

No. 1-23-0266WC

**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 DISTRICT

SAMUEL BRINSON,	)	Appeal from the
	)	Circuit Court of
Appellant,	)	Cook County
	)	
v.	)	Nos. 2022 L 50090
	)	
THE ILLINOIS WORKERS' COMPENSATION	)	
COMMISSION <i>et al.</i> ,	)	Honorable
	)	Daniel P. Duffy,
(Parallel Employment Group, Appellee).	)	Judge, Presiding.

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JUSTICE HOFFMAN delivered the judgment of the court.  
Presiding Justice Holdridge and Justices Mullen, Cavanagh, and Barberis concurred in the judgment.

**ORDER**

¶ 1 *Held:* We dismissed this appeal, finding that the brief of the appellant, Samuel Brinson, failed to comply with the requirements of Illinois Supreme Court Rules 341 and 342.

¶ 2 The claimant, Samuel Brinson, acting *pro se*, appeals from an order of the circuit court which confirmed a decision of the Illinois Workers' Compensation Commission (Commission) awarding him specified benefits pursuant to the Illinois Workers' Compensation Act (Act) (820

ILCS 305/1 *et seq.* (West 2020)). For the reasons which follow, we dismiss this appeal.

¶ 3 The claimant filed an application for adjustment of claim pursuant to the Act, seeking benefits for injuries sustained while working for Parallel Employment Group (Parallel) on October 27, 2015.

¶ 4 Following an arbitration hearing held on August 19, 2020, the arbitrator issued a written decision on October 22, 2020, finding that the claimant sustained an accident on October 27, 2015, that arose out of and in the course of his employment with Parallel and that his current condition of ill-being is causally related to that accident. The arbitrator awarded the claimant 54 1/7 weeks of temporary total disability (TTD) pursuant to the Act, ordered Parallel to pay certain specified reasonable and necessary medical expenses incurred by the claimant, ordered Parallel to reimburse the Illinois Department of Health and Family Services (IDHFS) \$1,145.90, and awarded the claimant 200 weeks of permanent partial disability (PPD) benefits pursuant to the Act for the 38% loss of use of the person as a whole. In addition, the arbitrator ordered Parallel to authorize and pay for left knee arthroscopic surgery, continued treatment for the claimant's right hip and low back conditions of ill-being, and all follow-up and medical care associated with the claimant's left knee surgery.

¶ 5 Parallel filed a petition for review of the arbitrator's decision before the Commission. On February 4, 2022, the Commission issued a unanimous decision modifying the decision of the arbitrator in part. The Commission vacated the arbitrator's order for prospective medical care, finding that there are no recent medical records supporting the award, and "[i]t is unclear what medical care, if any, \*\*\* [that the claimant] currently requires due to his work-related injuries." After considering the five factors enumerated in section 8.1(b)(b) of the Act (820 ILCS

305/8.1(b)(b) (West 2020)), the Commission concluded that the injuries sustained by the claimant caused a 35% loss of use of the right leg, a 10% loss of use of the left leg, and a 7.5% disability to the person as a whole. In place of the arbitrator's PPD award, the Commission awarded the claimant 134.25 weeks of PPD benefits. In all other respects, the Commission affirmed and adopted the arbitrator's decision.

¶ 6 The claimant sought a judicial review of the Commission's decision in the circuit court of Cook County. On January 13, 2023, the circuit court entered an order confirming the Commission's decision of February 4, 2022, in all respects.

¶ 7 On February 8, 2023, the claimant filed a notice of appeal from the circuit court's order of January 13, 2023. The claimant, acting *pro se*, filed a brief in this matter. Parallel has not filed a brief, and this appeal was taken for consideration on the claimant's brief alone.

¶ 8 The fact that the claimant is acting *pro se* does not relieve him of the obligation to comply with the rules of the Illinois Supreme Court governing appellate procedure and the required content of briefs filed with this court. *Wing v. Chicago Transit Authority*, 2016 IL App (1st) 153517, ¶ 7. Illinois Supreme Court Rules governing the content of appellate briefs are mandatory. *Voris v. Voris*, 2011 IL App (1st) 103814, ¶ 8.

¶ 9 Illinois Supreme Court Rule 341(h)(6) (eff. Oct. 1, 2020) requires that an appellant's brief contain a statement of facts which "shall contain the facts necessary to an understanding of the case, stated accurately and fairly without argument or comment, and with appropriate references to the pages of the record on appeal." The claimant's brief in this case contains a statement of facts which contains only those facts that support his claim of error, and it also contains both argument and comment on the facts asserted. Further, the statement of facts in the claimant's brief fails to

contain even a single reference to the pages of the record on appeal supporting the facts asserted. Additionally, Illinois Supreme Court Rule 341(h)(7) requires that an appellant's brief contain an argument "which shall contain the contentions of the appellant and the reasons therefor, with citation of the authorities and pages of the record relied on." The brief filed by the claimant in this case contains an argument asserting that his attorney made false statements "to throw \*\*\* [his] case in favor of Parallel Employment," but the argument contained in the claimant's brief fails to set forth any contentions addressed to the propriety of the Commission's decision, nor does it contain citations to authority or pages of the record. Illinois Supreme Court Rule 341(h)(9) also mandates that an appellant's brief contain an appendix as required by Rule 342. Illinois Supreme Court Rule 342 (eff. Oct. 1, 2019), in turn, provides that the appendix must include the judgment appealed from, the notice of appeal, a complete table of contents of the record on appeal with page references, and, in cases such as this involving a decision of the Illinois Workers' Compensation Commission, the decisions of the arbitrator and the Commission. The brief filed by the claimant in this case does not contain an appendix including any of the documents required by Rule 342.

¶ 10 This court is not a repository for an appellant to foist the burden of argument and research. *Cimino v. Sublette*, 2015 IL App (1st) 133373, ¶ 3. As a reviewing court, we are entitled to have the issues on appeal clearly defined, pertinent authority cited, and a cohesive legal argument presented. *Lewis v. Heartland Food Corp.*, 2014 IL App (1st) 123303, ¶ 5. When, as in this case, an appellant fails to comply with Rules 341 and 342, his appeal may be dismissed. *Holzrichter v. Yorath*, 2013 IL App (1st) 110287, ¶ 77. The fact that the claimant in this case is representing himself does not relieve him of the obligation to comply with the Illinois Supreme Court Rules governing briefs filed with this court. See *Wing*, 2016 IL App (1st) 153517, ¶ 7.

¶ 11 By reason of the claimant's failure to file a brief made in compliance with Illinois Supreme Court Rules 341 and 342, we dismiss this appeal.

¶ 12 Dismissed.