

No. 1-14-3862

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

GANG CHEN,)	Appeal from the
)	Circuit Court of
Plaintiff-Appellant,)	Cook County
)	
v.)	No. 14 M1-145395
)	
LEONIDES BELTRAN,)	
)	Honorable
Defendant- Appellee.)	James Ryan,
)	Judge, Presiding.

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

ORDER

¶ 1 *Held:* The appellant failed to file an adequate record, and the judgment of the circuit court was affirmed.

¶ 2 The plaintiff, Gang Chen, filed the instant action in the Circuit Court of Cook County against the defendant, Leonides Beltran, alleging breach of contract for the rental of a garage and damages for the removal of garbage from that garage. The matter came on for trial on December 1, 2014, resulting in a judgment for the defendant. This appeal by the plaintiff followed.

¶ 3 According to the circuit court's order of December 1, 2014, this case was disposed of with the entry of a judgment for the defendant following a trial at which both the plaintiff and the defendant were present. Unfortunately, the record that has been filed in this case does not contain a transcript of the proceedings before the trial court, nor does it contain a bystander's report of proceedings as authorized by Illinois Supreme Court Rule 323(c) (eff. Dec. 13, 2005) or an agreed statement of facts as authorized by Illinois Supreme Court Rule 323(d) (eff. Dec. 13, 2005). As a consequence, we have no means of ascertaining what evidence was introduced at trial, what the witnesses testified to, the reasons for any oral rulings made by the trial judge, or the reasons given by the trial judge for his decision.

¶ 4 As the appellant, it was the plaintiff's burden to present a sufficiently complete record of the proceedings at trial to support his claims of error. And in the absence of a sufficiently complete record, it will be presumed that the judgment entered by the trial court was in conformity with the law and had a sufficient factual basis. Any doubts which may arise from an incomplete record are resolved against the appellant. *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391-92 (1984).

¶ 5 In the absence of a transcript of the proceedings before the trial court or an acceptable substitute as provided in Rule 323, we have no basis to determine whether the trial judge abused his discretion in the admission of evidence or whether his ultimate decision is supported by the manifest weight of the evidence.

¶ 6 As a consequence, we have no alternative other than to affirm the judgment entered by the circuit court. Our decision in this regard is not altered by the fact that the defendant has not filed a brief. The burden was with the plaintiff to establish error in the judgment entered by the

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circuit court. By failing to file a sufficiently complete record of the proceedings at trial to support his claims of error, the plaintiff has failed to meet his burden on appeal.

¶ 7 Affirmed.