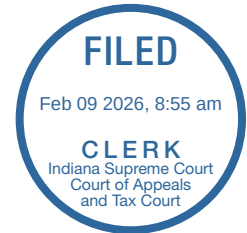
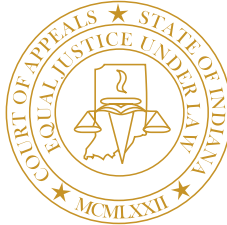


MEMORANDUM DECISION

Pursuant to Ind. Appellate Rule 65(D), this Memorandum Decision is not binding precedent for any court and may be cited only for persuasive value or to establish res judicata, collateral estoppel, or law of the case.



IN THE Court of Appeals of Indiana

Stephanie Bell,
Appellant-Defendant

v.

Faraway SG Trust,
Appellee-Plaintiff

February 9, 2026

Court of Appeals Case No.
25A-MF-1865

Appeal from the Marion Superior Court

The Honorable James A. Joven, Judge

The Honorable Therese A. Hannah, Magistrate

Trial Court Cause No.
49D13-2408-MF-34618

Memorandum Decision by Judge Mathias

Judges Vaidik and Pyle concur.

Mathias, Judge.

[1] Stephanie Bell, *pro se*, brings this consolidated appeal following the trial court's entry of summary judgment against her and the court's ensuing denial of her Trial Rule 60(B) motion for relief. Across two briefs, Bell raises seven issues for our review, which we consolidate and restate as whether Bell has demonstrated reversible error.

[2] We affirm.

Facts and Procedural History

[3] In November 2022, Purple Umbrella Investments, Inc. ("Purple Umbrella") executed a note in the principal amount of \$156,200 payable to Stoa 3, LLC. Along with the note, Purple Umbrella executed a mortgage on certain real property in Indianapolis as security for the note ("the real property"). Michael Bryson, Jr. executed a personal guarantee of the note and mortgage. The note and mortgage were duly recorded.

[4] Faraway SG Trust ("Faraway") became the holder of the note, mortgage, and guarantee. The note matured on June 1, 2023, and thus became payable in full on that date. However, neither Purple Umbrella nor Bryson satisfied the payments due on the note. On August 1, 2024, Faraway filed its complaint on

the note and to foreclose on the mortgage against Purple Umbrella, Bryson, and any occupants of the real property.

[5] Bell was an occupant living on the real property. She originally lived there under a lease agreement with Purple Umbrella, but, about one week after Faraway filed its complaint, Purple Umbrella entered into a “Quit Claim Deed” with Bell’s company, Mastering Adaption and Development Corp. (“Mastering Adaption”), in exchange for \$157,000. Appellant’s App. Vol. 2, p. 155.¹ On August 12, Bell recorded the quit claim deed. On August 15, Bell received service of Faraway’s complaint.

[6] Neither Purple Umbrella, Bryson, Mastering Adaption, nor Bell filed an answer to Faraway’s complaint, but Bell did file a “response” on August 22.² *Id.* at 21. On November 22, Faraway moved for summary judgment on its complaint with corresponding designated evidence of its recorded rights to the real property.

[7] More than thirty days later, on December 30, Bell filed a “Response to Complaint” along with purported exhibits.³ *Id.* at 5. After several motions to continue and various other motions, in April 2025 the trial court permitted Bell to file an appearance on her own behalf. The court likewise permitted Faraway

¹ We refer to Bell’s evidence here only for apparent context and not as an endorsement of the admissibility of such evidence.

² Bell’s August 22 response is not in the Appellant’s Appendix.

³ This document is not in the Appellant’s Appendix.

to amend the complaint to identify Bell and Mastering Adaptation as interested parties. Because Bell’s prior filings appeared to refer to her having an ownership interest in the real property, at Faraway’s request the court ordered Bell to file a “more definite statement” regarding her apparent “adverse possession/claim of ownership interest” in the real property. *Id.* at 7.

[8] Thereafter, Bell filed her “more definite statement,” which appears to have asserted a counterclaim of adverse possession.⁴ *Id.* at 8 (capitalization removed). Faraway moved to dismiss Bell’s counterclaim.

[9] In June, the court held a hearing on the motion for summary judgment and Bell’s apparent counterclaim.⁵ Thereafter, the court granted Faraway’s motion for summary judgment, entering a monetary award for Faraway against Purple Umbrell and Bryson and permitting Faraway to proceed with foreclosure proceedings against the real property. In a separate order, the trial court granted Faraway’s motion to dismiss Bell’s counterclaim. *See id.* at 9. Bell filed a timely notice of appeal. In that notice, she identified the only order being appealed as the trial court’s summary judgment order.

[10] Despite having filed the notice of appeal, Bell continued to file motions in the trial court. The trial court issued a notice informing Bell that “[t]he Court of Appeals acquires jurisdiction of a case with the filing of a Notice of Appeal,”

⁴ Bell’s “more definite statement” is not in the Appellant’s Appendix.

⁵ No transcript of this hearing was submitted to our Court.

yet Bell continued to file motions in the trial court. *Id.* at 10. In September, Bell filed, among other things, a Trial Rule 60(B) motion for relief from judgment apparently challenging the court’s order on foreclosure.⁶ The trial court denied that motion notwithstanding Bell’s pending appeal. Bell filed a second notice of appeal from the trial court’s denial of her Rule 60(B) motion. We consolidated Bell’s appeals, and this consolidated appeal ensued.

