This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Appellate Courts.

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Instructions ▼	☐ THIS APPEAL INVOLVES A MATTER SUBJECT	T TO EXPEDITED DISPOSITION UNDER	
Keep this cover page	RULE 311(a).		
white.	NOLL STI(a).		
Check the box to the			
right if your case			
involves custody,			
visitation, or removal	Annallata Casa No.		
of a child.	Appellate Case No.:		
Enter the Appellate			
Court case number.	IN THE APPELLATE C	OURT OF	
Just below "In the	ILLINOIS		
Appellate Court of			
Illinois," enter the		- 1	
number of the		District	
appellate district where the appeal was			
filed.		Appeal from the Circuit Court	
If the case name in the			
trial court began with	In re	of County	
"In re" (for example,			
"In re Marriage of		Trial Count Coop No.	
Jones"), enter that		Trial Court Case No.:	
name. Below that, enter the names of the			
parties in the trial	Plaintiff/Petitioner (First, middle, last names)		
court, and check the	Appellant Appellee	Honorable	
correct boxes to show	Appenant	HOHOLADIE	
which party filed the			
appeal ("appellant")	V.	Judge, Presiding	
and which party is responding to the		- Cauge, Freedamig	
appeal ("appellee").			
appear (appende).			
To the far right, enter	Defendant/Respondent (First, middle, last_names)		
the trial court county,	Annellant Annellas		
trial court case number,	Appellant Appellee		
and trial judge's name.			
	APPELLANT'S BRIEF		
	AFFELLANI 3 DIVILI		
Add your:	Your Information		
1) Name;			
2) Address;3) Phone number; and	Name:		
4) Email address.	First Middle	Last	
NOTE: insert your	Address:		
email address only if	Street, Apt # Cit	ty State ZIP	
you agree to receive	, ,	,	
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Check "Requested" if you want oral argument	Email:		
OR check "Not			
Requested" if you do			
not want oral argument.	Oral Argument		
See How to File an	3		
Appellant's Brief for a	☐ Requested ☐ Not Requested		
discussion of oral			
arguments.			

POINTS AND AUTHORITIES

You may have to complete the Argument section before completing the Points and Authorities section.

State the title of your 1st argument here and list the page where the argument starts later in the brief.

In the formats provided by Illinois Supreme Court Rule 6, list the authorities (cases, statutes (laws), etc.) that you refer to in your 1st argument, in order of their importance, and the pages on which they

will appear.

[Refer to Illinois Supreme Court Rule 341(h)(1)]

Page of Brief 1. The \square trial court or \square jury (check one) made a mistake by $\underline{\hspace{1cm}}$ Authorities:

	Enter the Case Number given by the Appellate Court Clerk:	
You may have to complete the Argument section before completing the Points and Authorities section.	 The ☐ trial court or ☐ jury (check one) made a mistake by 	Page of Brief
If you have a 2nd argument, state the title of your 2nd argument here and list the page where the argument starts later in the brief. If you don't have a 2nd argument, remove this page.		
In the formats provided by <u>Illinois Supreme</u> <u>Court Rule 6</u> , list the	Authorities:	
authorities (cases, statutes (laws), etc.) that you refer to in your 2nd argument, in order of their importance, and		
the pages on which they will appear.		

	Enter the Case Number given by the Appellate Court Clerk:	
You may have to complete the Argument section before completing the Points and Authorities section.	 The ☐ trial court or ☐ jury (check one) made a mistake by 	Page of Brief
If you have a 3rd argument, state the title of your 3rd argument here and list the page where the argument starts later in the brief. If you don't have a 3rd argument, remove this page.		
In the formats provided by Illinois Supreme Court Rule 6, list the authorities (cases, statutes (laws), etc.) that you refer to in your 3rd argument, in order of their importance, and the pages on which they	Authorities:	
will appear.		
If you are making more than 3 arguments, fill		
out and insert 1 or more Additional Points and Authorities forms after this page.		

This case was filed in the trial court to

NATURE OF THE CASE

[Refer to Illinois Supreme Court Rule 341(h)(2)]

State the kind of case that was in the trial court (e.g., "This case was filed in the trial court to recover damages caused by the alleged negligence of the defendant in driving his automobile.").

Check boxes to designate:

or the

problem.

and

(1) whether or not the judgment you are appealing was based on a jury's verdict;(2) whether the judgment was in favor of the plaintiff/petitioner

defendant/respondent;

(3) whether or not the judgment said there was a problem in the pleadings (meaning the complaint or petition). If the judgment did find a problem, describe the

The trial court judgment was based on a jury verdict
☐ Yes ☐ No
The trial court entered a judgment in favor of
☐ Plaintiff/Petitioner ☐ Defendant/Respondent
A question is raised on the pleadings
☐ Yes ☐ No
If a question is raised on the pleadings, describe it:

Starting with this page, number the pages of your brief 1, 2, 3, etc. (This page is numbered for you.)

