2026 IL App (1st) 252599-U
No. 1-25-2599
Order filed November 19, 2026
Fourth Division

NOTICE: This order was filed under Illinois Supreme Court Rule 23 and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).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

MARIA SALINAS, Plaintiff-Appellant,

v.

ANTHONY COSMANO INC., d/b/a Anthony's Pizza, ANTHONY COSMANO, and ALESIA A. COSMANO, Defendants,

(Anthony Cosmano, Inc., d/b/a Anthony's Pizza, Defendant-Appellee).

Appeal from the Circuit Court of Cook County.
Honorable Michael F. Otto, Judge Presiding.
No. 24 L 8335

JUSTICE NAVARRO delivered the judgment of the court.
Justices Mitchell and Ocasio concurred in the judgment.

ORDER

¶ 1 *Held*: The circuit court properly granted summary judgment in favor of defendant-landowner where plaintiff slipped and fell on a natural accumulation of ice.

¶ 2 Plaintiff, Maria Salinas, appeals from the circuit court's grant of summary judgment in favor of defendant, Anthony Cosmano, Inc., d/b/a Anthony's Pizza. For the following reasons, we affirm.

¶ 3 I. BACKGROUND

¶ 4 Salinas's cause of action stemmed from a fall she sustained on December 23, 2022, outside of Anthony's Pizza in Berwyn, Illinois. According to her complaint, Salinas was on her way into the restaurant when she slipped and fell "due to a foreign substance on the ground" causing her "severe and permanent injuries." She brought suit against Anthony's Pizza, Anthony Cosmano, and Alesia A. Cosmano. Defendants brought a motion to dismiss Alesia and Anthony from the case, which the circuit court granted. They are not parties to this appeal.

¶ 5 Anthony's Pizza subsequently filed a motion for summary judgment, alleging that the ice and slush that Salinas slipped on in the entryway area constituted a natural accumulation, and therefore it did not have liability. It attached an picture of the entryway, which showed ice and slush on the ground, and the deposition of Salinas, in which she stated that she slipped on ice that "came from the elements, you know, the wintry day." Anthony's Pizza argued that Salinas had not pointed to any evidence that her fall was caused by an unnatural accumulation, and therefore judgment should be entered in its favor.

¶ 6 Salinas responded that the accumulation of snow and ice was unnatural where it was caused by the property's design. Specifically, she stated that the entryway was covered, and that the flooring was sloped and tiled, causing liquid to roll down and accumulate at the bottom of the entryway, where Salinas fell. She also argued that Anthony's Pizza voluntarily undertook a duty to maintain the entryway in a safe condition and failed to do so.

¶ 7 Arguments were held on the motion for summary judgment, but no transcript appears in the record. The court found in favor of Anthony's Pizza for the "reasons stated by the court" and included a note that read in part, "natural accumulation."

¶ 8 Salinas filed a *pro se* motion to reconsider, which was denied. She now appeals.

¶ 9 II. ANALYSIS

¶ 10 Salinas argues on appeal that she was "misrepresented and did not have [the] opportunity to speak on my behalf." She also contends that the circuit court made a mistake by ruling in favor of Anthony's Pizza and "not taking into considerations [*sic*] the injuries sustained by me."

¶ 11 We first address the adequacy of Salinas's brief on appeal. Illinois Supreme Court Rule 341(h)(6) (eff. Oct. 1, 2020) requires a statement of facts containing the facts necessary to an understanding of the case with citations to the record. There is no statement of facts in Salinas's brief.

¶ 12 Rule 341(h)(7) (eff. Oct. 1, 2020) requires an appellant to present a coherent argument with citation to relevant authority and the relevant pages of the record. Salinas raises two vague arguments – that she was misrepresented because she was not provided an opportunity to speak on her own behalf, and that the trial court made a "mistake" in ruling in favor of Anthony's Pizza. These arguments are not supported by any case law or citations to the record.

¶ 13 While we understand Salinas is appealing *pro se*, "parties choosing to represent themselves without a lawyer must comply with the same rules and are held to the same standards as licensed attorneys." *Holzrichter v. Yorath*, 2013 IL App (1st) 110287, ¶ 78. When a party's failure to comply with the requirements of a brief interferes with our ability to fully review the case, it is within our discretion to strike the brief and dismiss the appeal. *Parkway Bank and Trust Co. v. Korzen*, 2013 IL App (1st) 120380, ¶ 10.

¶ 14 Here, Anthony's Pizza has not asked us to strike the brief, and we are reluctant to dismiss the appeal *sua sponte*. Accordingly, we will address, to the best of our ability, the merits of the claims raised.

