2026 IL App (1st) 251633-U
No. 1-25-1633
Order filed, October 9, 2026

Sixth Division

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).

IN THE

APPELLATE COURT OF ILLINOIS

FIRST DISTRICT

KYLE JACKSON, Plaintiff-Appellant, v. CATELIN DUNN, Defendant-Appellee.	)	Appeal from the Circuit Court of Cook County. No. 24 L 6784 The Honorable John H. Ehrlich, Judge, presiding.

JUSTICE HYMAN delivered the judgment of the court.
Presiding Justice Gamrath and Justice Evans concurred in the judgment.

ORDER

Held: Judgment for defendant was not against the manifest weight of the evidence, where plaintiff did not establish that defendant authored the anonymous posts.

¶ 1 Kyle Jackson sued Catelin Dunn for defamation, alleging Dunn authored three anonymous Twitter posts accusing him of sexual assault, stalking, transmitting a sexually transmitted disease, and posting nude images of women online. After a two-day bench trial, the trial court entered judgment for Dunn. The court acknowledged that certain anonymous posts, if untrue and attributable to Dunn, would be actionable. But the trial court found that Jackson failed to

prove Dunn wrote or published them. Jackson contends that finding was against the manifest weight of the evidence. We affirm. The record gives us no basis to disturb that finding.

¶ 2 Background

¶ 3 Jackson and Dunn met in September 2015, while students at Howard University. Their relationship was amicable until March 2016, after which it became contentious until they left Howard in 2019. Jackson and Dunn both sought orders of protection and filed Title IX complaints against each other.

¶ 4 In June 2020, three anonymous online posts concerning Jackson were published. On June 14, a post uploaded through Tellonym, a website that enables users to submit anonymous posts, appeared on Twitter, alleging that Jackson "keeps nudes of his exes and exposes them" and "stalks you if you say no to him." On June 15, two additional anonymous posts appeared on a Twitter page called "Howard U-Exposed." The first post alleged that Jackson tried to persuade the author to use drugs and "has forced himself on me once which was not consensual," and that the author later "tested positive for chlamydia." The second post claimed that Jackson "gave me an incurable STD on HU campus," "took advantage of me while I was under the influence," and "keeps nudes of his exes in his phone and sends unsolicited dick pics."

¶ 5 Jackson alleged Dunn wrote the anonymous posts and sued her for defamation. Before trial, Jackson voluntarily dismissed the complaint and refiled it six months later. Jackson then filed an amended complaint. The trial court granted Dunn's motion to dismiss the amended complaint but permitted the original refiled complaint to proceed. Dunn's answer denied that she wrote the anonymous posts.

¶ 6 At trial, Jackson testified that days after the anonymous posts appeared on Twitter, Dunn sent him a Snapchat message admitting authorship. Jackson said the message disappeared

before he could preserve it. His testimony conflicted with Jackson's pretrial affidavit, in which he claimed that Dunn sent the message through Twitter.

¶ 7 Jackson called two witnesses who claimed Dunn confessed to them. Jackson's girlfriend, Lisa Hollis, testified that she did not know Dunn, but received Dunn's admission through Snapchat; the message lasted about 10 seconds, and she did not preserve it. Jackson's mother, Erin Jackson, testified that she received Dunn's admission through Twitter but could not locate the message the next day. None of the three produced a copy of the alleged admissions, leaving Jackson to rely solely on his, Hollis's, and Erin Jackson's testimony.

¶ 8 Dunn denied writing or publishing the anonymous posts and testified that she did not know who did. She also testified that she blocked Jackson on Snapchat in 2016 and never unblocked him or sent him a Snapchat message after that. Neither side asked Dunn whether she sent Jackson, Hollis, or his mother a message admitting authorship.

¶ 9 The court's memorandum opinion and order determined that at least some of the postings, including those claiming Jackson committed sexual assault and transmitted a sexual disease, if untrue, would constitute defamation *per se*. But the trial court ruled in Dunn' favor because Jackson failed to introduce evidence showing that Dunn authored the defamatory statements.

¶ 10 The trial court found the testimony of Jackson, Hollis, and Erin Jackson regarding Dunn's alleged confession was not credible. Jackson's assertion that he received the confession via Snapchat conflicted with his pre-trial affidavit, which stated that he received it on Twitter. According to the trial court, Snapchat's disappearing-message feature does not exist on Twitter, thereby undermining Jackson's credibility. And although all three witnesses were technologically proficient, none could produce a copy of the admission. The court also noted

that Jackson did not pursue available discovery tools to compel Twitter or Tellonym to disclose the anonymous poster's identity.

¶ 11 The court acknowledged that Dunn's credibility was "highly suspect" since she was an uncooperative witness and was impeached multiple times. Still, the court found it implausible that Dunn would create anonymous posts and confess to their authorship. Also, neither party asked Dunn about sending the alleged messages, and without that testimony, it was impossible to conclude any ever existed. Because the evidence was insufficient, the trial court held that Dunn did not author or publish the posts and entered judgment in her favor.

¶ 12 Analysis

¶ 13 Standard of Review

¶ 14 A judgment following a bench trial will be reversed only if it is against the manifest weight of the evidence. *Cadle Properties of Illinois, Inc. v. Fortune Investments, LLC*, 2021 IL App (1st) 200556 ¶ 23. "'A decision is against the manifest weight of the evidence only when an opposite conclusion is apparent or when the findings appear to be unreasonable, arbitrary, or not based on the evidence.'" *Wade v. Stewart Title Guaranty Co.*, 2017 IL App (1st) 161765, ¶ 59 (quoting *Eychaner v. Gross*, 202 Ill. 2d 228, 252 (2002)). "The manifest weight of the evidence standard affords great deference to the trial court because the trial court is in a superior position to determine and weigh the credibility of the witnesses, observe witnesses' demeanor, and resolve conflicts in their testimony." *Id.*

¶ 15 Defamation

¶ 16 To state a defamation claim, a plaintiff must show: (i) the defendant made a false statement about the plaintiff, (ii) the defendant made an unprivileged publication of that statement to a third party, and (iii) the publication caused plaintiff damages. *Green v. Rogers*, 234 Ill. 2d 478,

491 (2009). A defamatory statement harms a person's reputation to the extent that it lowers the person in the eyes of the community or deters the community from associating with them. *Id.*

¶ 17 We need not decide who was the more credible witness, whether the accusations against Jackson were true, whether messages on Snapchat or Twitter can disappear, or whether Dunn had a reason to disparage Jackson. Evidence of the parties' contentious history, Dunn's possible motive, or the falsity of some accusations does not individually or together establish that Dunn wrote the anonymous posts. We decide only whether the evidence required the trial court to find Dunn authored the anonymous posts.

¶ 18 Jackson relies principally on his, Hollis's, and his mother's testimony that Dunn admitted writing the posts. The trial court heard them and found their testimony not credible. It noted Jackson's inconsistent descriptions of how he received Dunn's alleged admission and the absence of any preserved messages. While Jackson offers explanations, choosing between those explanations and the inferences drawn by the trial court would require us to reweigh the evidence and make credibility findings. Manifest weight review does not permit that. *Wade*, 2017 IL App (1st) 161765, ¶ 59 (trial court is in superior position to determine and weigh credibility of witnesses).

¶ 19 The trial court found Dunn's credibility "highly suspect" and acknowledged her repeated impeachment. Disbelieving Dunn, however, did not require the trial court to believe Jackson. Jackson bore the burden of proving authorship. *Green*, 234 Ill. 2d at 491. He did not meet his burden.

¶ 20 Affirmed