NOTICE
Decision filed 08/19/26. The text of this decision may be changed or corrected prior to the filing of a Petition for Rehearing or the disposition of the same.

2026 IL App (5th) 250272-U

NO. 5-25-0272

IN THE

APPELLATE COURT OF ILLINOIS

FIFTH DISTRICT

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).

CARBONDALE LIMITED PARTNERSHIP, d/b/a The Fields Apartments,	)	Appeal from the Circuit Court of Jackson County.
Plaintiff-Appellee,	)	
v.	)	No. 25-EV-8
ROOSEVELT HOLLEY,	)	Honorable Tyler R. Edmonds,
Defendant-Appellant.	)	Judge, presiding.

JUSTICE HACKETT delivered the judgment of the court.
Justices Boie and Vaughan concurred in the judgment.

ORDER

¶ 1 *Held*: The circuit court's denial of a motion to cancel a settlement agreement is affirmed where appellant failed to provide an adequate record on appeal and brief in compliance with supreme court rules.

¶ 2 Defendant, Roosevelt Holley, appeals from the Jackson County circuit court's April 3, 2025, order which denied his motion to cancel a settlement agreement. For the following reasons, we affirm.

¶ 3 I. BACKGROUND

¶ 4 On January 10, 2025, the plaintiff, Carbondale Limited Partnership, d/b/a The Fields Apartments (Fields), filed a complaint for eviction against the defendant, Roosevelt Holley. A summons and complaint were served on Holley on January 23, 2025. The parties entered into an

agreed settlement order on February 4, 2025, which provided that Holley must move out of the premises and return the keys to Fields by March 15, 2025. If Holley moved out as agreed, Fields would not object to the eviction case being sealed. The circuit court set the case for a "motion to advance" on March 4, 2025.

¶ 5 The circuit court's docket entry from March 4, 2025, indicates that the parties were present and the court heard argument on Holley's motion to vacate,[1] and denied the motion. Also on March 4, 2025, Holley filed a "Motion to Cancell [*sic*] Settlement Agreement Hearing," which alleged the following: "I was simply forced to sign an agreement form the plaintiff Erica Willis lawyer presented in order to stop an eviction from being on my record. Sexual Misconduct." A hearing on the motion was scheduled for April 3, 2025. On March 27, 2025, Fields filed a response to the motion to cancel the agreed order.

¶ 6 The circuit court's docket entry from April 3, 2025, indicates that the parties were present and the court heard argument on Holley's motion, and denied the motion. The same day, Holley filed a notice of appeal which indicated that he wished to appeal the order entered on April 3, 2025.

¶ 7 II. ANALYSIS

¶ 8 Holley is *pro se* on appeal, and he used a form approved by the supreme court to file his appellant's brief. Holley's brief contends the issue presented for review is whether the circuit court erred in "refusing to allow what I'm saying to be heard."

¶ 9 Holley's brief fails to conform to the supreme court rules governing briefs. Those rules require that an appellant's brief contain a fact statement, "which shall contain the facts necessary to an understanding of the case, stated accurately and fairly without argument or comment, and

[1]The common law record does not contain a motion to vacate filed on or before March 4, 2025. Additionally, the record on appeal does not contain a report of proceedings or a bystander's report for any hearings. It is unknown if Holley made an oral motion to vacate.

with appropriate reference to the pages of the record on appeal." Ill. S. Ct. R. 341(h)(6) (eff. Oct. 1, 2020). Additionally, an argument section is required, "which shall contain the contentions of the appellant and the reasons therefor, with citation of the authorities and the pages of the record relied on." Ill. S. Ct. R. 341(h)(7) (eff. Oct. 1, 2020). The appellant's brief does not contain a statement of facts nor an argument section. The appellate court is "not a depository in which the burden of argument and research may be dumped." *Holzrichter v. Yorath*, 2013 IL App (1st) 110287, ¶ 80.

¶ 10 Additionally, the record on appeal does not contain a report of proceedings or a bystander's report. The appellant bears the burden of presenting an adequate record to support any claimed errors, and any doubts arising from an inadequate record will be construed against the appellant. *People v. Hunt*, 234 Ill. 2d 49, 58 (2009). Where, as here, the record on appeal is incomplete and fails to demonstrate the error alleged, we will not speculate as to what, if any, errors the circuit court may have committed. *Smolinski v. Vojta*, 363 Ill. App. 3d 752, 757 (2006). Instead, we " 'indulge in every reasonable presumption favorable to the judgment from which the appeal is taken, including that the [circuit] court ruled or acted correctly.' " *Id.* at 757-58 (quoting *People v. Majer*, 131 Ill. App. 3d 80, 84 (1985)).

¶ 11 In this case, we have the circuit court's docket entries indicating the circuit court heard arguments on the motions Holley filed after the agreed settlement order was entered. There is nothing in the record on appeal nor in the appellant's brief to demonstrate any error by the circuit court.

¶ 12 III. CONCLUSION

¶ 13 Based on the foregoing reasons, we affirm the April 3, 2025, order of the circuit court of Jackson County.

¶ 14 Affirmed.