THIRD DIVISION
October 28, 2015

No. 1-14-2162

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

EUGENIA RINDNER,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellee,	)	Cook County.
	)	
v.	)	No. 12 CH 31925
	)	
LEWIS BOND,	)	The Honorable
	)	Thomas R. Allen,
Defendant-Appellant	)	Judge Presiding.

JUSTICE FITZGERALD SMITH delivered the judgment of the court.
Justices Lavin and Pucinski concurred in the judgment.

HELD: Choosing in our discretion to review the instant appeal despite its formulaic deficiencies with respect to the appellant's brief and the record on appeal, we find that the trial court properly quieted title in subject property in favor of plaintiff, as its decision was not against the manifest weight of the evidence based on the circumstances presented.

ORDER

¶ 1 Following a hearing, the trial court quieted title to certain property at issue in favor of plaintiff-appellee Eugenia Rindner (plaintiff) and against defendant-appellant Lewis Bond

(defendant). Defendant now appeals *pro se*, asserting several contentions of error on the part of various trial courts involved in this cause as well as those involved in a prior mortgage foreclosure action affecting the same subject property. He asks that we reverse the decision quieting title in plaintiff "by dismissing the Complaint" she filed, and that we grant him costs of this appeal and any other relief we deem appropriate. For the following reasons, we affirm.

¶ 2 BACKGROUND

¶ 3 The following facts are taken from our review of the record on appeal, as defendant failed in his appellate brief to cite to any portion of the record in support of his statement of facts, and plaintiff's citations are minimal, at best.

¶ 4 In February 2006, plaintiff purchased the subject property at 1190 Terrace Court, Glencoe, Illinois. She later refinanced the property, and Washington Mutual Bank, F.A. (Washington Mutual) held the mortgage.

¶ 5 From this point, the plaintiff and defendant's accounts differ. Defendant alleges that in February 2008, he[1] entered into a lease agreement with plaintiff for the property with an option to purchase. The lease term was to last for four years, and the option to purchase was reserved if defendant paid all the rent in advance. Defendant further alleges that he did so, giving plaintiff $120,000 on the day he signed the lease. The record contains an eight-page document that appears to be a lease for the property, with plaintiff's name and a signature on a line labeled

[1]Defendant, and plaintiff as well, acknowledge that another person was involved herein, namely, Trelicia Thomas, who stayed with defendant at the subject property. However, Trelicia Thomas has not filed an appearance in the instant appeal and, accordingly, we will not mention her anymore in our decision.

"Lessor," and with defendant's name and a signature on a line labeled "Lessee," and stamped with what appears to be a notary seal and the statement "paid in full;" however, the seal is illegible and no date on the lease can be seen. Plaintiff refutes defendant's account and, throughout all the litigation involving the subject property, has consistently maintained that sometime between March and April 2009, when she was on vacation in Florida, defendant unlawfully broke into the property and squatted there, and created the lease and forged her name to it. She further asserts that, in addition to never giving him permission to be on the premises nor ever executing any sort of lease on the property, she never received any money from defendant whatsoever.

¶ 6 Meanwhile, in late February 2008, Washington Mutual filed a foreclosure action against plaintiff for her failure to pay her mortgage. Washington Mutual brought this action against plaintiff only, and did not name defendant as having an interest in the property. On October 20, 2008, the trial court in that foreclosure matter entered a judgment of foreclosure in favor of Washington Mutual. The property was sold to Washington Mutual, the trial court approved the sale, and a selling officer's deed was recorded on August 23, 2009.

¶ 7 During this time, JP Morgan Chase Bank National Association (JP Morgan) became Washington Mutual's successor in interest in the property. In August 2009, upon discovering that defendant was in possession of the property, JP Morgan filed a forcible entry and detainer action against him. The trial court in that matter granted summary judgment for JP Morgan and awarded it possession of the property. Defendant appealed, and, in a decision issued on May 17, 2011, the Second Division of our Court vacated the trial court's order and remanded the matter, finding that JP Morgan had "failed to establish as a clear matter of law" that defendant's interest

in the property was "barred or terminated by the foreclosure judgment." *JP Morgan Chase Bank National Association v. Lewis Bond and Trelicia Thomas and Unknown Occupants*, No. 1-10-0772 (2011) (unpublished order under Supreme Court Rule 23). Following that decision, JP Morgan voluntarily dismissed the forcible entry and detainer cause in its entirety.

