

2026 IL App (1st) 252547-U
No. 1-25-2547
Order filed October 30, 2026

NOTICE: This order was filed under Illinois Supreme Court Rule 23 and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).

IN THE
APPELLATE COURT OF ILLINOIS
FIRST DISTRICT
FIFTH DIVISION

LENISHA ROBIN WILLIAMS, Petitioner-Appellee

v.

GEMICO TOVAR CHILDRESS, Respondent-Appellant

Appeal from the Circuit Court of Cook County.
Honorable Jenkins Wright , Judge, Presiding.
No. 25 D 679002

JUSTICE C.A. WALKER delivered the judgment of the court.
Presiding Justice Oden Johnson and Justice Wilson concurred in the judgment.

ORDER

- ¶ 1 *Held:* We affirm the circuit court’s order determining the amount of child support owed by respondent-appellant because the record is insufficient to permit meaningful appellate review.
- ¶ 2 Respondent-appellant Gemico Tovar Childress appeals from an order of the circuit court requiring him to pay child support to petitioner-appellee Lenisha Robin Williams for the parties’ minor child, G.C. Because Childress has not provided a sufficient record to permit meaningful review of his claim, we affirm.

¶ 3

I. BACKGROUND

¶ 4 Williams filed her petition for custody and child support on January 3, 2025. On February 10, 2025, she filed a motion seeking child support specifically, alleging that Childress did not help support G.C. The Illinois Department of Healthcare and Family Services (IDHFS) petitioned to intervene, alleging IDHFS was assisting Williams with services.

¶ 5 On July 18, 2025, the circuit court entered a “Uniform Order for Support” in which it granted IDHFS leave to intervene, and ordered Childress to make temporary monthly support payments of \$350. The order notes that Childress had a monthly income of \$2598. It further indicates both Williams, Childress, and an assistant state’s attorney were present in court. Under the “unemployment” section of the order, the court noted Childress was unemployed, and ordered him to seek employment and keep a job diary. In a narrative section of the order, the court wrote,

“This is a per court temporary support order. Respondent was provided notice via mail 8/3/24. Both parties being present. Respondent’s gross monthly income is imputed at \$2598 per month as he is working [in] a barber shop for cash. Respondent is to complete job diaries per *** this order. Respondent also reported he is unable to work significant hours based on medical conditions. Respondent is to send medical documentation as to whether he is able to work to the State by 8/25/25. Respondent was provided employment resources ***. Respondent objects to this temporary support amount, this court entered this order over his objection after hearing.”

¶ 6 On September 19, 2025, the circuit court entered another Uniform Order for Support, which lists Childress’ monthly child support obligation as \$80, and noted his monthly income was “to be determined.” In the accompanying narrative, the court wrote:

“This is a temporary Uniform Order of Support. Both parties having appeared today. Respondent is currently receiving Social Security Income Disability Benefits (SSI) in the amount of \$664/month. Respondent is ordered to contact the Social Security Administration and apply for a dependent allotment for the minor child on this order, no later than by October 10, 2025. Additionally, Respondent is ordered to provide proof of application for the dependent allotment to the State’s Attorney’s Office *** (no later than by October 24, 2025). Failure to provide the required documentation will result in an adverse ruling by this court.”

¶ 7 On November 7, 2025, Childress filed a motion to “take payment away or lower,” arguing he had no income beyond the \$644 SSI payment, and no longer worked as a barber.

¶ 8 Also on November 7, 2025, the circuit court entered another Uniform Order for Support, setting Childress’s monthly child support obligation at \$411, plus \$33 for medical costs. The order reflects that Childress was not present and that the court entered the order “by default.” It lists his monthly income as \$2,600. In the narrative section, the court wrote:

“Respondent received actual notice on the last court date but has not appeared and is in default. Petitioner testified and presented screenshot evidence that Respondent works as a barber, accepts haircut appointments at his website *** and has haircut reviews as recent as October 2025. Respondent has failed to provide any evidence that he is disabled or unable to work as ordered on the last court date. The court therefore finds that Respondent earns or is capable of earning at least \$15.00 per hour, working 40 hours a week, and Respondent’s income is imputed at \$2600 per month. Petitioner’s income is \$5442 per IDES. Current support is ordered retroactive to the date of filing. This matter is OFF CALL.”

The evidence mentioned in the court’s narrative does not appear in the record on appeal.

¶ 9 On December 8, 2025, the circuit court entered an order stating “Motion filed by defendant to modify CS is denied for his failure to appear with the State. The CS order entered on 11/7/25 to stand.” Childress filed his notice of appeal that same day.

¶ 10 II. JURISDICTION

¶ 11 The circuit court entered the order setting the child support amount on November 7, 2025, and Childress filed his notice of appeal on December 8, 2025, giving this court jurisdiction pursuant to article VI, section 6 of the Illinois Constitution (Ill. Const. 1970, art. VI, § 6) and Illinois Supreme Court Rules 301 (eff. Feb. 1, 1994) and 303 (eff. July 1, 2017).

¶ 12 III. ANALYSIS

¶ 13 On appeal, Childress claims the circuit court erred in the November 7, 2025 order by imputing monthly income of \$2,600 to him without properly considering his status as an SSI recipient. Williams responds that we should reject the claim because Childress’s appellate brief is deficient and the record is insufficient to permit review.

¶ 14 Amongst the well-established procedural requirements with which appellants must comply are the formal requirements of the appellant brief mandated by Illinois Supreme Court Rule 341(h) (eff. Oct. 1, 2020). Per Rule 341(h), an appellant’s brief must contain, in relevant part, a statement of jurisdiction, statement of facts, citation to the portions of the record that contain the cited facts, and citation to the legal authority on which the appellant’s claims rely. Ill. S. Ct. R. 341(h)(4), (6), (7) (eff. Oct. 1, 2020). The rule is mandatory, and failure to comply is grounds for this court to strike an appellant’s brief and dismiss the appeal. *McCann v. Dart*, 2015 IL App (1st) 141291, ¶ 12.

Childress's brief fails to comply with each of the requirements of Illinois Supreme Court Rule 341 discussed above, and we could dismiss the appeal on that basis alone.

¶ 15 We decline to do so, however, because a separate procedural issue would prevent us from granting Childress the relief he seeks even if his brief complied with the rule. An appellant must provide a record sufficient to permit review of the claims raised on appeal. *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391 (1984). If the appellant fails to do so, we presume that the circuit court's order conformed to the law and had "a sufficient factual basis." *Id.* at 392. Any doubts arising from the incomplete record are resolved against the appellant. *Id.*

¶ 16 Applying this principle, Childress has not provided a sufficient record to permit review of the circuit court's factual findings at the November 7, 2025, hearing. The order indicates that the court considered evidence submitted by Williams, but that evidence is not included in the record on appeal. Nor does the record contain a report of proceedings or a bystander's report describing what occurred at the hearing. Because the record does not show the evidence or proceedings on which the court relied, we cannot review its decision to impute monthly income of \$2,600 to Childress. Therefore, we must presume the court had an appropriate factual basis for its decision. *Id.*

¶ 17 Accordingly, because Childress has not provided a record sufficient to support the relief he seeks, we reject his claim. Childress attached documents to his reply brief purporting to show that he no longer works as a barber. Those documents are not part of the record on appeal, and we may not consider them. See *Lopez v. Dart*, 2018 IL App (1st) 170733, ¶ 37 n.1.

¶ 18 IV. CONCLUSION

¶ 19 For the reasons stated above, the circuit court's order is affirmed.

¶ 20 Affirmed.