impossible to evaluate her claims of error or to conduct any meaningful review. As a consequence, this appeal is dismissed.

¶ 12 Appeal dismissed.