

IN THE UTAH COURT OF APPEALS

----ooOoo----

Orem City,)	PER CURIAM DECISION
)	
Plaintiff and Appellee,)	Case No. 20100962-CA
)	
v.)	FILED
)	(July 21, 2011)
Scott Ray Bishop,)	
)	
Defendant and Appellant.)	2011 UT App 233

Fourth District, Spanish Fork Department, 105209941
The Honorable Donald J. Eyre Jr.

Attorneys: Scott Ray Bishop, Orem, Appellant Pro Se
D. Jacob Summers, Orem, for Appellee

Before Judges Davis, McHugh, and Christiansen.

¶1 Scott Ray Bishop appeals his conviction for speeding. However, this court cannot review the issues raised because Bishop has not provided an adequate record on appeal. *See* Utah R. App. P. 11 (discussing the record requirements on appeal).

¶2 “When a defendant predicates error to this Court, he has the duty and responsibility of supporting such allegation by an adequate record. Absent that record, defendant’s assignment of error stands as a unilateral allegation which the reviewing court has no power to determine. This Court simply cannot rule on a question which depends for its existence upon alleged facts unsupported by the record.”

State v. Linden, 761 P.2d 1386, 1388 (Utah 1988) (quoting *State v. Wulffenstein*, 657 P.2d 289, 293 (Utah 1982)). Although all issues raised by Bishop involve rulings made during the course of his trial, he failed to provide this court with a transcript of those proceedings. Without such a transcript, we must presume the correctness of the underlying decisions. See *State v. Mead*, 2001 UT 58, ¶ 48, 27 P.3d 1115 (stating that in the absence of an adequate record on appeal, we presume the correctness of the disposition and cannot address the issues raised).

¶3 Affirmed.

James Z. Davis,
Presiding Judge

Carolyn B. McHugh,
Associate Presiding Judge

Michele M. Christiansen, Judge