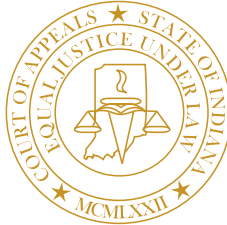


MEMORANDUM DECISION

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 Appellate Rule 65(D), this Memorandum Decision is not binding precedent for any court and may be cited only for persuasive value or to establish res judicata, collateral estoppel, or law of the case.

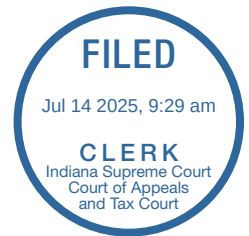


IN THE Court of Appeals of Indiana

Robert Brannon,
Appellant-Respondent

v.

Elisabeth Brannon,
Appellee-Petitioner



July 14, 2025

Court of Appeals Case No.
24A-DC-2518

Appeal from the Porter Superior Court
The Honorable Mark Hardwick, Magistrate
Trial Court Cause No.
64D02-2007-DC-5918

Memorandum Decision by Judge DeBoer
Judges Bailey and Vaidik concur.

DeBoer, Judge.

Case Summary

- [1] Robert Brannon (Father) appeals multiple decisions and orders made by the trial court resulting from Elisabeth Brannon's (Mother's) initial petition requesting that Father contribute to their children's college expenses. Finding that Father has waived his arguments because he failed to support them with cogent reasoning or legal analysis, we affirm.

Facts and Procedural History

- [2] Father and Mother were married for seventeen years and had five children before divorcing in 2021. Their Marital Settlement Agreement (MSA) outlines their respective child support responsibilities but does not address college expenses. In 2024, college expenses became relevant as their oldest daughter (Daughter) was attending college and their oldest son (Son) was about to begin.
- [3] On February 26, 2024, Mother filed a Verified Petition for College Expenses seeking Father's contribution to Daughter's and Son's college expenses based on the child support income ratios enumerated in the MSA. Later, Mother filed additional petitions for unpaid medical and extracurricular expenses, cooperation in obtaining passports for the children, and attorney's fees.

Initially, Father only filed a Notice to Question Constitutionality of Indiana Code section 31-16-6-6.¹

[4] At the first hearing on April 2, 2024, the trial court addressed discovery issues with Father and his constitutionality challenge. The court ordered Father to comply with Mother's discovery requests within five days of the hearing, denied his constitutional challenge, and left the substantive issues for a later hearing. On April 7, Father appealed the April 2 Order to this Court (Cause No. 24A-DC-830), but we dismissed the appeal on June 7 without prejudice pursuant to Mother's Motion to Dismiss.²

[5] The next hearing was held on August 23 and addressed the substance of Mother's petitions. It also addressed her request for the court to order Father to use Our Family Wizard (OFW), which is an application that can assist families with a myriad of parenting-related matters, including facilitating child support payments. Mother testified and introduced Daughter's testimony and twenty-five exhibits in support of her requests. Father made one objection, briefly cross-examined Mother, declined to testify, and introduced only one exhibit, mistakenly assuming the documents he attached to his pleadings sufficed as

¹ In Father's Notice to Question Constitutionality, he cites to "Indiana Code section 31-16-6-2," which does not exist. *See* Appellant's Appendix Vol. 2 at 33. However, throughout the rest of the record, he cites to section 31-16-6-6. Thus, we assume he intended to refer to section 31-16-6-6 in his Notice.

² We also note that throughout these proceedings, Father filed over a dozen motions and challenges to actions taken by the trial court that were either denied or overruled, including two motions to correct error, a notice to terminate the MSA, two motions to dismiss, and a motion to transfer the matter to the Indiana Supreme Court.

introducing evidence.³ On September 17, 2024, the court entered its Order from the August 23 Hearing, requiring Father to (1) pay his portion of Daughter's and Son's college expenses;⁴ (2) pay what he owed of the children's medical and extracurricular expenses; (3) use the OFW application to facilitate the parents' child support matters;⁵ and (4) cooperate with efforts to obtain passports for the children.