ISSUES PRESENTED FOR REVIEW

[Refer to Illinois Supreme Court Rule 341(h)(3)]

In 1, state the title of your 1st argument as you wrote it in the Points and Authorities section above.	1. Whether the trial court or the jury (check one) made a mistake by
If you are making more than 1 argument, use 2 and 3 (if necessary) to state the titles of those	2. Whether the trial court or the jury (check one) made a mistake by
arguments. If not, leave the rest of this section blank.	
	3. Whether the trial court or the jury (check one) made a mistake by

If you are making more than 3 arguments, fill out and insert 1 or more Additional Issues Presented for Review forms after this page.

ABA-B 2103.1 Page ____ (09/16)

JURISDICTION

[Refer to Illinois Supreme Court Rule 341(h)(4)(ii)]

In 1, state the Illinois Supreme Court Rule under which the appellate court has jurisdiction, and explain why the trial court's judgment is appealable under that rule.

In 2, 3, 4, and 5, referring to the pages of the common law record where the documents appear, fill in the dates of the documents that show that the appeal is

Specifically, fill in the date of the judgment, the dates of any post-judgment motions, the dates of the rulings on those motions, and the date of the *Notice of*

timely.

Appeal.

1.	This court has jurisdiction under Illinois Supreme Court Rule			
		301, because the trial court's judgment ended a civil (non-criminal) case.		
		304, because the trial court's judgmen	nt	
		ended only part of a civil (non-crin appealability under Rule 304(a).	ninal) case but included a special fin	ding of
		.,	ninal) case but is one of the judgmer	nts listed in
		Rule 304(b), such as a child custo	ody order.	
		Specifically, the judgment		
		307, because the trial court's judgmen	nt did not end any part of a civil (non-	-criminal)
		case but is one of the judgments listed	d in Rule 307, such as a termination	of
		parental rights or a restraining order.		
		Specifically, the judgment		
		opecinically, the judgment		
		Other:		
2.	On	Enter Date	, the trial court entered the judgment	(C). Enter page(s) of record
3.	On	Enter Date(s)	, post-judgment motion(s) was/were	filed
	(C Ente). er page(s) of record		
4.	On	Enter Date(s)	, the trial court ruled on the post-jud	gment
mo	tion(s) (C). Enter page(s) of record		
5.	On	Enter Date	, the Notice of Appeal was filed	(C). Enter page(s) of record

ABA-B 2103.1 Page (09/16)

STATUTES (LAWS) INVOLVED
[Refer to Illinois Supreme Court Rule 341(h)(5)]

If the case involves the meaning or validity of a statute (law), constitutional provision, treaty, ordinance, or regulation, provide the language and the number (for example, 735 ILCS 5/2-615) for	
each. If the case does not involve a statute (law) or other provision, leave this page blank.	<u> </u>
	<u> </u>
	<u> </u>
	_
	_
If you need more room, fill out and insert 1 or more Additional Statutes	_
(Laws) Involved forms after this page.	

Page ____ (09/16) ABA-B 2103.1

STATEMENT OF FACTS

[Refer to Illinois Supreme Court Rule 341(h)(6)]

Tell the story of what happened in the trial court, with references to the specific pages of the record where each fact appears. Refer to pages of the common law record as "C [page]." Refer to pages of the report of proceedings as "R [page]." For example, "On January 2, 2015, the plaintiff filed his complaint. C 1."			
You should describe the			
following: • what was said in the complaint or			
petition, • anything relevant that happened in			
court before the trial,the testimony of all witnesses,how the judge ruled,			
any findings by the jury, and anything that happened in			
court after the trial. Refer to the specific pages of the record			
where each fact appears.			
Tell the story correctly and fairly. Do not make arguments or comments			
here.			

ABA-B 2103.1 Page ____ (09/16)

Litter the Case Number given by the Appellate Court Clerk.	

Litter the Case Number given by the Appellate Court Clerk.	

Litter the Case Number given by the Appellate Court Clerk.	

Enter the Case Number given by the Appellate Court Clerk:
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If you need more room, fill out and insert 1 or more Additional Statement of Facts forms after this page.

Enter the Case Number given by the Appellate Court Clerk:	
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ARGUMENT

[Refer to Illinois Supreme Court Rule 341(h)(7)]

State the title of your 1st argument here as you wrote it in the Points and Authorities section above.

