COURT OF APPEALS OF VIRGINIA

Present: Judges Benton, Willis and Bumgardner
Argued at Richmond, Virginia

PAULA ANN RUSSO ROMAINE

v. Record No. 2933-00-2

DONALD FRANCES ROMAINE

MEMORANDUM OPINION* BY
JUDGE RUDOLPH BUMGARDNER, III
JULY 3, 2001

FROM THE CIRCUIT COURT OF CHARLOTTE COUNTY
Charles E. Poston, Judge Designate

Richard P. Kruegler (Durrette, Irvin & Bradshaw, PLC, on briefs), for appellant.

Donald Frances Romaine, pro se.

Paula Ann Russo Romaine and Donald Frances Romaine were divorced by final decree dated November 10, 2000. That decree also resolved custody of their two children and prohibited the wife from taking the children on door-to-door, church visitations. We affirm the trial court's ruling[1] because the record is insufficient to determine the issue raised on appeal.

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* Pursuant to Code § 17.1-413, this opinion is not designated for publication.

[1] In his appellee's brief, the husband raises several issues on appeal. We do not address them because they are either moot or not properly preserved for appeal, or the record is inadequate for us to determine whether the trial court erred. Rule 5A:18; White v. Morano, 249 Va. 27, 30, 452 S.E.2d 856, 858 (1995) (adequate record required); Weidman v. Babcock, 241 Va. 40, 44, 400 S.E.2d 164, 167 (1991) (objection must be made before trial court); Buchanan v. Buchanan, 14 Va. App. 53, 56, 415 S.E.2d 237, 239 (1992) (statements must be supported by argument, authority, or citations to record).

The trial court heard evidence on March 15, 2000, and made an interim ruling that permitted the wife to take the children on door-to-door, church visitations. The trial court reversed that ruling after a hearing held on October 10, 2000. The final order contains a restriction prohibiting the children from going door-to-door for "charitable or religious causes." The decision memoranda and the final decree make clear the trial court based its decision on evidence heard October 10, 2000. However, the record contains neither a transcript of that hearing nor a written statement of facts from the proceedings.

An appellant must provide a sufficient record for the appellate court to determine if the trial court erred. "If an insufficient record is furnished, the judgment appealed from will be affirmed." White v. Morano, 249 Va. 27, 30, 452 S.E.2d 856, 858 (1995) (citation omitted). In the absence of a transcript or statement of facts from the crucial October hearing, the wife has failed to present an adequate record for us to address her appeal. Accordingly, we affirm the trial court.

Affirmed.