

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

TAMMY LARUE

Appellee

v.

CHRISTOPHER RYZNER

Appellant

IN THE SUPERIOR COURT OF
PENNSYLVANIA

No. 2499 EDA 2013

Appeal from the Order Entered July 31, 2013
In the Court of Common Pleas of Bucks County
Domestic Relations at No(s): 2012-62412

BEFORE: PANELLA, J., LAZARUS, J., and JENKINS, J.

JUDGMENT ORDER BY LAZARUS, J.:

FILED JULY 07, 2014

Christopher Ryzner appeals from the order of the Court of Common Pleas of Bucks County holding him in civil contempt of a protection from abuse order. For the reasons set for the below, we dismiss the appeal.

Pennsylvania Rule of Appellate Procedure 1911(a) requires an appellant to request and pay for transcripts of proceedings. Such transcripts constitute a part of "the record on appeal in all cases." Pa.R.A.P. 1921. It is the duty of the appellant, not the trial court, to provide an adequate certified record for appellate review. *Smith v. Smith*, 637 A.2d 622 (Pa. Super. 1993).

The notice of appeal in the certified record of the instant matter is not accompanied by a request for transcript of the July 31, 2013 contempt hearing as required by Pennsylvania Rule of Appellate Procedure 904(c).

Moreover, the record in this case does not include a transcript of the hearing. Where an appellant fails to comply with the Pennsylvania Rules of Appellate Procedure and the Pennsylvania Rules of Judicial Administration for preparation of the transcript, dismissal of the appeal may be appropriate. **See** Pa.R.A.P. 1911(d).

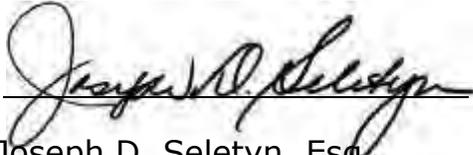
An appellant's issues should be deemed waived for failure "to insure that the original certified record for appeal contains sufficient information to conduct a proper review." **Smith, supra** at 623. "In the absence of an adequate certified record, there is no support for an appellant's arguments, and thus, there is no basis on which relief could be granted." **Commonwealth v. Preston**, 904 A.2d 1,7 (Pa. Super. 2006) (en banc). **See also In the Interest of R.N.F.**, 52 A.3d 361 (Pa. Super. 2012) (appeal dismissed where lack of transcript precluded meaningful appellate review); **Miller v. Dick**, 596 A.2d 1341 (Pa. Super. 1985) (where transcript not included in original record and docket shows no order for transcript, appeal dismissed for failure of appellant to take action necessary to complete record).

Because the record does not include a transcript of the contempt hearing, we are unable to engage in meaningful appellate review, and thus are constrained to dismiss Ryzner's appeal.

Appeal dismissed.

J-A15032-14

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn", written over a horizontal line.

Joseph D. Seletyn, Esq.
Prothonotary

Date: 7/7/2014