

No. 1-11-2898

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

<i>In re</i> THE MARRIAGE OF:)	Appeal from the
)	Circuit Court of
JAIME SANCHEZ,)	Cook County.
)	
Petitioner-Appellant,)	
)	
v.)	No. 08 D4 30330
)	
MARTHA SANCHEZ-ORTEGA,)	Honorable
)	Veronica B. Mathein,
Respondent-Appellee.)	Judge Presiding.

JUSTICE ROCHFORD delivered the judgment of the court.
Presiding Justice Hoffman and Justice Cunningham concurred in the judgment.

ORDER

- ¶ 1 *Held:* Judgment for dissolution of marriage affirmed where petitioner failed to provide a sufficiently complete record of the proceedings to support his claim of error.
- ¶ 2 Petitioner, Jaime Sanchez, appeals from a judgment for dissolution of marriage entered by the circuit court of Cook County. Petitioner contends the trial court's award of temporary maintenance, and its final judgment as to child support, maintenance arrearage, and property distribution, were unsupported by the evidence and an abuse of the court's discretion. We affirm.
- ¶ 3 The common law record shows, in relevant part, that on August 22, 2008, petitioner filed a petition for dissolution of his marriage to respondent, Martha Sanchez-Ortega. Subsequently after hearings, the circuit court ordered petitioner to pay \$785 per month in child support for their two children, and temporary maintenance of \$3,200 per month to respondent. Petitioner, however, failed

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to make his court-ordered payments, was repeatedly held in indirect civil contempt, and was twice incarcerated for that reason.

¶ 4 On April 15, 2011, after a trial, the circuit court entered judgment for dissolution of marriage. As pertinent to this appeal, the court ordered petitioner to pay \$785 per month for child support, and entered judgment against him for an \$11,775 arrearage on his child support obligations. The circuit court also made various property distributions and noted: petitioner owed \$67,200 in past-due temporary maintenance payments; petitioner is barred from making any claims of maintenance against respondent; and respondent waived any future claims of maintenance against petitioner.

¶ 5 On May 13, 2011, petitioner filed a motion to reconsider or, in the alternative, to re-open proofs. On August 31, 2011, after a hearing, the circuit court denied the motion. Petitioner then filed a notice of appeal from that order and the circuit court's order entered on April 15, 2011.

¶ 6 We note, initially, that petitioner has failed to adequately support the arguments in his brief, with proper citation to the record or pertinent legal authority, in violation of Illinois Supreme Court Rule 341(h)(7). Ill. S. Ct. R. 341(h)(7) (eff. Jul. 1, 2008). For example, petitioner makes the conclusory assertion that "[t]here is no question his income was insufficient" to comply with the maintenance award, but petitioner fails to cite any authority beyond the standard of review. Petitioner also claims "there was no evidence adduced at the time of hearing when the original maintenance order was entered or at the time of trial that would indicate any current property that [he] could access in order to satisfy the court's orders of maintenance," but fails to cite any record support for this assertion. It is not the burden of this court to build petitioner's argument and research his appeal, and unsupported arguments such as the case at bar do not merit consideration and may be rejected solely for that reason. *Kic v. Bianucci*, 2011 IL App (1st) 100622, ¶ 23.

¶ 7 More importantly, petitioner has failed to satisfy his burden to present a sufficiently complete record of the proceedings in support of his claim of error. *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391 (1984). Where, as here, petitioner asks us to review the sufficiency of the evidence, and since no

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verbatim transcript of the evidence relied upon by the court was made, it was incumbent upon him to prepare a bystander's report of proceedings or an acceptable substitute in accordance with Illinois Supreme Court Rule 323. Ill. S. Ct. R. 323 (eff. Dec. 13, 2005). See also, *Belcher v. Spillman*, 28 Ill. App. 3d 973, 974 (1975). Here, petitioner has provided no such report for the hearing which resulted in the contested maintenance award, or for the trial on his petition for dissolution of marriage. In the absence of an adequate record, we must presume the trial 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).

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

¶ 9 Affirmed.