2026 IL App (1st) 251931-U
No. 1-25-1931
Order filed November 13, 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NOTICE: This order was filed under Illinois Supreme Court Rule 23 and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).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

SAMANTHA N. DURBIN, Petitioner-Appellant,

v.

DOMINIC HENRY, Respondent-Appellee

Appeal from the Circuit Court of Cook County.
Honorable Michael W. Weaver, Judge, Presiding.
No. 25 OP 20474

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

ORDER

¶ 1 *Held*: We affirm the circuit court's entry of a plenary order of protection against the respondent-appellant because the record is insufficient for this court to review the basis for the circuit court's decision.

¶ 2 Respondent-appellant Samantha N. Durbin appeals from the circuit court's grant of petitioner-appellee Dominic Henry's request for a plenary order of protection against Durbin on behalf of Henry's adopted minor son, D.H. Durbin is D.H.'s biological mother, but her parental rights were terminated in 2017. Henry's petition for the protective order indicated Durbin made unauthorized contact with D.H. Durbin presents multiple theories for why the court's order was in

error, but because she failed to provide this court with a sufficient record to review her claims, we affirm.

¶ 3 I. BACKGROUND

¶ 4 Henry filed a petition for an order of protection on June 23, 2025, listing Durbin as the respondent and D.H., Durbin's biological son, as Henry's minor child. In the petition, Henry relayed that he adopted D.H. in 2017 after Durbin's parental rights were terminated due to abuse to which she exposed D.H., including "physical, sexual, emotional, substance etc." Henry further alleged that on June 21, 2025, Durbin and her husband met D.H. in a park and had communication with D.H. without the "permission or knowledge" of Henry. This prompted Henry to call the police and report D.H. as missing or kidnapped, though the police later found D.H. at a "local park." This meeting occurred after Durbin allegedly contacted D.H. in May of 2025 via the social media application Snapchat. Henry requested the circuit court enter an order finding that Durbin must have "no contact by any means without the express permission of the minor child's adoptive parents." The court entered an emergency order of protection against Durbin that same day, granting the relief Henry requested, with the order to expire on July 14, 2025.

¶ 5 On July 14, 2025, the circuit court entered a new written order that extended the emergency order of protection to August 21, 2025. Durbin appeared in court that day. The order further specified that Durbin must file an offer of proof with the circuit court "as to why the minor child needs to testify."

¶ 6 On July 28, 2025, Durbin filed a "motion for in-camera interview of minor child." Therein, she argued D.H. should testify because D.H. had "expressed a desire for regular visitation and communication" with Durbin. Henry responded on August 14, 2025.

¶ 7 On August 15, 2025, the circuit court entered an order denying Durbin's motion, and accordingly denying Henry's motion as moot. The court explained that D.H.'s alleged desire for contact with Durbin is irrelevant to the propriety of the order of protection, where "the central inquiry is whether [Durbin] abused [D.H.] as alleged in the petition." The order also stated the matter remained set for an August 21, 2025 hearing on whether a plenary order of protection was appropriate.

¶ 8 On August 21, 2025, the circuit court entered a plenary order of protection against Durbin. The order mandated that Durbin have, "no contact [with D.H.] by any means without the express permission of the minor child's adoptive parents." The order indicated that the court's findings "[w]ere made orally and videotaped or recorded by a court reporter and are incorporated into this Order." No transcript or bystander's report for this proceeding appears in the record on appeal. This appeal followed.

¶ 9 II. JURISDICTION

¶ 10 The circuit court entered the order of protection on August 21, 2025, and Durbin filed her notice of appeal on September 22, 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 Rule 307(a)(1) (eff. Nov. 1, 2017).

¶ 11 III. ANALYSIS

¶ 12 On appeal, Durbin presents five theories as to why the circuit court's plenary order of protection was improper: (1) it violated her due process rights; (2) it was against the manifest weight of the evidence; (3) an unspecified "reversible error" was apparent on the face of the record; (4) the court misapplied the applicable law; and (5) some unspecified "less restrictive alternative" was more appropriate than the plenary order of protection. We cannot address the merits of any of

these contentions, however, because the record on review is insufficient for this court to review them.

¶ 13 It is well-established that it is an appellant's responsibility to provide a sufficient record on appeal to allow this court to review the appellant's claims. *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391 (1984). In the absence of such a record, the reviewing court will presume the lower court had a sufficient factual basis for its ruling, and that the ruling was in accordance with the law. *Id.* at 392. Any ambiguity arising from the incompleteness of the record will be resolved against the appellant. *Id.*

¶ 14 The plenary order entered on August 21, 2025, states that the circuit court made findings of fact that were videotaped or recorded by a court reporter. A record of these findings of fact does not appear in the record on appeal, either via videotape, transcript, or bystander's report. Accordingly, we cannot know the factual bases underlying the court's decision that the plenary order of protection was necessary, and must presume there was a sufficient factual basis for this decision, and that it was in accordance with the law. *Id.*

¶ 15 Durbin acknowledges the record is incomplete in her brief, but argues that this court can still review claims of error that appear on the face of the record. Even accepting that premise, we still cannot review Durbin's claims because her brief does not support them with reasoned argument. Instead, Durbin's brief offers only general assertions that errors occurred, without identifying where in the record those errors appear or explaining why any particular action by circuit court was erroneous. Accordingly, Durbin has not developed these claims for our review. See Ill. S. Ct. R. 341(h)(7) (eff. Oct. 1, 2020); see also *Toushin v. Ruggiero*, 2021 IL App (1st) 192171, ¶ 73 ("This court is not a depository into which a party may dump the burden of argument and research."). And, of course, without the record revealing the bases for the court's factual

findings that the order of protection was appropriate and less restrictive means were not appropriate, we cannot reverse these decisions as against the manifest weight of the evidence. See *O'Malley v. Udo*, 2022 IL App (1st) 200007, ¶ 60.

¶ 16 IV. CONCLUSION

¶ 17 Because the record is insufficient for this court to review the circuit court's factual findings, and Durbin fails to provide substantive bases to support her claims that could theoretically be revealed on the face of the available record, we affirm.

¶ 18 Affirmed.