Discussion and Decision

[11] On appeal, we first reiterate Indiana’s long-standing recognition that *pro se* litigants are “held to the same standards as a trained attorney.” *Auto. Fin. Corp. v. Liu*, 250 N.E.3d 406, 410 (Ind. 2025) (quotation marks omitted). As our Supreme Court has made clear:

[*pro se* litigants are] “afforded no inherent leniency simply by virtue of being self-represented.” *Zavodnik v. Harper*, 17 N.E.3d 259, 266 (Ind. 2014). Accordingly, a party proceeding *pro se* must “be prepared to accept the consequences of his or her action.” *McCullough v. CitiMortgage, Inc.*, 70 N.E.3d 820, 825 (Ind. 2017) (quotation omitted). While trial courts may facilitate a fair hearing for *pro se* litigants by explaining “legal concepts in everyday language” and informing litigants “what is expected of them,” they must enforce the law. Ind. Judicial Conduct Rule 2.2 & cmt. 5.

Id. at 410-11.

⁶ Also not in the Appellant’s Appendix.

[12] With that in mind, we first address Bell’s argument that genuine issues of material fact on her claim of adverse possession should have precluded the entry of summary judgment. But, while Bell had received notice of Faraway’s complaint, she did not file a timely answer or counterclaim, and Faraway moved for summary judgment accordingly based on its unchallenged complaint. And, following Faraway’s motion for summary judgment, Bell did not file a timely response and designated evidence. *See* Ind. Trial Rule 56(C).

[13] Our Supreme Court has made clear:

When a nonmoving party fails to respond to a motion for summary judgment within 30 days by either filing a response, requesting a continuance under Trial Rule 56(I), or filing an affidavit under Trial Rule 56(F), the trial court cannot consider summary judgment filings of that party subsequent to the 30-day period.

Borsuk v. Town of St. John, 820 N.E.2d 118, 124 n.5 (Ind. 2005). Bell failed to file a response, request a continuance, or file an appropriate affidavit within thirty days of Faraway’s motion for summary judgment. Accordingly, the trial court was not permitted to consider Bell’s untimely submissions in ruling on Faraway’s motion. There was, in essence, no adverse-possession claim on summary judgment for the court to consider. There is therefore no error on this issue.

[14] Bell next asserts that Faraway’s designated evidence was not sufficient to demonstrate its entitlement to summary judgment. Bell’s argument here is not supported by cogent reasoning, and we do not consider it. *See* Ind. Appellate

Rule 46(A)(8)(a). Her argument in part IV of her first brief to our Court likewise is not supported by cogent reasoning, and we do not consider it either. *See id.*

[15] Bell also argues that summary judgment for Faraway was inappropriate based on Bell's "equitable occupying-claimant/betterment credits." Appellant's First Br. at 12. Again, Bell's argument here appears to be based on her untimely designations, which neither the trial court nor our Court may consider. We also agree with Faraway that the record on appeal does not demonstrate that Bell preserved this argument for our review, and we reject it for that additional reason as well.

[16] In her second brief to our Court, Bell presents various arguments under the general premise that the trial court erred when it denied her Trial Rule 60(B) motion for relief from judgment. But we agree with Faraway that the trial court lacked jurisdiction to consider Bell's motion. As our Supreme Court has made clear:

once judgment is entered, an appeal is filed, and the clerk's record is complete, Appellate Rule 8 divests the trial court of "jurisdiction to act upon the judgment appealed from until the appeal has been terminated." *Schumacher v. Radiomaha, Inc.*, 619 N.E.2d 271, 273 (Ind. 1993). This rule serves an important purpose in that it facilitates "the orderly presentation and disposition of appeals and prevents the confusing and awkward situation of having the trial and appellate courts simultaneously reviewing the correctness of the judgment." *Coulson v. Ind. & Mich. Elec. Co.*, 471 N.E.2d 278, 279 (Ind. 1984) (quoting *Donahue v. Watson*, 413 N.E.2d 974, 976 (Ind. Ct. App. 1980)) (cleaned up).

Conroad Assocs., L.P. v. Castleton Corner Owners Ass’n, 205 N.E.3d 1001, 1005 (Ind. 2023).

[17] Here, Bell’s July notice of appeal from the trial court’s entry of summary judgment for Faraway divested the trial court of jurisdiction to act on a Trial Rule 60(B) motion for relief from that same judgment. And Bell does not argue in her second brief to our Court that an exception to that general rule applies. Accordingly, the trial court had no authority to rule on Bell’s Trial Rule 60(B) motion. But we need not formally vacate the trial court’s denial of her request; we affirm the trial court’s entry of summary judgment for Faraway, and in doing so the trial court’s order on her related motion for relief from judgment becomes a legal nullity.

[18] For all of these reasons, we affirm the trial court’s entry of summary judgment for Faraway and corresponding refusal to reconsider that judgment under Bell’s improper Trial Rule 60(B) motion.⁷

[19] Affirmed.

Vaidik, J., and Pyle, J., concur.

⁷ In a reply brief, Bell presents several new arguments for the first time on appeal. A party may not raise new arguments in a reply brief, and we therefore do not consider those arguments. *Curtis v. State*, 948 N.E.2d 1143, 1148 (Ind. 2011).

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