2026 IL App (1st) 252297-U

SECOND DIVISION
September 8, 2026

No. 1-25-2297

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

IN THE
APPELLATE COURT OF ILLINOIS
FIRST JUDICIAL DISTRICT

HB2 ALTERNATIVE INVESTMENTS, LLC, Plaintiff-Appellee, v. LACHELLE BOWERS, Defendant-Appellant (Kelly Bowers, Unknown Occupants, Defendants).	)))))))))))	Appeal from the Circuit Court of Cook County. No. 2024 M1 716517 Honorable Kellie Marie McCarthy, Judge, presiding.

PRESIDING JUSTICE D.B. WALKER delivered the judgment of the court.
Justices McBride and Ellis concurred in the judgment.

ORDER

¶ 1 ***Held:*** We affirm the judgment of the trial court because defendant has not presented a sufficient record to review her claims. Affirmed.

¶ 2 Plaintiff HB2 Alternative Investments, LLC (HB2), filed a complaint seeking possession of a property following a foreclosure proceeding against defendants Lachelle Bowers, Kelly Bowers, and "Unknown Occupants." Following a trial, the trial court found in favor of HB2 and entered an eviction order. Lachelle now appeals *pro se,* contending that the court (1) erroneously dismissed various motions she filed "challenging [p]laintiff's authority to evict" her, (2) failed to

hold "meaningful motion hearings," and (3) "was [not] impartial and improperly decided contested facts." For the following reasons, we affirm the judgment of the trial court.

¶ 3 BACKGROUND

¶ 4 The record on appeal lacks a report of proceedings or acceptable substitute. Accordingly, the following facts are taken from the limited record before us, which includes the trial court's orders and docket entries, as well as the pleadings.

¶ 5 On October 9, 2024, HB2 filed a complaint seeking possession of the property located at 335 West 106th Place in Chicago. HB2's complaint stated that it was the holder of a judicial sale deed that was issued pursuant to an order of the circuit court of Cook County, which approved the sale of the property in case no. 2021 CH 05220 (the Foreclosure case).[1] The deed was attached as an exhibit to its complaint. The complaint further stated that defendants had possession of the property at the time HB2 became the owner, and they were withholding possession of the property from HB2. Finally, HB2's complaint confirmed that it had served a demand for possession on all defendants, which HB2 also attached to its complaint as an exhibit.

¶ 6 On January 21, 2025, Lachelle, proceeding *pro se*, filed an "emergency motion to stay judgements [*sic*] pending appeal." Lachelle's motion sought to stay the judgment of the Foreclosure case while it was pending on appeal. On February 5, 2025, the trial court denied Lachelle's motion in a written order noting that the matter had come before it "to be heard" and that the court was "fully advised in the premises."

¶ 7 On February 7, 2025, Lachelle filed a motion to "dismiss plaintiff's pending action," arguing that the "case resides under case no. 1-24-1155" in this court (*i.e.*, the direct appeal of the

[1] On March 21, 2025, this court affirmed the judicial sale because Lachelle "has not provided a report of proceedings or bystander's report" from the relevant hearing. See *Bank of New York Mellon Trust Co., N.A., as Trustee for Mortgage Assets Management Series I Trust v. Bowers*, 2025 IL App (1st) 241155-U, ¶¶ 27-30.

Foreclosure case), which Lachelle believed warranted dismissal. On February 14, 2025, Lachelle amended this motion, adding arguments challenging plaintiff's standing as well as service of process. On February 20, 2025, the trial court issued a written order taking the motion "under advisement" after "hearing the arguments of the parties" and "being fully advised in the premises." On March 6, 2025, the court denied this amended motion in a written order "for the reasons stated on the record," again stating that the matter had come before it "to be heard" for ruling on the amended motion and that the court was fully advised in the premises.

¶ 8 The next day, Lachelle filed a motion to reconsider the trial court's order of March 6, 2025, but the court entered a written order on March 13, 2025, which indicated that Lachelle had voluntarily withdrawn her motion. This order also stated that the case came to be heard on her motion and that the court was fully advised in the premises.

¶ 9 On April 4, 2025, Lachelle filed a pleading entitled "amended motion to dismiss," but which she explained was a re-filed motion for reconsideration. This amended motion reiterated the same claims as in prior rejected motions but added purportedly "newly discovered evidence." The trial court continued the matter to May 8, 2025.

