

IN THE UTAH COURT OF APPEALS

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State of Utah, in the interest)	MEMORANDUM DECISION
of A.H., a person under)	(Not For Official Publication)
eighteen years of age.)	
_____)	Case No. 20070221-CA
)	
J.H.,)	F I L E D
)	(May 3, 2007)
Appellant,)	
)	2007 UT App 158
v.)	
)	
State of Utah,)	
)	
Appellee.)	

Third District Juvenile, Salt Lake Department, 520054
The Honorable James R. Michie

Attorneys: Colleen K. Coebergh, Salt Lake City, for Appellant
Mark L. Shurtleff and John M. Peterson, Salt Lake
City, for Appellee

Before Judges Bench, Davis, and McHugh.

PER CURIAM:

J.H. (Father) appeals the juvenile court's adjudication order. Although Father's appeal challenges the sufficiency of the evidence supporting the juvenile court's order, he declined to provide this court with a transcript of the proceedings.

Rule 54(a) of the Utah Rules of Appellate Procedure, pertaining to child welfare appeals, states that

[w]ithin four days after filing the notice of appeal, appellant shall request from the appeals clerk in the juvenile court a transcript of such parts of the proceedings as appellant deems necessary for purposes of the appeal. If appellant intends to urge on appeal that a finding or conclusion is unsupported by or contrary to the evidence, the appellant must include in the record a

transcript of all evidence relevant to such finding or conclusion. Neither the court nor the appellee is obligated to correct appellant's deficiencies in providing the relevant portions of the transcript.

Utah R. App. P. 54(a) (emphasis added).¹ Because Father did not provide a transcript of the hearing, "we assume that the proceedings at the [adjudication hearing] were regular and proper and that the [disposition] was supported by competent and sufficient evidence." Bevan v. J.H. Constr. Co., 669 P.2d 442, 443 (Utah 1983).

All of the issues Father raises on appeal are directly related to the evidence presented at the adjudication hearing. Therefore, we must presume that the disposition of the juvenile court was supported by competent and sufficient evidence. Accordingly, we affirm.

Russell W. Bench,
Presiding Judge

James Z. Davis, Judge

Carolyn B. McHugh, Judge

¹Father's counsel filed a certificate stating that "[t]he proceeding was on audio CD alone, and counsel will attempt to gather a CD for purposes of appellate review." Father's promise to obtain a CD of the proceedings is insufficient under this rule, as the rule unequivocally requires the submission of a transcript. We note that a transcript of the hearing was prepared in the separate appeal of A.H.'s mother. Because Father failed to reference the fact that such transcript was being prepared and may be available in the other matter, we will not give him the benefit of its use. His appeal, as he presented it, stands on its own.