[6] Following the entry of the trial court's order, two more hearings were held on October 15 and December 3. Father has failed to provide a record of either of those proceedings in this record for appeal. The December 3 Order informs us that Father did not attend the final hearing, and the court found him in contempt for failing to appear and failing to sign up for the OFW application despite court orders to do both. *See Appellant's App. Vol. 2 at 30.*

[7] Father now appeals and requests that this Court: (1) reverse the trial court's denial of his right to "freely exercise his Constitutionally Protected Father's Rights;" (2) reverse the orders requiring him to obtain passports, use the OFW application, pay college expenses, and pay attorney's fees; (3) find that the trial

³ The trial court explained to Father that simply filing documents with his pleadings was not sufficient for those documents to be considered by the trial court as evidence—he had to introduce them as exhibits. *See Transcript at 106-08.* Father did not do so. *Id.*

⁴ The court ordered that Father was responsible for 61% and Mother was responsible for 39% of the children's college expenses for the 2024-2025 school year. *Appellant's Amended Brief at 23.*

⁵ At the August 23 Hearing, the court verbally ordered both parties to use the OFW application. *See Tr. at 124.* The court left this out of its September 17 written order, but it issued a separate written order on December 3 ordering Father to use the application nunc pro tunc to August 23. *See Appellant's App. Vol. 2 at 28-29.*

court improperly admitted Mother’s Exhibit 22 over his objection; and (4) reverse the finding of contempt and order Mother to reimburse Father for unspecified costs. Appellant’s Amended Brief at 22.

Discussion and Decision

- [8] We first note that Father proceeds in this matter pro se. As a self-represented litigant, Father must adhere to the Indiana Appellate Rules of Procedure as attorneys must and “is afforded no inherent leniency simply by virtue of being self-represented.” *Zavodnik v. Harper*, 17 N.E.3d 259, 266 (Ind. 2014).
- [9] In his brief, Father makes a plethora of arguments, including some related to the state and federal constitutions, some discussing certain evidentiary rulings, and others accusing the trial court of misconduct. However, we do not reach the merits of his claims because Father has waived them for failure to abide by our appellate rules as we set out below.⁶
- [10] Indiana Appellate Rule 46(A)(8) enumerates specific requirements for the argument section of an appellant’s brief. Our rules require an appellant to do more than merely make unsubstantiated contentions—he must support those

⁶ Father also argues that the “I.T. person should be identified.” Appellant’s Am. Br. at 18. He claims that the trial court has twice “refused to identify the I.T. person who had primary access to the audio file” that he claims, without evidence, was edited. *Id.* He asks that we investigate the matter pursuant to Indiana Appellate Rule 4(B)(2). Father does not explain why the identity of the I.T. person is relevant to this appeal or why the trial court erred in denying him such information. Additionally, his request for an investigation under Appellate Rule 4(B)(2) is misplaced. Appellate Rule 4(B)(2) does not pertain to investigations, and it involves the powers of the Indiana Supreme Court, not this Court. Because Father neglects to show the relevance of this argument to this appeal or support it with cogent legal analysis, it is waived. *See Perry v. Anonymous Physician 1*, 25 N.E.3d 103, 105 n.1 (Ind. Ct. App. 2014), *trans. denied, cert. denied.*

contentions with “cogent reasoning” and “citations to the authorities, statutes,” and portions of the record relied on. Ind. Appellate Rule 46(A)(8)(a). This Court “will not become an ‘advocate for a party, or address arguments that are inappropriate or too poorly developed or expressed to be understood.’” *Basic v. Amouri*, 58 N.E.3d 980, 984 (Ind. Ct. App. 2016) (quoting *Perry v. Anonymous Physician 1*, 25 N.E.3d 103, 105 n.1 (Ind. Ct. App. 2014), *trans. denied, cert. denied) reh’g denied*). Here, while Father states his contentions, he neither supports them with relevant citations to the law nor provides evidence based on facts.