1. The trial court or jury (check one) made a mistake by
Standard of review (Check all that apply to your 1st argument)
☐ The trial court made a mistake in applying the law. (This is de novo review.
The appellate court must give no deference to the trial court);
☐ The trial court or the jury made a mistake in deciding the facts. (This is manifest
weight of the evidence review. The appellate court must give great deference to
the trial court or the jury);
☐ The trial court made a mistake in conducting the trial procedure. (This is abuse of
discretion review. The appellate court must give extreme deference to the trial
court); and/or
other:
Authority for standard of review:
Explain your argument, using the law to demonstrate how, under the facts of your case, the
outcome should have been different. (Use the facts of the case and your authorities (cases and
statutes (laws)) to help you do this.)

court to apply;how the law applies to your case; and

to apply; the law that you want the appellate

Using the authorities from your Points and Authorities section, and with references to the pages of the record for facts within your argument, explain:

the standard of review you want the appellate court

 the relief you want from the appellate court.

ABA-B 2103.1 Page (09/16)

E	Enter the Case Number given by the A	Appellate Court Clerk:	
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E	Enter the Case Number given by the A	Appellate Court Clerk:	
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Er	nter the Case Number given by the App	ellate Court Clerk:	

	Enter the Case Number given by the Appellate Court Clerk:
State the title of your 2nd argument here as you wrote it in the 20 oints and Authorities section above.	2. The trial court or jury (check one) made a mistake by
f you don't have a 2nd argument, remove this bage and the following argument pages.	
	Standard of review (Check all that apply to your 2nd argument) The trial court made a mistake in applying the law. (This is de novo review. The appellate court must give no deference to the trial court); The trial court or the jury made a mistake in deciding the facts. (This is manifest weight of the evidence review. The appellate court must give great deference to the trial court or the jury);
Using the authorities from your Points and Authorities section, and with references to the	☐ The trial court made a mistake in conducting the trial procedure. (This is abuse of discretion review. The appellate court must give extreme deference to the trial court); and/or
pages of the record for facts within your argument, explain: the standard of	other:
review you want the appellate court to apply; the law that you want the appellate court to apply; how the law applies to your case; and	Explain your argument, using the law to demonstrate how, under the facts of your case, the outcome should have been different. (Use the facts of the case and your authorities (cases and statutes (laws)) to help you do this.)
the relief you want from the appellate court.	

E	Enter the Case Number given by the A	Appellate Court Clerk:	
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	Enter the Case Number given by the Appellate Court Clerk:
tate the title of your rd argument here as ou wrote it in the	3. The trial court or jury (check one) made a mistake by
oints and Authorities ection above.	
f you don't have a 3rd	
rgument, remove this age and the following rgument pages.	
	Standard of review (Check all that apply to your 3rd argument)
	☐ The trial court made a mistake in applying the law. (This is de novo review.
	The appellate court must give no deference to the trial court);
	☐ The trial court or the jury made a mistake in deciding the facts. (This is manifest
	weight of the evidence review. The appellate court must give great deference to
	the trial court or the jury);
	☐ The trial court made a mistake in conducting the trial procedure. (This is abuse of
	discretion review. The appellate court must give extreme deference to the trial
Jsing the authorities rom your Points and	court); and/or
Authorities section, and with references to the ages of the record for	other:
acts within your rgument, explain:	Authority for standard of review:
the standard of review you want	
the appellate court to apply; the law that you	Explain your argument, using the law to demonstrate how, under the facts of your case, the
want the appellate court to apply;	outcome should have been different. (Use the facts of the case and your authorities (cases and
how the law applies to your	statutes (laws)) to help you do this.)
case; and the relief you want	
from the appellate court.	

E	Enter the Case Number given by the A	Appellate Court Clerk:	
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If you are making more	
If you are making more than 3 arguments, fill out and insert 1 or more	
Additional Argument forms after this page.	

Enter the Case Number given by the Appellate Court Clerk:

Enter the Case Number given by the Appellate Court Clerk:

<u>CONCLUSION</u>
[Refer to <u>Illinois Supreme Court Rule 341(h)(8)</u>]

State what you want the court to do. You may check as many as apply.

apply.	The appe	ellant respectfully requests that this court:
		reverse the trial court's judgment (change the judgment in favor of the other party into a
		judgment in your favor) and \square send the case back to the trial court for any hearings
		that are still required;
		vacate the trial court's judgment (erase the judgment in favor of the other party)
		and \square send the case back to the trial court for a new hearing and a new judgment;
		change the trial court's judgment to say:
		order the trial court to:
		other:
	and	grant any other relief that the court finds appropriate.
If you are completing this form on a		Respectfully submitted,
computer, sign your name by typing it. If you are completing it		/s/
by hand, sign by hand and print your name.		<u>Signature</u>
		Print Name

Page ___ ABA-B 2103.1 (09/16) Rule 341(a) governs the form of briefs, and Rule 341(b) governs the length. Unless a motion to file a longer *Brief* is granted, the *Appellant's Brief* (not counting the pages listed) must contain no more than 50 pages OR no more than 15,000 words.