¶ 8 In August 2011, attorneys for Washington Mutual returned to court in the foreclosure action, filing a motion to vacate the summary judgment, judgment of foreclosure and order approving the sale of the subject property. On August 26, 2011, the trial court granted their motion, entering orders vacating the judgment of foreclosure as to all defendants, vacating the judicial sale *ab initio*, vacating the order approving the sale, and declaring the selling officer's deed void.

¶ 9 The foreclosure case then lay dormant for over a year. In September 2012, Washington Mutual moved to file an amended complaint and to substitute JP Morgan as the plaintiff in the foreclosure action (instead of Washington Mutual). This motion also sought to add defendant as a named defendant in the foreclosure action. The trial court granted the motion and defendant was served with the amended complaint. He then filed a "Motion of Improperly Joined Defendant[] *** to Dismiss or For Summary Judgment." Arguments were had in the cause and, on November 21, 2013, the trial court granted defendant's motion to dismiss, finding that the bank had abandoned its claims against him. The trial court's order essentially dismissed defendant from the foreclosure case.

¶ 10 Meanwhile, on August 21, 2012, plaintiff filed a complaint to quiet title in the property. She based her arguments on the August 26, 2011 orders of the trial court vacating the foreclosure

and judicial sale, and further denied that she ever entered into a lease agreement with option to purchase with defendant. Plaintiff also sought damages against defendant for slander of title and requested his ejectment from the property. In response, defendant filed a motion for summary judgment, insisting that plaintiff was not the legal owner of the property and, thus, had no standing to file this suit. The trial court denied defendant's motion for summary judgment and set a trial date. On July 9, 2014, following a bench trial, the court issued an order granting plaintiff's complaint for quiet title, slander of title and ejectment against defendant. The court also entered an order of possession of the property in favor of plaintiff and against defendant, and dismissed the forcible entry and detainer action without prejudice based on its decision therein.

¶ 11 ANALYSIS

¶ 12 As we noted earlier, defendant makes several assertions upon review. He breaks these down into six main issues. The first three attack the trial court, contending that it erred in quieting title in plaintiff, in finding that he slandered title to the property and in granting possession to plaintiff. Defendant's remaining three assertions then run the gamut, contending that the foreclosure judgment of October 20, 2008 was a final order that could not be vacated, that the trial court's August 26, 2011 orders violated his due process rights, and that a General Administrative Order entered by the presiding judge of the chancery division of the Circuit Court of Cook County in March 2011 is void.

¶ 13 Before addressing any of these claims, however, there are some threshold matters we must address with respect to the form of the instant appeal, namely, the record and defendant's appellate brief. We have already discussed at the outset herein that defendant failed to provide

any record citations in support of his statement of facts as provided in his appellate brief. In addition, we would note that he provides no standard of review for any of the issues he raises, and he fails to include anywhere in his brief any sort of table of contents of the record on appeal. What is more disconcerting, however, is that he failed to include as part of the record on appeal a bystanders' report or transcript of the July 9, 2014 bench trial that resulted in the very decision from which he appeals. As we will discuss in more detail below, the only transcript he includes is from a hearing had on a motion in January 2014 a hearing that took place long before the trial and any testimony or evidence had been submitted to the trial court on the issues at hand, and one that was completely irrelevant to these issues. The fact remains, defendant now calls upon us to agree with his assertions of trial court error, but fails to provide us with the appropriate trial transcript necessary for our review to adequately entertain his assertions.

