

No. 1-11-1373

**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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THE CITY OF CHICAGO,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellee,	)	Cook County.
	)	
v.	)	No. TW-285-584
	)	
MULUGETA GEBREMESKEL,	)	The Honorable
	)	Daniel J. Gallagher,
Defendant-Appellant.	)	Judge Presiding.

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PRESIDING JUSTICE HARRIS delivered the judgment of the court.  
Justices Quinn and Connors concurred in the judgment.

**ORDER**

¶ 1 *Held:* The circuit court's decision that defendant made a left turn in violation of a municipal ordinance and that defendant should pay a \$500 fine plus \$165 in mandatory fees and costs would not be disturbed where the *pro se* defendant presented an incomplete record on appeal.

¶ 2 Following a bench trial, the circuit court found defendant Mulugeta Gebremeskel guilty of making an illegal left turn while driving his taxi, placed him on supervision, and assessed a

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\$500 fine and \$165 in mandatory fees and costs. Defendant appeals *pro se*, contending that he was improperly assessed a \$600 fine that exceeded the \$75 to \$120 [*sic*] allowable amount because the circuit court disliked his demeanor. He also contends that the circuit court should have allowed a continuance, should have allowed him to cross-examine the arresting officer, and should have allowed the officer's sketch of the scene into evidence.

¶ 3 Defendant was cited for making an improper left turn on a two-way roadway in his taxi at approximately 2:20 a.m. on March 19, 2011, at 2354 West Foster Avenue in Chicago in violation of section 9-16-020(b) of the Municipal Code of Chicago. Chicago Municipal Code § 9-16-020(b) (amended March 12, 2008). The record consists primarily of the traffic citation, a one-page document prepared by defendant, and several photographs of the scene. In the one-page document, defendant essentially alleged that he properly turned from the left turn lane, and that the police officer erroneously reported that he improperly turned. Defendant alleged further that Foster Avenue consisted of a single lane but that the officer erroneously reported that it consisted of a double lane. Additionally, defendant alleged that the judge ordered him to pay a \$600 fine because the judge did not like his demeanor. The document was not certified by defendant or notarized, the City of Chicago did not stipulate to it, and the circuit court did not approve it. The document contained only defendant's signature.

¶ 4 Defendant appeals *pro se*, contending that the circuit court punished him only based on his demeanor, that the court refused to allow him to cross-examine the police officer, and that the court abused its discretion by denying his request for a continuance and by excluding from the record the police officer's sketch of the street.

¶ 5 The City responds that defendant has waived the issues on appeal due to deficiencies in his brief. The City alternatively responds that the decision should be affirmed because defendant presented an incomplete record, and because the circuit court's decision was not against the manifest weight of the evidence or an abuse of discretion.

¶ 6 The record does not contain transcripts, bystander's reports, or agreed statements of fact for any of the proceedings in the circuit court. Therefore, we do not know what evidence was presented to the circuit court. Illinois Supreme Court Rules 321 (eff. Feb. 1, 1994) and 323 (eff. Dec. 13, 2005) require a report of proceedings or an acceptable substitute, such as a bystander's report or agreed statement of facts, and it is the appellant's burden to provide an adequate record to support his contentions on appeal (see *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391-92 (1984)). Defendant has not met his burden here. The document that defendant prepared and included in the record did not comply with the requirements of Rules 321 and 323. See *American Savings Bank v. Robison*, 183 Ill. App. 3d 945, 947 (1989). Therefore, we will presume that the circuit court's decisions conformed to the law and were supported by a sufficient factual basis (*In re Marriage of Gulla*, 234 Ill. 2d 414, 423-24 (2009); *Webster v. Hartman*, 309 Ill. App. 3d 459, 460-62 (1999), *aff'd*, 195 Ill. 2d 426, 432-34 (2001); *Foutch*, 99 Ill. 2d at 391-92), and we will resolve any doubts resulting from the incompleteness of the record against defendant (see *Elias v. McDonnell*, 408 Ill. App. 3d 301, 322 (2011)).

¶ 7 Our review of the record presented by defendant has disclosed no basis to disturb the circuit court's decision, because the incomplete record submitted by defendant does not support his allegations. Moreover, the \$500 fine fell within the \$90 to \$500 range of the applicable

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ordinances. See Chicago Municipal Code § 9-4-020 (amended Nov. 5, 2008); see also Chicago Municipal Code § 9-16-020(b) (amended March 12, 2008).

¶ 8 The judgment of the circuit court is affirmed.

¶ 9 Affirmed.