If your *Brief* is within the page limit, add the number of pages in your *Brief* (not counting the pages listed).

If your *Brief* is not within the page limit, but is within the word limit, add the number of words in your *Brief* (not counting the pages listed).

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

CERTIFICATE OF COMPLIANCE

[Refer to Illinois Supreme Court Rule 341(c)]

I certify that this *Brief* conforms to the requirements of Supreme Court Rules 341(a) and (b).

The length of this *Brief*, excluding the pages or words contained in the Rule 341(d) cover, the Rule 341(h)(1) statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is pages or words.

/S/	
Signature	
3	
Print Name	

PROOF OF SERVICE
[Refer to Illinois Supreme Court Rule 11]

In 1a, enter the name, mailing address, and email address of the party or lawyer to whom you sent the document.	1.	l se a.	ent thi To: Nam		cument:				
In 1b , check the box to					First	Middle	•	Last	
show how you sent the document, and fill in			Add	ress:					
any other information					Street, Apt #		City	State	ZIP
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CAUTION: If the				_					
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document to more than 1 party or lawyer, fill in a, b, and c. Otherwise leave 2 blank.	2.	l se	ent thi	is do	cument:				
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f you are serving more han 3 parties or awyers, fill out and nsert 1 or more Additional Proof of Service forms after this		At:	Tim	ne a.ı	m.			

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign by hand and print your name.

I certify that everything in the Proof of Service is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

/s/	
Your Signature	
Print Your Name	

APPENDIX
[Refer to Illinois Supreme Court Rule 342(a)]

This is a Table of Contents for the Appendix.	1. Index to the record	A	
In addition to the materials listed, list any other materials	2. Complaint or Petition	A	
from the record that are relevant to the	3. Judgment	A	
appeal. Do not list materials that are not in the record.	4. Notice of Appeal	A	
Add those materials to the end of the Appendix, in the			
order in which you list them.			
• Number the pages of the Appendix A-1, A-2, A-3, etc.			
• Fill in the appropriate page			
numbers on the Table of Contents.			

INDEX TO THE RECORD

Common Law Record ("C")

[Refer to Illinois Supreme Court Rule 321]

Rule 321 discusses the common law record.
List the title of each document in the common law record (the documents filed in the trial court), the date on which each document was filed, and the page of the record on which each document begins.

Document	Date of Filing	Page

If you need more room, fill out and insert 1 or more Additional Common Law Record forms after this page.

Α- ____

Report of Proceedings ("R")

[Refer to Illinois Supreme Court Rule 323]

Rule 323 discusses
reports of proceedings.
List each hearing in the
report of proceedings
(the transcript of the
trial court hearings), the
date on which each
hearing occurred, and
the page of the
transcript on which the
report of each hearing
begins.

Proceeding	Date	Page
		-
		·———
		-
		-

If you need more room, fill out and insert 1 or more *Additional Report of Proceedings* forms after this page.

A- ____

	Index of Witnesses			
List the name of each witness who testified during the hearings; the party who called each witness to testify; and the pages of the transcript on which the examinations of each witness begin.	Witness (Called By)	Direct [←	Cross Redirect Page Numbers	Recross →]
The direct examination is when the witness was questioned by the party who called the witness.				
The cross examination is when the witness was questioned by the other party.				
The redirect is when the witness was questioned again by the party who called the witness.				
The recross is when the witness was questioned again by the other party.				

If you need more room, fill out and insert 1 or more Additional Index of Witnesses forms after this page.

A- ____

Enter the Case Number given by the Appellate Court Clerk:

[Complaint or Petition]

After this page, insert the complaint or petition that was filed in the trial court.

A-

Enter the Case Number given by	the Appellate Court Clerk:	

[Judgment]

After this page, insert the trial court's written judgment that you are saying was wrong (including any opinion, memorandum, or findings of fact).

A- ____

Enter the Case Number	given by the .	ppellate Court Clerk:	

[Notice of Appeal]

After this page, insert the *Notice of Appeal*.

Add any other materials from the record that are relevant to the appeal. Number those pages. List the additional materials and page numbers in the Table of Contents for the Appendix, in the order in which you attach them.

A- ____