2018 IL App (1st) 172442-U

No. 1-17-2442

Order filed July 13, 2018

Fifth Division

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

JAUNDA MORROW,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellant,	)	Cook County.
	)	
v.	)	No. 16 M1 13464
	)	
WORLD DISCOUNT AUTO,	)	Honorable
	)	Daniel P. Duffy,
Defendant-Appellee.	)	Judge, presiding.

JUSTICE HALL delivered the judgment of the court.
Justices Lampkin and Rochford concurred in the judgment.

ORDER

¶ 1 *Held*: We affirm the circuit court's judgment in favor of defendant. The record is insufficient to review for any possible error and we presume the trial court ruled in conformity with the law.

¶ 2 Plaintiff Jaunda Marrow appeals *pro se* from an order of the circuit court of Cook County entering judgment after trial in favor of defendant World Discount Auto. On appeal, plaintiff contends that World Discount Auto sold her a "defective vehicle" with "full knowledge" and did not abide by a "30 day verbal warranty." We affirm.

¶ 3 Defendant has not filed a responsive brief. We will consider this appeal under the principles set forth in *First Capitol Mortgage Corp. v. Talandis Construction Corp.*, 63 Ill. 2d 128, 131-33 (1976) (holding that "if the record is simple and the claimed errors are such that the court can easily decide them without the aid of an appellee's brief, the court of review should decide the merits of the appeal," but noting that in doing so the court of review should not "be compelled to serve as an advocate for the appellee or *** be required to search the record for the purpose of sustaining the judgment of the trial court").

¶ 4 In August 2016, plaintiff filed a *pro se* complaint against defendants, World Discount Auto and M&M USA Trucking, Inc. a\k\a M&M Transmissions (M&M), alleging that while a vehicle she purchased from World Discount Auto was being repaired at M&M pursuant to a warranty agreement, M&M burned down. The complaint further alleged that World Discount Auto "refuse[d] to help" her "pursue" the matter and that the owner of M&M stated that he would not be "liable for [the] car."

¶ 5 On November 16, 2016, the trial court entered a default judgment against M&M for failing to file an appearance, and set the matter for arbitration. Following an arbitration hearing, an award was entered in favor of plaintiff and jointly and severally against defendants. World Discount Auto rejected the award and requested a jury trial. On April 19, 2017, the trial court entered an order that, "having been advised in the premises that all matters in controversy have been resolved between the parties, and by agreement of the parties; (PLTFF & MMUSA Trucking only) *** that this matter be and is dismissed with prejudice as to MMUSA Trucking."

¶ 6 On October 10, 2017, World Discount Auto waived its jury demand and the matter proceeded to a bench trial. Following trial, the court entered a judgment finding World Discount Auto not "liable." Plaintiff filed a *pro se* notice of appeal that same day.

¶ 7 On appeal, plaintiff contends that the trial court "refused" to hear her argument that she had proof that the vehicle that World Discount Auto sold her was "not functioning right four days after purchase" and that World Discount Auto failed to honor a 30-day warranty.

¶ 8 Initially, we observe that our review of this appeal is hampered by plaintiff's failure to comply with Supreme Court Rule 341(h) (eff. Nov. 1, 2017). It is well established that a court of review is entitled to briefs that conform to supreme court rules. *Schwartz v. Great Central Insurance Co.*, 188 Ill. App. 3d 264, 268 (1989). Plaintiff's *pro se* status does not excuse her from complying with supreme court rules governing appellate procedure (*Coleman v. Akpakpan*, 402 Ill. App. 3d 822, 825 (2010)), and she is expected to meet a minimum standard before this court can adequately review her appeal (*Rock Island County v. Boalbey*, 242 Ill. App. 3d 461, 462 (1993)).

¶ 9 Here, although plaintiff used the form approved by the Illinois Supreme Court when filing her brief, she failed to complete all the sections and the brief contains no citations to the record or to legal authority. Most importantly, plaintiff has failed to articulate a legal argument which would allow meaningful review of her claim. A reviewing court is entitled to have all the issues clearly defined, and be provided with meaningful, coherent argument and citation to pertinent authority. Ill. S. Ct. R. 341(h)(7) (eff. Nov. 1, 2017) (argument "shall contain the contentions of the appellant and the reasons therefore, with citation of the authorities and the pages of the record relied on"). This court "is not simply a depository into which a party may

dump the burden of argument and research." *People ex rel. Illinois Department of Labor v. E.R.H. Enterprises, Inc.*, 2013 IL 115106, ¶ 56.

¶ 10 Moreover, although plaintiff contends that the trial court "refused" to permit her to present certain evidence, we have no way to determine what testimony or evidence was introduced at trial. The record on appeal consists only of the common law record, and does not contain a trial transcript, a certified report of proceedings or an acceptable substitute as provided by Supreme Court Rule 323 (eff. July 1, 2017). Without a trial transcript, a report of proceedings or acceptable substitute, it is impossible for this court to determine what evidence was admitted or excluded at trial. In other words, plaintiff has failed to provide this court with a sufficient record to review for any possible error and any doubts arising from the incompleteness of the record will be resolved against her. *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391-92 (1984). In the case at bar, this court has no knowledge of what evidence or arguments were presented at trial, what findings the trial court made, or the reasoning and rationale that provided the basis for the court's ruling. Under these circumstances, we must presume that the court acted in conformity with the law and ruled properly after considering the evidence before it. *Corral v. Mervis Industries, Inc.*, 217 Ill. 2d 144, 156-57 (2005).

¶ 11 For these reasons, we affirm the judgment of the circuit court of Cook County.

¶ 12 Affirmed.