¶ 15 Summary judgment is appropriate if "there is no genuine issue as to any material fact and *** the moving party is entitled to a judgment as a matter of law." 735 ILCS 5/2-1005(c) (West 2024). It is a drastic measure and should only be granted when the movant's right to judgment is free and clear from doubt. *Outboard Marine Corp. v. Liberty Mutual Insurance Co*., 154 Ill. 2d 90, 102 (1992). We construe the record strictly against the movant and in favor of the nonmoving party. *Allen v. Cam Girls, LLC*, 2017 IL App (1st) 163340, ¶ 28. To defeat summary judgment, the nonmoving party must present some evidence that arguably entitles it to judgment. *Id*. We review a grant of summary judgment *de novo*, meaning we perform the same analysis as the circuit court. *A.M. Realty Western L.L.C. v. MSMC Realty, L.L.C*., 2016 IL App (1st) 151087, ¶ 87.

¶ 16 Generally, landowners and occupiers have no common law duty to remove natural accumulations of snow and ice from their property. *Krywin v. Chicago Transit Authority*, 238 Ill. 2d 215, 232 (2010). A natural accumulation is "an accumulation of snow or ice caused by the mere falling and settling of snow or precipitation." *Mickens v. CPS Chicago Parking, LLC*, 2019 IL App (1st) 180156, ¶ 26.

¶ 17 In Illinois, the natural-accumulation rule relieves landowners of the duty to remove naturally fallen snow or naturally formed ice. "Illinois can have harsh, unpredictable, and rapidly-changing winter weather, and it would thus be unreasonable to hold landowners to a duty of immediate and effective removal of snow and ice." *Hussey v. Chase Manor Condominium Association*, 2018 IL App (1st) 170437, ¶ 18. "So if a landowner fails to remove snow or ice that naturally accumulated – either because it made no attempt at removal, or because it made some attempt but did not remove all the snow or ice – that landowner is not liable for injuries caused by those natural accumulations, no matter how dangerous they may be." *Mickens*, 2019 IL App (1st) 180156, ¶ 28.

¶ 18 But the law treats an unnatural accumulation of snow or ice differently. *Id*. ¶ 29. The law imposes on landowners a duty of reasonable care to prevent unnatural accumulations of snow or ice on their premises if they have actual or constructive knowledge of the dangerous conditions. *Id*. An accumulation is considered unnatural if it accumulated by artificial causes or in an unnatural way, or by the landowner's use of the area and creation of the condition. *Id*.

¶ 19 Landowners are not responsible for the natural accumulation of tracked in snow, water, or ice "even at the sole point of egress or ingress." *Reed v. Galaxy Holdings, Inc*., 394 Ill. App. 3d 39, 44 (2009). A landowner does not have a duty to remove the tracks left by customers who have walked through natural accumulations of snow, slush, and water. *Stypinski v. First Chicago Building Corp*., 214 Ill. App. 3d 714, 716 (1991).

¶ 20 Here, prior to the date of the incident, there had been snowfall and an accumulation of ice and slush on the streets and sidewalks in the general area of Anthony's Pizza. Salinas testified in her deposition that she believed she slipped on ice in the entryway that "came from the elements" and the "wintry day." She stated that there was ice and slush on the ground, and the picture of the entryway showed visible snow and slush on the ground of the entryway.

¶ 21 Salinas does not allege any facts that indicate Anthony's Pizza was responsible for an unnatural accumulation of water, ice or snow which caused her injuries. See *Tzakis v. Dominick's Finer Foods, Inc*., 356 Ill. App. 3d 740, 746 (2005) (to avoid summary judgment, plaintiff must allege sufficient facts for a trier of fact to find that defendant was responsible for an unnatural accumulation of water, ice, or snow which caused plaintiff's injuries). Indeed, she fails to offer any evidence that would allow a factfinder to find that the snow or ice she slipped on was anything other than a natural accumulation. Accordingly, the trial court properly granted summary judgment in favor of Anthony's Pizza.

¶ 22 While Salinas notes that there was salt by the entryway, indicating that Anthony's Pizza knew of the condition of the entryway and attempted to remedy it, we reiterate that if a landowner attempts to remove snow or ice that naturally accumulated, the landowner is not liable for injuries caused by those natural accumulations, no matter how dangerous they may be. See *Mickens*, 2019 IL App (1st) 180156, ¶ 28 ("[I]f a landowner fails to remove snow or ice that naturally accumulated – either because it made no attempt at removal, or because it made some attempt but did not remove all the snow or ice – that landowner is not liable for injuries caused by those natural accumulations, no matter how dangerous they may be."). Because the snow or ice accumulated naturally, Anthony's Pizza's attempt to salt the area and clear the entryway does not make it liable for Salinas's injuries.

¶ 23 As a final matter, to the extent that Salinas contends that she was misrepresented, we find that the claim is forfeited, as she fails to adequately explain her claim of error or support it with reasoned argument and citation to legal authority. See *Vancura v. Katris*, 238 Ill. 2d 352, 369-70 (2010) (because both argument and citation to legal authority are required, "[a]n issue that is merely listed or included in a vague allegation of error is not 'argued' and will not satisfy the requirements of" Rule 341(h)).

¶ 24 III. CONCLUSION

¶ 25 For the reasons stated, we affirm the judgment of the circuit court of Cook County.

¶ 26 Affirmed.