2026 IL App (1st) 250800-U
No. 1-25-0800
Order filed November 13, 2026

NOTICE: This order was filed under Illinois Supreme Court Rule 23(b) and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).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

CORNELIUS ABRAHAM, Petitioner-Appellee,

v.

VICKITA COOKSEY, Respondent-Appellant.

Appeal from the Circuit Court of Cook County.
Honorable Erika Orr, Judge, Presiding.
No. 22 D 630539

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 trial court's judgment where respondent failed to provide an adequate record to review her contentions on appeal.

¶ 2 Respondent Vickita Cooksey appeals *pro se* from the trial court's judgment on an action for dissolution of marriage initiated by petitioner Cornelius Abraham. On appeal, respondent asserts that the trial court abused its discretion in not awarding her maintenance, in failing to characterize pension interests as marital property, and in failing to accurately calculate child support payments owed by petitioner to respondent. We affirm.

¶ 3 I. BACKGROUND

¶ 4 The record on appeal does not include a report of proceedings. The following background is gleaned from the limited common law record.

¶ 5 On July 20, 2022, petitioner filed through counsel a petition for dissolution of marriage. He alleged that he was employed full-time, and respondent was "earning a substantial income through gambling." The parties had been separated for more than four years and had six children together. Their oldest child was attending college and, according to the petition, the other five children were minors living with petitioner. Petitioner requested child support, but asserted that both parties were "well-able to provide for themselves" and "should be barred from receiving maintenance."

¶ 6 The record reflects that, at some point, the minor children began residing at respondent's home.

¶ 7 Respondent appeared *pro se*. On February 11, 2025, the court set the case for a bench trial on March 18, 2025. The court's order did not specify the issues to be resolved at trial.

¶ 8 Following trial, the court entered a written order specifying that it heard "the testimony of the parties" and reviewed the documentary evidence. The court found that petitioner earned $80,000 annually, and that respondent could earn $50,000 annually. The court ordered petitioner to pay monthly child support of $1,319 for the two youngest children through June 2026, and that petitioner would receive a monthly credit of $80 for having paid respondent's fees to the guardian *ad litem*. The court additionally awarded respondent one half of the marital portion of petitioner's retirement accounts and pensions. "[B]ased on the incomes," the court did not order petitioner to pay respondent maintenance. The court set the case for prove-up on March 28, 2025.

¶ 9 On March 27, 2025, respondent filed a *pro se* motion to reconsider the "child support and alimony calculations and payments," which she stated were "illegal," reflected "skewed" numbers, and were "nowhere near the correct and proper amounts provided by [petitioner's] check stubs, W/2 or income reported."

¶ 10 On March 28, 2025, the trial court entered a judgment dissolving the parties' marriage after "hearing the final testimony of the parties." The court stated that two of the parties' children were still minors and resided with petitioner. The court ordered petitioner to pay child support for the two youngest children "pursuant to the Court's calculations" at a rate of $1,319 per month through June 2026, when the children would turn 18. The court awarded respondent one half of the marital portion of petitioner's retirement accounts and pensions, but did not order petitioner to pay maintenance. The court additionally denied respondent's motion to reconsider.

¶ 11 Respondent appealed.

¶ 12 On May 18, 2026, we entered an order taking this case for consideration on the record and respondent's *pro se* brief only. See *First Capital Mortgage Corp. v. Talandis Construction Corp.*, 63 Ill. 2d 128, 133 (1976) (reviewing court may take case on appellant's brief only).

¶ 13 II. ANALYSIS

¶ 14 On appeal, respondent argues that the trial court abused its discretion in calculating petitioner's child support obligations, failing to characterize pension benefits as marital property, awarding her no maintenance based on "incorrect and incomplete income information," and failing to properly consider the statutory factors governing financial obligations. She also asserts that the court "excluded or discounted credible testimony and documentary evidence" establishing petitioner's actual earnings.

¶ 15 As an initial matter, respondent's brief fails to comply with most requirements of Illinois Supreme Court Rule 341(h) (eff. Oct. 1, 2020). For instance, respondent fails to set forth a statement of facts containing the facts "necessary to an understanding of the case" and stated "accurately and fairly without argument or comment." See Ill. S. Ct. R. 341(h)(6) (eff. Oct. 1, 2020). In violation of Rule 341(h)(7), respondent also fails to set forth an argument 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).

¶ 16 Supreme court rules are "not mere suggestions." *SMS Financial CH, LLC v. Feurer*, 2025 IL App (1st) 250033, ¶ 40. *Pro se* litigants must comply with the same procedural rules required of attorneys. *Gillard v. Northwestern Memorial Hospital*, 2019 IL App (1st) 182348, ¶ 45. Given the content of respondent's brief, it would be within our discretion to strike her brief and dismiss this appeal. *Id.* However, striking a brief for not complying with Rule 341 is a harsh sanction. See *In re Detention of Powell*, 217 Ill. 2d 123, 132 (2005). Therefore, we decline to strike respondent's brief. Nonetheless, deficiencies in the record on appeal still prevent us from considering the merits of respondent's appeal.

¶ 17 Respondent, as appellant, had the burden to present this court with a record sufficient to resolve the issues on appeal. *Foutch v. O'Bryant*, 99 Ill. 2d 389, 394 (1984). "An issue relating to a [trial] court's factual findings and basis for its legal conclusions obviously cannot be reviewed absent a report or record of the proceedings." *Corral v. Mervis Industries, Inc.*, 217 Ill. 2d 144, 156 (2005). Absent a complete record, we must presume that the trial court's determinations conformed with the law and had a sufficient factual basis. *Foutch*, 99 Ill. 2d at 392.

¶ 18 Here, respondent appears to challenge the trial court's judgment regarding maintenance, child support, and the division of retirement and pension benefits. She claims that the trial court's

decisions reflected incorrect calculations and were made without proper consideration of certain statutory factors.

¶ 19 Respondent, however, has not provided a report of proceedings from the trial or the hearing in which the trial court entered the dissolution of marriage. Nor does the record contain an acceptable substitute such as a bystander's report or agreed statement of facts. See Ill. S. Ct. R. 323(a), (c), (d) (eff. July 1, 2017). Without this information, we cannot determine what evidence, exhibits, and testimony the court admitted or excluded at trial or prior to entering the dissolution of marriage. We also have no knowledge of the arguments presented to the trial court or the trial court's reasoning in entering its orders. Therefore, we cannot determine whether the trial court abused its discretion in directing petitioner to pay $1,319 in monthly child support, awarding respondent half of petitioner's pension and retirement accounts, and declining to order maintenance. See *In re A.H.*, 2023 IL App (1st) 190572, ¶ 99 (trial court's determination of the appropriate level of child support will only be reversed if it is an abuse of discretion, or if the factual predicate for the decision is against the manifest weight of the evidence); see also *In re Marriage of Thomas*, 2026 IL App (1st) 242491, ¶ 41 (trial court's distribution of marital property reviewed for abuse of discretion, and trial court's factual findings are reviewed for "manifest error"). Due to the insufficiencies of the record, we have no basis for disturbing the trial court's judgment and must presume that the trial court's order conformed with law and had a sufficient factual basis. *Foutch*, 99 Ill. 2d at 392.

¶ 20 To the extent respondent requests that we consider documents attached to her brief, those documents are not part of the certified record on appeal. Therefore, we cannot consider them. See *Kensington's Wine Auctioneers & Brokers, Inc. v. John Hart Fine Wine, Ltd.*, 392 Ill. App. 3d 1, 14 (2009).

¶ 21 III. CONCLUSION

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

¶ 23 Affirmed.