¶ 14 Our court has made clear, time and again, that our "rules of procedure are rules and not merely suggestions." *Ryan v. Katz*, 234 Ill. App. 3d 536, 537 (1992). This includes Illinois Supreme Court Rule 341(h) (eff. Feb. 6, 2013), and its mandates detailing the format and content of appellate briefs, which are compulsory. See *Voris v. Voris*, 2011 IL App (1st) 103814, ¶ 8. It is of no matter that a party appears *pro se*; regardless of his status, no party is relieved of the duty to comply, as closely as possible, with the rules of our courts. See *In re Marriage of Petrik*, 2012 IL App (2d) 110495, ¶ 38; *Voris*, 2011 IL App (1st) 103814, ¶ 8. Ultimately, we are " ' "not a depository in which the appellant may dump the burden of argument and research" ' " for his cause on appeal. See *Marriage of Petrik*, 2012 IL App (2d) 110495, ¶ 38 (quoting *Kic v. Bianucci*, 2011 IL App (1st) 100622, ¶ 23 (quoting *Thrall Car Manufacturing Co. v. Lindquist*,

145 Ill. App. 3d 712, 719 (1986)).

¶ 15 Moreover, our review of a cause is wholly dependent upon our review of its pertinent record; the record controls our consideration and binds the parties to a matter's resolution. See Illinois Supreme Court Rule 323 (eff. Dec. 13, 2005) (filing of record is required to perfect appeal); *City of Chicago v. Hutter*, 58 Ill. App. 3d 468, 469 (1978). It is the duty of the appellant to provide us with a sufficient and complete record, for we may not accept mere assertions contained in an appellate brief or other unverified pleading in support of a claim of error on appeal. See *Hutter*, 58 Ill. App. 3d at 469 (these are not substitutes for a valid record on appeal); see also *Corral v. Mervis Industries, Inc.*, 217 Ill. 2d 144, 156 (2005), citing *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391-92 (1984). Ultimately, without a record, we cannot resolve the questions raised and must dismiss the appeal. See *Corral*, 217 Ill. 2d at 156; *Foutch*, 99 Ill. 2d at 392 (without record, any doubts arising therefrom are resolved against the appellant and trial court's decision is presumed correct); *Hutter*, 58 Ill. App. 3d at 469.

¶ 16 With the lack of form and content of both defendant's brief and the record, it would be easy for us to dismiss the instant appeal and choose not to consider the issues he raises. However, despite these shortcomings, we choose, in our discretion, and in the interests of judicial economy, to review his claims. See *In re Estate of Jackson*, 354 Ill. App. 3d 616, 620 (2004) (reviewing court has choice to review merits, even in light of formulaic mistakes on litigant's part).

¶ 17 Having said this, and in turning to the merits of this cause, we must also note one other threshold matter: the standard of review. After pointing out that defendant did not present a

standard of review for any of the issues he presents on appeal, plaintiff makes the considered statement that, as this is an appeal from a trial court judgment entered after a bench trial, we are to employ a manifest weight of the evidence standard. In his reply brief, defendant acknowledges his omission, and then urges us to use a *de novo* standard because of his *pro se* status. For this, he relies on criminal cases that discuss the debate surrounding the liberal construction of *pro se* pleadings in the postconviction context. See, *e.g.*, *People v. Cole*, 2012 IL App (1st) 102499, citing *People v. Hodges*, 234 Ill. 2d 1 (2009). Despite his lack of proper legal support, we understand defendant's reference; he is essentially asking us to be more lenient in reviewing his claims because he is appearing *pro se*. However, as we noted earlier, a party proceeding *pro se* must follow all the rules to which a represented party must adhere, and he is not entitled to the application of a more lenient standard simply because of his *pro se* status. See *Voris*, 2011 IL App (1st) 103814, ¶ 8; accord *Rosestone Investments, LLC v. Garner*, 2013 IL App (1st) 123422, ¶ 18. This is certainly true with respect to the standard of review. This does not change, or become "more lenient," based on the representative status of the parties. Rather, the applicable standard of review depends solely upon the issues we are called to review, nothing more.

