

# MEMORANDUM DECISION

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PRO SE APPELLANT

Ibrahima Fall  
Indianapolis, Indiana

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## IN THE COURT OF APPEALS OF INDIANA

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Ibrahima Fall,  
*Appellant-Petitioner,*

v.

Soukeyna Kebe,  
*Appellee-Respondent*

August 4, 2023

Court of Appeals Case No.  
23A-DR-300

Appeal from the Marion Superior  
Court

The Honorable Geoffrey Gaither,  
Judge

Trial Court Cause No.  
49D09-1610-DR-037675

**Memorandum Decision by Judge May**  
Chief Judge Altice and Judge Foley concur.

**May, Judge.**

[1] Ibrahima Fall (“Father”) appeals the trial court’s denial of his motion to correct error. However, his multiple violations of the Indiana Rules of Appellate Procedure render his issues unreviewable. We accordingly affirm the trial court’s denial of his motion to correct error.

## Facts and Procedural History<sup>1</sup>

[2] The parties have one child, M.F., born February 22, 2014. Father filed for dissolution of his marriage to Soukeyna Kebe (“Mother”) on October 16, 2016. On August 17, 2017, the trial court issued its dissolution order. The record provided does not reveal the precise amount of child support the trial court ordered at the time of dissolution.

[3] Sometime after the trial court’s dissolution order, Mother filed a motion to modify parenting time and child support. On May 11, 2022, the trial court held a hearing on her motions. Father appeared pro se and Mother was represented by counsel. Regarding the child support issue, the trial court directed the parties:

[Court]: I am prepared to find there’s been a substantial change in circumstances with respect to the child support. . . . [I]n fashioning a new child support order, I would really not want to guess or [sic] based upon the estimates of [Father] and [Mother]. I understand that [Father] was reluctant to cooperate fully with [Mother’s counsel], that is unfortunate because it has introduced

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<sup>1</sup> The record on appeal is sparse and does not include many relevant documents. We state the facts as ascertained from the documents and transcript submitted on appeal.

delay in the process but, [Father], you are ordered, instructed and directed to provide [Mother's attorney] . . . your income stubs, your paycheck stubs, for the accurate calculation of the current support order and [Mother], you are required to do the same so that [Mother's attorney] can propose to the Court what the child support order should be.

(Tr. Vol. II at 36-7.) On October 18, 2022, the trial court issued its order modifying Father's child support obligation.

[4] On November 15, 2022, Father filed a motion to correct error. On December 14, 2022, the trial court held a hearing on Father's motion to correct error. During that hearing, Father, via counsel, argued Mother had not submitted her pay stubs for his review and the income Mother claimed on the Child Support Worksheet was incorrect. On January 12, 2023, the trial court held a status conference and ordered Father to "submit proposed order for final ruling on pending matters." (App. Vol. II at 13) (formatting omitted). On January 24, 2023, the trial court entered its order denying Father's motion to correct error. Relevant to the child support issue, the trial court ruled:

1. [Father's] protestations having been duly noted, his November 15, 2022 and January 11, 2023 error correction and guideline deviation motions, respectively, are denied in their entirety;
2. The October 18, 2022 order concerning instant petition – provisionally rescinded, following [Father's] aforementioned challenge, see record – is reinstated without qualification, with effect of terms therein to commence from stated initial issuance date;

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4. [Father] shall pay, to [Mother] via county clerk's office cash payment, weekly support for said child in the amount of \$190, and parties shall maintain all existing health and life insurance.

(Trial Court's Order at 1.)

## Decision and Discussion

[5] As an initial matter, we note Mother did not file an appellee's brief. When an appellee does not submit a brief, we do not undertake the burden of developing arguments for that party. *Thurman v. Thurman*, 777 N.E.2d 41, 42 (Ind. Ct. App. 2002). Instead, we apply a less stringent standard of review and may reverse if the appellant establishes prima facie error. *Id.* Prima facie error is "error at first sight, on first appearance, or on the face of it." *Van Wieren v. Van Wieren*, 858 N.E.2d 216, 221 (Ind. Ct. App. 2006).

[6] Additionally, we note Father proceeds pro se. A pro se litigant is not entitled to any special considerations because of the litigant's pro se status. *Kelley v. State*, 166 N.E.3d 936, 937 (Ind. Ct. App. 2021). Rather, we hold pro se litigants to the same legal standards as licensed attorneys. *Id.* "This means that pro se litigants are bound to follow the established rules of procedure and must be prepared to accept the consequences of their failure to do so." *Basic v. Amouri*, 58 N.E.3d 980, 983-84 (Ind. Ct. App. 2016), *reh'g denied*. "We will not become an advocate for a party, or address arguments that are inappropriate or too poorly

developed or expressed to be understood.” *Id.* at 984 (internal quotation marks omitted).

[7] Fatal to Father’s appeal is his violation of several Indiana Appellate Rules. Indiana Appellate Rule 27 states, in relevant part, “[t]he Record on Appeal shall consist of the Clerk’s Record and all proceedings before the trial court[.]” Indiana Appellate Rules 50(A)(2)(f) requires the appellant’s appendix include the “pleadings and other documents from the Clerk’s Record . . . that are necessary for resolution of the issues raised on appeal[.]” There are parts of the appellate record integral to our review that are missing – specifically, all of the documents submitted to the trial court to help it determine Father’s modified child support obligation; the trial court’s October 18, 2022, order, which indicates the child support amount Father challenged in his motion to correct error; and Father’s motion to correct error.

[8] In his brief, Father does cite appropriate portions of the available appellate record, summaries of the Indiana Child Support Guidelines, and the Fourteenth Amendment to the United States Constitution. However, Father does not cite any relevant case law to support his assertion of trial court error. The failure to do so is a violation of Indiana Appellate Rule 46(a)(8), which states, in relevant part:

(a) The argument must contain the contentions of the appellant on the issues presented, supported by cogent reasoning. Each contention must be supported by citations to the authorities, statutes, and the Appendix or parts of the Record on Appeal relied on, in accordance with Rule 22.

(b) The argument must include for each issue a concise statement of the applicable standard of review; . . .

Because Father did not provide crucial parts of the trial court proceedings in his record on appeal and did not cite relevant authorities to support his argument in his briefs, his claims are waived. *See In re Moeder*, 27 N.E.3d 1089, 1097 n.4 (Ind. Ct. App. 2015) (waiving claims on appeal when violations of Appellate Rules impeded ability to review), *trans. denied*. He accordingly has not demonstrated reversible error by the trial court.

## Conclusion

[9] Father's claims on appeal are waived because he committed several violations of the Indiana Appellate Rules. Accordingly, we affirm the decision of the trial court.

[10] Affirmed.

Altice, C.J., and Foley, J. concur.