

2026 IL App (1st) 252301-U

No. 1-25-2301

Order filed October 30, 2026

Sixth Division

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

VANESSA KELLEY,	)	Appeal from the
	)	Circuit Court of
Plaintiff-Appellant,	)	Cook County
	)	
v.	)	No. 25 M1 124555
	)	
RUSSELL WALKER/PANDAS BRAND	)	
CONSTRUCTION LLC,	)	Honorable
	)	Maria Barlow,
Defendant-Appellee.	)	Judge Presiding.

JUSTICE EVANS delivered the judgment of the court.
Presiding Justice Gamrath and Justice Hyman concurred in the judgment.

ORDER

¶ 1 *Held:* We affirm the judgment of the circuit court where appellant failed to provide a sufficiently complete record for appellate review.

¶ 2 This appeal is brought by homeowner, Vanessa Kelley, against defendant Russell Walker, a home improvement contractor, and his construction company, Pandas Brand Construction, LLC. Kelley filed a *pro se* complaint in small claims court against defendant for breach of a home improvement contract. The complaint sought damages of \$3900 allegedly caused by inadequate and defective repairs made to Kelley's home.

¶ 3 Following a hearing, the circuit court entered judgment in favor of Kelley for \$600, plus costs of \$407.56. Kelley appealed. She sought to recover the portion of damages the circuit court declined to award her in its judgment.

¶ 4 Defendant did not file an appellee's brief in response and the case was taken for consideration on the record and on Kelley's *pro se* appellant's brief only. A reviewing court may decide a case only on an appellant's brief "if the record is simple and the claimed errors are such that the court can easily decide them without the aid of an appellee's brief." *First Capital Mortgage Corp. v. Talandis Construction Corp.*, 63 Ill. 2d 128, 133 (1976).

¶ 5 Proceeding *pro se*, Kelley seeks to recover what she contends is the full amount of damages she incurred as a result of Walker's breach of the home improvement contract.

¶ 6 "Where an award of damages is made after a bench trial, the standard of review is whether the trial court's judgment is against the manifest weight of the evidence." *1472 N. Milwaukee, Ltd. v. Feinerman*, 2013 IL App (1st) 121191, ¶ 13. "A judgment is against the manifest weight of the evidence only when the opposite conclusion is apparent or when the judgment is arbitrary, unreasonable, or not based on the evidence." *Reynolds v. Reynolds*, 2026 IL 132627, ¶ 45. "We will not overturn a trial court's determination of damages as contrary to the manifest weight of the evidence if there is evidence in the record to support the judgment amount." *King v. Find-A-Way Shipping, LLC*, 2020 IL App (1st) 191307, ¶ 28.

¶ 7 In this case, deficiencies in the record preclude us from reviewing the circuit court's damages ruling. The record on appeal does not include a transcript of the hearing or an acceptable substitute, such as a certified bystander's report or an agreed statement of facts, pursuant to Illinois Supreme Court Rule 323. See Ill. S. Ct. R. 323(a), (c), (d) (eff. July 1, 2017). Without these, Kelley has failed to provide this court with any evidence that the circuit court's damages calculation was

against the manifest weight of the evidence. We do not know what evidence or arguments the circuit court relied on in making its decision.

¶ 8 As the appellant, Kelley has the burden of presenting this court with a sufficiently complete record to support her claims of error. See *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391-92 (1984). In the absence of such a record, the reviewing court will presume that the circuit court's ruling was in conformity with established legal principles and had a sufficient factual basis. See *King*, 2020 IL App (1st) 191307, ¶ 30 (citing *Foutch*, 99 Ill. 2d at 391-92). Moreover, any doubts arising from an incomplete record will be resolved against the appellant. *Foutch*, 99 Ill. 2d at 392.

¶ 9 We find the record on appeal is so deficient that we are unable to conclude that the circuit court's damages calculation was against the manifest weight of the evidence. Accordingly, we affirm the circuit court's damages judgment.

¶ 10 For the foregoing reasons, we affirm the judgment of the circuit court of Cook County.

¶ 11 Affirmed.