

IN THE UTAH COURT OF APPEALS

-----ooOoo-----

Liza J. Smith,)	MEMORANDUM DECISION	
)	(Not For Official Publication)	
Petitioner and Appellee,)		
)	Case No. 20050783-CA	
v.)		
)	F I L E D	
Earl Smith,)	(March 23, 2006)	
)		
Respondent and Appellant.)	<table border="1"><tr><td>2006 UT App 120</td></tr></table>	2006 UT App 120
2006 UT App 120			

Third District, Salt Lake Department, 024902271
The Honorable John Paul Kennedy

Attorneys: Earl Smith, Magna, Appellant Pro Se

Before Judges Davis, Orme, and Thorne.

PER CURIAM:

Earl Smith requests this court to reverse an order of the district court that appears to have altered Mr. Smith's visitation schedule with his children. However, Mr. Smith has not provided us with an adequate record to review the issues he has raised. See Call v. City of West Jordan, 788 P.2d 1049, 1052 (Utah Ct. App. 1990) (stating that "appellant has the burden of providing the reviewing court with an adequate record on appeal to prove his allegations"). In particular, Mr. Smith has not provided us with a copy of the transcript of the August 24, 2005 hearing in which the district court heard evidence and argument on the issues raised in the appeal. It was the evidence and legal arguments adduced at this hearing that resulted in the order from which Mr. Smith appeals. Without such transcript, we have no choice but to presume the correctness of the underlying decision. See State v. Rawlings, 829 P.2d 150, 152-53 (Utah Ct. App. 1992) ("In the absence of an adequate record on appeal, we

cannot address the issues raised and presume the correctness of the disposition.").

Affirmed.

James Z. Davis, Judge

Gregory K. Orme, Judge

William A. Thorne Jr., Judge