¶ 18 Accordingly, because we are reviewing the trial court's decision after a bench trial here, we employ a manifest weight of the evidence standard of review. See *Bank of America v. WS Management, Inc.*, 2015 IL App (1st) 132551, ¶ 84. A finding is against the manifest weight of the evidence only when an opposite conclusion is apparent or when the findings appear to be unreasonable, arbitrary or not based on the evidence. See *Bank of America*, 2015 IL App (1st)

132551, ¶ 84. " 'In a bench trial, it is the function of the trial judge to weigh the evidence and make findings of fact' and we may 'not substitute [our] judgment for that of the trier of fact.' " (Internal quotation marks omitted.) *Bank of America*, 2015 IL App (1st) 132551, ¶ 84, quoting *Falcon v. Thomas*, 258 Ill. App. 3d 900, 909 (1994). And, we will not overturn a trial court's judgment as long as there is evidence to support it. See *Bank of America*, 2015 IL App (1st) 132551, ¶ 84.

¶ 19 We now turn to the merits of the arguments presented.

¶ 20 Defendant's first contention on appeal is that the trial court erred in quieting title of the subject property in plaintiff. He asserts five separate reasons for this: that plaintiff had "no title whatsoever" in the property, that she practiced " 'fraud upon the court' " to obtain an "unlawful judgment" in her favor, that the trial court "even conceded the fact" that plaintiff had no legal title over the property, that the trial court should have granted summary judgment in favor of defendant, and that the property "is a homestead" of defendant on which he has "equitable title." We disagree with each of these assertions and find defendant's contention of trial court error in quieting title in plaintiff to be meritless.

¶ 21 Throughout his brief, defendant confuses the foreclosure case involved herein with the quiet title case two separate and completely distinct causes of action. The latter is the cause on appeal; the former is not. Thus, the foreclosure case, and the decisions rendered therein, are not reviewable by this court at this point in time. To say, in defendant's words, that the trial court erred in quieting title in plaintiff because she had no title in the property improperly mixes the separate cases here and, particularly due to defendant's failure to provide us with the transcript of

the quiet title hearing, is an argument that cannot stand. Rather, the foreclosure court determined that plaintiff had a potential interest in the property. As discussed earlier, following the initial foreclosure in October 2008, the lender filed a motion to vacate it, as well as the sale of the property. The foreclosure court granted this on August 26, 2011, thereby vacating the foreclosure and the selling officer's deed. This left title of the property up in the air, so to speak. At this point, plaintiff filed the instant cause to quiet title in herself and eject defendant from the premises, maintaining, as she had from the beginning, that the lease with option to purchase defendant claimed he held was forged.

¶ 22 This was the main issue in the bench trial in the quiet title action: who had title to the subject property? Clearly, the trial court determined this factual question in plaintiff's favor. Without a transcript outlining the evidence presented which formed the basis of its decision on this factual matter, we have no choice but to assume the trial court reached a proper decision. See *Foutch*, 99 Ill. 2d at 392 (when no record is presented, any doubts arising from trial court's decision are resolved against the appellant and that decision is presumed correct); accord *Bank of America*, 2015 IL App (1st) 132551, ¶ 84 (we cannot substitute our judgment for that of trial court in bench trial, as that court weighed evidence and made factual findings).

¶ 23 Upon further reading of defendant's argument in his brief on appeal, he additionally asserts that the trial court's error in quieting title also came from the fact that it did not have subject matter jurisdiction since plaintiff was not "the owner" of the property. Briefly, in this respect, defendant is confusing subject matter jurisdiction and standing. Subject matter jurisdiction refers to the "power of a court to hear and determine cases of the general class to

which the proceeding in question belongs." *Belleville Toyota, Inc. v. Toyota Motor Sales, U.S.A., Inc.*, 199 Ill. 2d 325, 334 (2002). Subject matter jurisdiction is conferred entirely by our state constitution and extends to all "justiciable matters." Ill. Const. 1970, art. VI, § 9. A justiciable matter is one that is "definite and concrete, as opposed to hypothetical or moot, touching upon the legal relations of parties having adverse legal interests." *Belleville Toyota*, 199 Ill. 2d at 335. Meanwhile, lack of standing is an affirmative defense and is forfeited if it is not raised in a timely manner in the trial court. See *Lebron v. Gottlieb Memorial Hospital*, 237 Ill. 2d 217, 252-53 (2010). Standing is " 'an element of justiciability.' " *Nationstar Mortgage, LLC v. Canale*, 2014 IL App (2d) 130676, ¶ 17, quoting *People v. Greco*, 204 Ill. 2d 400, 409 (2003). Yet, while standing is an element of justiciability, it is not a requirement for a "justiciable matter." See Ill. Const. 1970, art. VI, § 9 (subject matter jurisdiction is conferred entirely by the state constitution and extends to all "justiciable matters"); *Nationstar*, 2014 IL App (2d) 130676, ¶ 15. Accordingly, and contrary to what defendant seemingly argues herein, standing is not an element of subject matter jurisdiction. See *Nationstar*, 2014 IL App (2d) 130676, ¶ 17. And, one who lacks standing may still assert a justiciable matter. See *Nationstar*, 2014 IL App (2d) 130676, ¶ 15.