¶ 10 On May 7, 2025, Lachelle filed another motion to stay judgment pending appeal, which was substantially the same as her January 2025 motion that had already been denied. The trial court continued the matter eventually to June 26, 2025. On that date, the court issued a written order denying Lachelle's April 2025 amended motion and her May 2025 motion, noting in particular that the May 2025 motion was denied as moot. This order also included prefatory language that it had come before the court to be heard for a ruling on the motions and that the court was fully advised in the premises. The matter was then transferred for the setting of a trial date.

¶ 11 On July 18, 2025, Lachelle filed another motion to stay the judgment pending appeal, this time noting that the Foreclosure case was "in the Supreme Court of Illinois." After continuing the

matter on two occasions, the trial court issued an order denying Lachelle's motion on September 15, 2025. The court's order, which included the same prefatory language, further prohibited Lachelle from "filing any further motions without leave of court." Finally, the order continued the cause "for in person bench trial" to September 30, 2025.

¶ 12 On September 19, 2025, Lachelle filed an "emergency motion for leave to file stay with the Illinois Supreme Court." On September 24, 2025, the trial court entered a written order directing that this motion be stricken for having been filed without leave of court. The court's order included the same prefatory language as above. On October 31, 2025, Lachelle filed an emergency motion to "dismiss trial/plaintiff's action," alleging plaintiff's lack of standing and the "unlawful manipulation of a judicial sale."

¶ 13 On November 4, 2025, a bench trial on HB2's complaint took place, at the conclusion of which the trial court found in favor of HB2 and against defendants. The court entered a written eviction order that same day directing defendants to move out of the property on or before November 12, 2025. The order further stated that "defendant's emergency motion to dismiss" (filed on October 31, 2025) was stricken as it was filed without leave of court.

¶ 14 Also on November 4, 2025, Lachelle filed an emergency motion to extend the stay of eviction by an additional 30 days. On November 10, 2025, the trial court entered a written order striking this motion as having been filed without leave of court. This order again stated that the matter had come before it to be heard on Lachelle's motion and that the court was "fully advised in the premises." This timely appeal follows.

¶ 15 ANALYSIS

¶ 16 On appeal, Lachelle contends the trial court (1) "arbitrarily" dismissed her motions challenging HB2's authority to evict her, (2) failed to hold "meaningful motion hearings," and (3) was not impartial and improperly decided contested facts.

¶ 17 Our review of this appeal, however, is hindered by Lachelle's failure to fully comply with various rules of our supreme court pertaining to appeals. It is well established that our supreme court rules are not mere suggestions; rather, they have "the force of law, and the presumption must be that they will be obeyed and enforced as written." *Bright v. Dicke*, 166 Ill. 2d 204, 210 (1995). Although Lachelle is a *pro se* litigant, this status does not lessen her burden on appeal. See *Holzrichter v. Yorath*, 2013 IL App (1st) 110287, ¶ 78 (holding that *pro se* litigants "must comply with the same rules and are held to the same standards as licensed attorneys.").

¶ 18 At the outset, Lachelle's brief does not comply with Illinois Supreme Court Rule 341(h)(6), which provides that an appellant's brief should contain a statement of "the facts necessary to an understanding of the case, stated accurately and fairly without argument or comment, and with appropriate reference to the pages of the record on appeal." Ill. S. Ct. R. 341(h)(6) (eff. Oct. 1, 2020). Here, the statement of facts in Lachelle's brief comprises one page with no references to the record on appeal. There is utterly no discussion of the motions that the trial court allegedly "arbitrarily" dismissed, nor does she provide any background with respect to her contentions that the court failed to hold "meaningful" hearings on her complaint or was biased and engaged in improper fact finding. Her conclusory statement that "effort is still ongoing" along with her vague reference to "numerous attempts to stay the eviction proceedings" and irrelevant historical facts do not provide this court with "the facts necessary to an understanding of the case." *Id.*

¶ 19 The argument section in Lachelle's brief is equally deficient. Rule 341(h)(7) provides that the "argument" section of an appellant's brief "shall contain the contentions of the appellant and the reasons therefor, with citation of the authorities and the pages of the record relied on." See Ill. S. Ct. R. 341(h)(7) (eff. Oct. 1, 2020). Lachelle is using the form approved by the Illinois Supreme Court when filing her brief, which states in each of her points, "Use as many pages as you need."

