

2011 IL App (1st) 100815

SECOND DIVISION  
August 16, 2011

No. 1-10-0815

**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).

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IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST JUDICIAL DISTRICT

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WELLS FARGO FINANCIAL BANK,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellee,	)	Cook County.
	)	
v.	)	No. 08 M1 197363
	)	
SHARON DOUGLAS,	)	The Honorable
	)	Pamela E. Hill Veal,
Defendant-Appellant.	)	Judge Presiding.

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JUSTICE KARNEZIS delivered the judgment of the court.  
Justices Connors and Harris concurred in the judgment.

**ORDER**

*Held:* Where defendant, *pro se*, failed to present a sufficiently complete record of the proceedings for review, judgment affirmed on presumption that the trial court had ample grounds to support its determination.

¶ 1 Defendant Sharon Douglas, *pro se*, appeals from a judgment of the circuit court of Cook County awarding plaintiff Wells Fargo Financial Bank (Wells Fargo) the amount of \$21,883.34, which represents the amount owed by defendant under a loan agreement between the parties, as well as attorney fees. On appeal, defendant primarily contends the agreement was "doctored" and she did not sign it.

¶ 2 The common law record filed in this case shows, in relevant part, that Wells Fargo filed a complaint in the circuit court of Cook County alleging that defendant owed it \$21,533.34 pursuant to a loan agreement, and that it was entitled to attorney fees of \$350 under the terms and conditions of that agreement. Although defendant initially appeared *pro se*, she obtained counsel after Wells Fargo moved for default judgment, and Wells Fargo's withdrew its motion. A few months later, however, the court granted counsel leave to withdraw on motion of counsel which cited "a complete breakdown in communication and irreconcilable differences" with defendant, and defendant proceeded *pro se* to trial.

¶ 3 Following a bench trial, the court entered judgment for Wells Fargo in the amount of \$21,883.34. In its order, the court noted that it considered Wells Fargo's supporting documentary evidence, and found "defendant lacks credibility in response to the complaint." This appeal followed.

¶ 4 We note initially that defendant has failed to comply with the supreme court rules governing appellate court briefs. Ill. S. Ct. R. 341(h) (eff. Jul. 1, 2008). She has also failed to satisfy her burden of presenting a sufficiently complete record of the proceedings in support of her claim of error. *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391 (1984).

¶ 5 Where, as here, defendant asks us to review the evidence upon which the

judgment was based and no verbatim transcript of the evidence relied upon by the court was made, it was incumbent upon her to prepare a bystander's report of proceedings or an acceptable substitute in accordance with Illinois Supreme Court Rule 323 (eff. Dec. 13, 2005). *Belcher v. Spillman*, 28 Ill. App. 3d 973, 974 (1975). In the absence of an adequate record, we are left unaware of what evidence was heard by the trial court, and must presume that the court's judgment was in conformity with the law and had a sufficient factual basis. *Rock Island County v. Boalbey*, 242 Ill. App. 3d 461, 462 (1993).

¶ 6           Accordingly, we affirm the judgment of the circuit court of Cook County.

¶ 7           Affirmed.