¶ 24 Accordingly, it is irrelevant whether plaintiff was "the owner" of the property. This is because, as our courts have made clear, legal deficiencies such as standing do not divest a court of subject matter jurisdiction. See *Beal Bank v. Barrie*, 2015 IL App (1st) 133898, ¶¶ 20-21. Rather, our supreme court had already firmly established that " 'the *only* consideration' " in determining whether a court has subject matter jurisdiction " 'is whether the alleged claim falls

within the general class of cases that the court has the inherent power to hear and determine.' " *Beal Bank*, 2015 IL App (1st) 133898, ¶¶ 20, 21, quoting *In re Luis R.*, 239 Ill. 2d 295, 301 (2010) (emphasis in original). And, because foreclosure actions undoubtedly fall within that general class, trial courts, indeed, have subject matter jurisdiction over foreclosure actions. See *Beal Bank*, 2015 IL App (1st) 133898, ¶ 21, citing 735 ILCS 5/15-1101 *et seq.* (West 2012); see also *Nationstar*, 2014 IL App (2d) 130676, ¶ 14 (holding that foreclosure actions are unquestionably actions over which the trial court has subject matter jurisdiction).

¶ 25 Essentially here, defendant argues that he sufficiently alleged an interest in the property in the suit to quiet title because the orders entered by the trial court on August 26, 2011 in the original mortgage foreclosure action are void for lack of subject matter jurisdiction. But, as we have just discussed, defendant cannot now collaterally attack those orders vacating the judgment of foreclosure and sale because those orders were entered in a case, namely, the original foreclosure action, over which the trial court had subject matter jurisdiction. See *Malone v. Cosentino*, 99 Ill. 2d 29, 32 (1983) (noting that " '[a] judgment rendered by a court having jurisdiction of the parties and the subject matter *** is not open to contradiction or impeachment, in respect of its validity, verity, or binding effect, by parties or privies, in any collateral action or proceeding' " (citation omitted)).

¶ 26 Defendant also claims that the trial court erred in quieting title because plaintiff "practiced 'fraud upon court' " by stating that she never signed the lease or accepted any money from defendant. He insists that the "evidence on record," including "the testimony of the Notary Public who witnessed the signing of the Lease" clearly proves this alleged fraud. However, there

is nothing in the record to support his claim. Plaintiff has continually maintained that the lease defendant presented was a forgery and that she never received any money from him. The trial court in the quiet title action necessarily considered defendant's claim of fraud and found that it could not stand. And, while defendant alludes to testimony from a notary public, this is nowhere in the record before us. Without more, we find no support for defendant's assertion.

¶ 27 Defendant next insists that the trial court's decision to quiet title in plaintiff was erroneous because, as he claims, the trial court "conceded" that plaintiff had no legal title over the property. He cites to a portion of a sentence in the only transcript present in the record, from a January 2014 hearing preceding the trial, wherein the trial court stated, "[plaintiff's] out in terms of title from what I've seen and what I've read in the record." From this, defendant asserts that the court should have dismissed the quiet title action *in toto*. However, defendant mischaracterizes the record here, presenting the trial court's statement woefully out of context. The entirety of the trial court's comment was:

> "[plaintiff's] out in terms of title from what I've seen and what I've read in the record.
>
> But I'm going to have to do that more carefully and take a look at it.
>
> So what we'll do is let me give you a hearing date *** we'll let you argue and we'll make a ruling ***."