Nonetheless, each of her three points comprises no more than four sentences. In addition, she cites neither pertinent legal authority nor the record, again in violation of Rule 341(h)(7). See *id.*

¶ 20 A reviewing court is entitled to have issues clearly defined with "cohesive arguments" presented and pertinent authority cited. *Obert v. Saville*, 253 Ill. App. 3d 677, 682 (1993). "Arguments that do not comply with Rule 341(h)(7) do not merit consideration on appeal and may be rejected by this court for that reason alone." *Wells Fargo Bank, N.A. v. Sanders*, 2015 IL App (1st) 141272, ¶ 43. We will, however, consider her claims with these limitations in mind.

¶ 21 In this case, Lachelle has failed to provide either a report of proceedings or an acceptable substitute for the trial on HB2's eviction complaint or any other hearing, including those which she characterizes as not "meaningful." Rules 321 and 324 require an appellant to provide a complete record on appeal, including a *certified* copy of the report of proceedings. See Ill. S. Ct. R. 321 (eff. Oct. 1, 2021), R. 324 (eff. July 1, 2017). If a verbatim transcript is unavailable, the appellant may file an acceptable substitute, such as a bystander's report or an agreed statement of facts, as provided for in Rule 323. See Ill. S. Ct. R. 323 (eff. July 1, 2017).

¶ 22 The burden of providing a sufficient record on appeal rests with the appellant (here, Lachelle). *Corral v. Mervis Industries, Inc.*, 217 Ill. 2d 144, 156 (2005); *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391 (1984). In the absence of such a record, we must presume the trial court acted in conformity with the law and with a sufficient factual basis for its findings. *Id.* at 392. Furthermore, any doubts arising from an incomplete record will be resolved against the appellant. *Id.*; see also *Smolinski v. Vojta*, 363 Ill. App. 3d 752, 757-58 (2006) (noting that, "when the record on appeal is incomplete, a reviewing court should actually 'indulge in every reasonable presumption favorable to the judgment from which the appeal is taken, including that the trial court ruled or acted correctly' ") (quoting *People v. Majer*, 131 Ill. App. 3d 80, 84 (1985)). "This is particularly true 'when the judgment order states that the court is fully advised in the premises.' " *Maniscalco*

v. Porte Brown, LLC, 2018 IL App (1st) 180716, ¶ 30 (quoting *Dell'Armi Builders, Inc. v. Johnston*, 172 Ill. App. 3d 144, 149 (1988)).

¶ 23 Although Lachelle includes in the appendix to her brief a purported transcript of the bench trial on November 4, 2025, it is well established that attachments to briefs that are not included in the record are not properly before this court and cannot be used to supplement the record. *McGee v. State Farm Fire and Casualty Co.*, 315 Ill. App. 3d 673, 679 (2000); *Barker v. Eagle Food Centers, Inc.*, 261 Ill. App. 3d 1068, 1069 (1994). Rule 324 requires that the clerk of the trial court (or administrative agency) "prepare and certify the record on appeal." Ill. S. Ct. R. 324 (eff. July 1, 2017). "Certification is designed to assure the accuracy of the record." *Ray v. Winter*, 67 Ill. 2d 296, 302-03 (1977). A reviewing court may not consider uncertified transcripts as part of the record on appeal. *Johnson v. Saenz*, 311 Ill. App. 3d 693, 696 (2000).

¶ 24 Lachelle's contention on appeal is that the trial court did not hold a meaningful hearing on her numerous motions and that the court was biased or otherwise made improper factual determinations. Without a transcript of the hearing, however, we have no knowledge of what arguments were presented and no record of the court's precise statements at the hearing. In particular, we cannot determine whether the court improperly took judicial notice or engaged in "impermissible fact-finding," rendering her claims unreviewable. Where, as here, the record is incomplete or does not demonstrate the alleged error, we may not speculate as to what errors may have occurred below. See *Foutch*, 99 Ill. 2d at 391-92; *Smolinski*, 363 Ill. App. 3d at 757; see also *People v. Edwards*, 74 Ill. 2d 1, 7 (1978) ("A reviewing court may not guess at the harm to an appellant * * * where a record is incomplete. * * * Where the record is insufficient or does not demonstrate the alleged error, the reviewing court must refrain from supposition and decide accordingly."). Under these circumstances, as noted above, we must presume that the court acted in conformity with the law and with a sufficient factual basis for its findings. *Corral*, 217 Ill. 2d

at 156-57. Consequently, we have no basis for disturbing the court's judgment. *Foutch*, 99 Ill. 2d at 391-92. We must therefore reject Lachelle's claims on this basis.

¶ 25 CONCLUSION

¶ 26 Lachelle has forfeited her claims of error on appeal because she failed to provide this court with a complete record on appeal. Accordingly, we affirm the judgment of the trial court.

¶ 27 Affirmed.