[11] For example, instead of addressing the substantive issues of the orders he appeals, Father asserts that the trial court “dismissed the authority of the U.S. and Indiana Constitutions” and that Indiana Code section 31-16-6-6 violates the Fourteenth Amendment and his First Amendment right to freely exercise his religion. Appellant’s Am. Br. at 22. However, he fails to articulate or analyze how or when the court disregarded the law. Similarly, he neglects to explain the relevance of that Indiana statute to this case, what provisions he finds unconstitutional, or even tell us what the statute says. While he makes some effort to cite Supreme Court cases and constitutional provisions, he offers no analysis as to how they relate to the orders he is challenging or the facts of this case. These failures result in waiver of these claims. *See Perry*, 25 N.E.3d at 105 n.1.

[12] Additionally, Father appears to challenge certain evidentiary rulings made by the trial court, namely, the admission of Mother’s Exhibit 22 and the exclusion

of one of his cross-examination questions. Yet he relies solely on conclusory statements about fraud and alleged violations of his rights. “Conclusory statements without analysis or support” are inadequate. *Burnell v. State*, 110 N.E.3d 1167, 1171 (Ind. Ct. App. 2018). Father does not cite any evidence or case law that undermines the court’s rulings, and he fails to elaborate on the rights he believes were violated. Like his constitutional arguments, he waives his evidentiary complaints for lack of cogent reasoning or adequate legal analysis.⁷

[13] Principally, Father is asking us to reverse the trial court’s orders and order Mother to reimburse him, but he fails to relate his arguments back to those orders or furnish a compelling justification for reversal or reimbursement. While he broadly claims that the trial court, through its orders and rulings, “conspired” with Mother’s attorney to “deprive him of his rights,” his contentions are unsubstantiated accusations and unsupported conclusions without reference to the law or the record. Appellant’s Am. Br. at 19. Father’s framing of his allegations does not equate with cogent reasoning. *See Burnell*, 110 N.E.3d at 1171. His remaining arguments, as discussed above, are equally inadequate and disconnected from the relief he seeks, and “a court which must search the record and make up its own arguments because a party has presented

⁷ His challenge of Exhibit 22 would still be waived regardless of cogency because it is based on an alleged violation of Indiana Evidence Rule 1002—an argument he did not make at the trial court—and he cannot raise this argument for the first time on appeal. *Carmichael v. Separators, Inc.*, 148 N.E.3d 1048, 1058 (Ind. Ct. App. 2020) (quoting *Cavens v. Zaberdac*, 849 N.E.2d 526, 533 (Ind. 2006)) *trans. denied*.

them in perfunctory form runs the risk of being an advocate rather than an adjudicator.” *Keller v. State*, 549 N.E.2d 372, 373 (Ind. 1990).

- [14] Because Father fails to provide the necessary context, analysis, or citations to relevant authority, his arguments lack the cogent reasoning required by our appellate rules and “impede[] our appellate consideration of the errors” he claims exist here. *Ramsey v. Review Bd. of Indiana Dept. of Workforce Dev.*, 789 N.E.2d 486, 487 (Ind. Ct. App. 2003) (quoting *Mullis v. Martin*, 615 N.E.2d 498, 500 (Ind. Ct. App. 1993)). Therefore, he has waived his claims of error. *See Perry*, 25 N.E.3d at 105 n.1.

Conclusion

- [15] Father has waived his arguments for failure to support them with cogent reasoning or sufficient legal analysis. As such, he has failed to prove the trial court erred in its orders that he pay college and other child support expenses, use the OFW application, pay attorney’s fees, and be found in contempt. Therefore, we affirm.
- [16] Affirmed.

Bailey, J., and Vaidik J., concur.

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