

No. 1-13-3547

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> MARRIAGE OF DONNA BOUDAKH,)	Appeal from the
)	Circuit Court of
Petitioner-Appellee,)	Cook County.
)	
and)	No. 98 D 18397
)	
RYAN BOUDAKH,)	Honorable
)	LaQuetta J. Hardy-Campbell,
Respondent-Appellant.)	Judge Presiding.

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

O R D E R

¶ 1 *Held:* Appeal dismissed where the respondent's brief was completely deficient and failed to comply with the Supreme Court Rules governing appellate briefs.

¶ 2 This appeal involves the circuit court of Cook County's disposition of several post-judgment motions filed by the respondent, Ryan Boudakh, relating to his 2002 divorce from the petitioner, Donna Boudakh. In the respondent's *pro se* appeal, he primarily contends that the circuit court lacked jurisdiction to vacate a certain default order entered against the petitioner, and that the court violated his right to due process in several respects. Although the petitioner has not filed a responsive brief, we consider this appeal pursuant to *First Capitol Mortgage*

Corp. v. Talandis Construction Corp., 63 Ill. 2d 128, 131-33 (1976). For the following reasons, we find that the respondent's noncompliance with the Supreme Court Rules leaves us unable to conduct a meaningful review, and thus we dismiss the appeal.

¶ 3 In July 2001, the respondent shot the petitioner in the presence of their two children. He was convicted of attempted murder and sentenced to 18 years in prison. Shortly thereafter, the petitioner filed for divorce, and the circuit court entered an order dissolving the marriage in March 2002. The respondent appealed the divorce judgment, and this court dismissed the appeal for failure to comply with Supreme Court Rule 341. *Boudakh v. Boudakh*, No. 1-02-1020 (2004) (unpublished order under Supreme Court Rule 23). We also affirmed the denial of the respondent's *pro se* motion to modify the divorce decree to grant him visitation. *Boudakh v. Boudakh*, No. 1-05-0793 (2006) (unpublished order under Supreme Court Rule 23).

¶ 4 Between 2004 and 2013, the respondent filed various *pro se* motions, which form the basis of the present appeal. The record before us contains seven volumes and 1,600 pages of common-law record, but does not include hearing transcripts. The respondent's notice of appeal indicates that he is appealing from: (1) a July 23, 2012, order granting the petitioner's motion to vacate a default order; (2) a June 18, 2013, order granting the petitioner's motion to dismiss the respondent's amended section 2-1401 petition to partially vacate the divorce judgment; and (3) an October 21, 2013, order denying the respondent's motion to reconsider the previous orders.

¶ 5 Pursuant to Supreme Court Rule 341(h)(6) (eff. Feb. 6, 2013), the appellant must provide an accurate and fair statement of the facts, supported by citations to the record, as is necessary for this court to have an understanding of the case. Here, the respondent fails to do so. In his brief, the respondent argues that the petitioner and her mother fraudulently misused funds from a

trust established for the parties' children; however, his statement of facts is only one page long and does not cite to the record. Additionally, the respondent makes only passing reference to the pleadings that are the subject of this appeal, and provides no information as to the content of those pleadings or any of their responsive pleadings. He also fails to mention whether the circuit court conducted evidentiary hearings on any of the matters at issue.

¶ 6 Supreme Court Rule 323 (eff. Dec. 13, 2005) requires the filing of a record that is sufficient to support the appellant's contentions of error. It is the appellant's duty to present a reviewing court with clearly defined arguments, supported by pertinent authority. *Express Valet, Inc. v. City of Chicago*, 373 Ill. App. 3d 838, 855 (2007). It is not the obligation of the reviewing court to search the record looking for reasons to reverse. *Id.*

¶ 7 In this case, we have valid concerns about whether the common law record is complete. First, as stated above, the record before us contains no hearing transcripts or acceptable substitutes, and we are unable to discern from the respondent's brief what, if any, hearings were held. We gathered that at least one hearing was held because the respondent asserts that he was not provided with a copy of a particular motion "at the time of the hearing." Second, in his statement of facts, the respondent states that, on February 8, 2012, the circuit court entered an order striking the petitioner's motion to vacate the default order; however, that order is not in the record.

¶ 8 Additionally, in the respondent's argument section, he merely mentions various pleadings and dates, and suggests that the circuit court "may have lacked jurisdiction" and "may have improperly exercised its discretion" in granting relief to the petitioner. These arguments are not

clearly defined or supported by pertinent authority, and we refrain from perusing the record to find validation for a reversal. *Express Valet, Inc.*, 373 Ill. App. 3d 838, 855.

¶ 9 As outlined above, the deficiencies of the respondent's brief are so pervasive and substantial that they preclude any meaningful review of the orders listed in his notice of appeal. For this reason, we exercise our discretion to dismiss the appeal for noncompliance with the Supreme Court Rules governing appeals to this court. See *McCann v. Dart*, 2015 IL App (1st) 141291, ¶ 20.

¶ 10 Appeal dismissed.