Clearly, the trial court conceded nothing close to defendant's claim that plaintiff had no legal title. While at first blush it may have appeared this way to the trial court, it declared that more examination was needed and refused to make such a determination at this point in the litigation.

And, as the record demonstrates, following the subsequent trial, of which, again, we have no transcript, the trial court found the opposite to be true and quieted title in plaintiff. Again, defendant's assertion holds no merit.

¶ 28 Defendant's fourth assertion of error on the part of the trial court in quieting title of the property in plaintiff is that the court should have instead granted his motion for summary judgment. Two years after plaintiff filed her quiet title action, defendant filed a motion for summary judgment. That motion consisted of seven lines of text, with the majority being a citation to black letter law regarding the standards for summary judgment, and with the remainder baldly asserting that summary judgment was proper because plaintiff "has no standing." Defendant attached nothing else to his motion, other than a copy of the foreclosure court's order from November 2013 dismissing him from the cause between JP Morgan and plaintiff. The trial court denied defendant's motion for summary judgment. Contrary to his assertions, we find that this was proper. A moving party is not entitled to summary judgment unless "his motion has established a right to that judgment as a matter of law, free from doubt and clear beyond question." *Matter of Estate of Garbalinski*, 120 Ill. App. 3d 767, 772 (1983). Defendant's motion presented nothing to the court other than an assertion regarding standing, and he attached as support an order entered in a completely separate mortgage foreclosure case which dismissed him as a party in any form. There was absolutely no legally valid basis on which to even entertain his motion for summary judgment in this quiet title action. Thus, the court's denial of it was wholly proper. See *Estate of Garbalinski*, 120 Ill. App. 3d at 772 ("[f]acts cannot be found in documents when they themselves, or an attestation as to their contents, have not been

presented to the court").

¶ 29 The fifth and final reason defendant asserts as error on the part of the trial court in quieting title in plaintiff is his claim that the property "is a homestead" on which he has "equitable title." Upon review of his claim, it is merely a reiteration of his confusion regarding subject matter jurisdiction. We have already discussed this and have certified that the trial court had subject matter jurisdiction to issue its holding herein. Accordingly, there is nothing more to say on this issue, and we find that the trial court did not err in quieting title of the subject property in plaintiff.

¶ 30 Having addressed defendant's first contention on appeal and the five reasons he presented in support thereof, we now move to the remainder of his contentions. As noted earlier, his second contention asserts error upon the trial court in finding that he slandered title to the property by making a false and malicious publication of the alleged lease. However, in addressing this contention in his brief on appeal, defendant does so in two very short paragraphs in which he states only that he "incorporate[s] all the arguments stated" when he addressed his first contention and again insists that plaintiff is not the legal owner of the property. He then repeats the same analysis in presenting his third contention on appeal, in which he asserts error upon the trial court in granting possession of the property to plaintiff. Defendant presents no argument nor any authority supporting reversal of the trial court's decisions regarding these issues. And, again, we have already discussed at length all the arguments he presented with respect to his first contention on appeal. Without more, we need not entertain these "reincorporated" arguments at this time.

¶ 31 Defendant's fourth contention centers around his assertion that the foreclosure judgment of October 20, 2008 was a "default judgment" which plaintiff failed to appeal and which became a final order that could not have been vacated by anyone except plaintiff herself. From this, he concludes that the orders entered by the foreclosure court on August 26, 2011 vacating the foreclosure and the sale of the property are void. However, we cannot consider defendant's argument. It involves solely the foreclosure judgment entered in the original mortgage foreclosure action dealing with the subject property, and the subsequent decision of the trial court in that matter to vacate the foreclosure judgment and sale. That matter is in no way before us. The only matter before us is the quiet title action. Again, the two are separate and distinct cases, and our current jurisdiction lies only with the pending quiet title appeal, not the foreclosure. See *E.J. De Paoli Co. v. Novus, Inc.*, 156 Ill. App. 3d 796, 798 (1987) ("appellate court has jurisdiction only over those matters raised in a notice of appeal").

¶ 32 The same can be said for defendant's fifth contention on appeal, wherein he insists that the August 26, 2011 orders are void because they violate his due process rights. Again, the basis for defendant's argument are orders entered not in the quiet title action over which we have jurisdiction on appeal, but in the separate and distinct foreclosure action over which we do not. As we have made clear, we may not review orders entered in a cause not under review in an appeal before us.

