

RENDERED: JANUARY 24, 2003; 10:00 a.m.  
NOT TO BE PUBLISHED

# Commonwealth Of Kentucky

## Court Of Appeals

NO. 2001-CA-000869-MR

JOSEPH L. CISSELL  
HELEN M. CISSELL

APPELLANTS

v. APPEAL FROM NELSON CIRCUIT COURT  
HONORABLE LARRY D. RAIKES, JUDGE  
ACTION NO. 99-CI-00322

GENERAL MOTORS CORPORATION;  
WILSON BROTHERS, INC.

APPELLEES

OPINION  
AFFIRMING  
\*\* \*\* \* \* \* \* \*

BEFORE: BAKER, GUIDUGLI, AND SCHRODER, JUDGES.

BAKER, JUDGE: Joseph L. Cissell and Helen M. Cissell (the Cissells) bring this *pro se* appeal from a March 15, 2001 judgment of the Nelson Circuit Court. We affirm.

It appears that the Cissells purchased a 1998 Chevrolet Silverado truck from Wilson Brothers Incorporated (Wilson). Soon after delivery of the truck, the Cissells claim that the truck started having steering and braking problems. Despite several

attempts, the truck was never repaired to the Cissells' satisfaction. The Cissells filed suit against Wilson and General Motors Truck Division for breach of expressed and implied warranties, fraud and misrepresentation, and violation of the Magnuson-Moss Warranty Act. The Cissells' claims were dismissed by summary judgment or directed verdict, thus precipitating this appeal.

We observe that the Cissells have filed a *pro se* brief with this Court. The brief fails to comply with Ky. R. Civ. P. 76.12. It does not include a statement of points and authorities, a statement of the case, or conclusion. Most importantly, the Cissells failed to make any references to the record, or to cite a single case or statute in support of the arguments advanced in the brief. The arguments raised are curt and unclear.

It is well established that Ain order to secure a reversal of a judgment, it is incumbent upon the appellant to show error and to overcome the presumption that the trial court's decision was correct. @ Sloan v. Jewel Ridge Coal Corporation, Ky., 347 S.W.2d 504, 506 (1961). Here, the Cissells have failed to demonstrate any error and to overcome the presumption that the trial court's decision was proper.

For the foregoing reasons, the judgment of the Nelson Circuit Court is affirmed.

ALL CONCUR.

BRIEF FOR APPELLANTS:

Joseph L. Cissell, *Pro Se*  
Louisville, Kentucky

BRIEF FOR APPELLEES:

Christopher R. Cashen  
Lexington, Kentucky