¶ 33 Defendant's sixth, and final, contention on appeal is that General Administrative Order (GAO) 2011-01 is void. This GAO to which defendant refers was entered by the presiding judge of the chancery division of the Circuit Court of Cook County on March 2, 2011. In it, the court

addressed a matter raised by the law firm of Fisher and Shapiro, attorneys representing Washington Mutual in approximately 1,700 foreclosures in various stages of the mortgage foreclosure process. These attorneys, who were also involved in the foreclosure matter regarding the property at issue herein, reported to the circuit court that altered affidavits had been filed with the court in certain matters. In response, the GAO, as issued by the circuit court, stayed all pending mortgage foreclosure cases identified by the attorneys and ordered Fisher and Shapiro to file motions to vacate the judgment of foreclosure and sale, vacate the judicial sale (if one occurred), and vacate confirmation of sale in these cases.

¶ 34 Defendant here insists that this GAO is "void" because the circuit court did not have jurisdiction over the foreclosure cause involving the subject property, since that cause "was under challenge in *J.P. Morgan Chase N.A. v. Bond (01-10-0772)*." First, we note, as plaintiff does, that defendant does not develop any argument nor does he cite to any authority in support of his contention, specifically failing to explain the relationship between the GAO to his claims of ownership in the property. For example, it does not appear, from our review of the record, that he addressed any issue related to the GAO in the trial court below, and he does not demonstrate the contrary. In addition, the GAO ordered Fisher and Shapiro to provide the court with a list of pending foreclosure cases, and this list was attached to and incorporated in the GAO as Attachment A in an effort to identify which foreclosure cases were affected. We have reviewed that list in its entirety, and the property at issue is not identified.

¶ 35 Even accepting that the subject property may be one of the "non-identified cases" to

which the GAO still, ultimately, applies,[2] defendant's argument that the GAO is void because "the Circuit Court did not have jurisdiction to enter it" since "the foreclosure judgment dated October 20, 2008 was under challenge in *J.P. Morgan Chase N.A. v. Bond (01-10-0772)*" remains meritless. Defendant wholly misstates the record and what occurred here. The appeal taken in case number 01-10-0772 was from the forcible entry and detainer action involving the subject property. As we explained earlier, when JP Morgan discovered in August 2009 that defendant was in possession of the property, it filed the forcible entry and detainer action against him and the trial court granted JP Morgan possession upon its motion for summary judgment. Defendant, himself, appealed that decision and, on May 17, 2011, the Second Division of our Court vacated the trial court's order and remanded the matter, finding that JP Morgan had failed to establish that defendant's interest in the property was barred or terminated by the foreclosure judgment. See *JP Morgan Chase Bank National Association v. Lewis Bond and Trelicia Thomas and Unknown Occupants*, No. 1-10-0772 (2011) (unpublished order under Supreme Court Rule 23).

¶ 36 Clearly, defendant is incorrect that, at the time the GAO was issued in March 2011, the foreclosure cause was on appeal; to the contrary, it was the forcible entry and detainer cause, which he himself was appealing. Thus, without any more of some sort of connection between the GAO, the foreclosure cause and, most critically, the quiet title action which is the only cause

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[2]Again, there is nothing in the record, and defendant provides us with nothing, directly tying the GAO to the mortgage foreclosure action involving the subject property. The only connection is a reference by the trial court in that matter, in addressing defendant's motion to dismiss, commenting on the GAO and its applicability.

before us on appeal, there is no substance or relevance to his argument here that the GAO is void.

¶ 37 In sum, we have addressed all of defendant's contentions and have concluded that none of them warrants the reversal of the trial court's decision quieting title in plaintiff. Instead, and in light of our review of this cause and the record before us, we find the trial court's decision to quiet title in plaintiff to be in line with the manifest weight of the evidence presented.

¶ 38 CONCLUSION

¶ 39 Accordingly, for all the foregoing reasons, we affirm the judgment of the trial court.

¶ 40 Affirmed.