THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2018-0712, Earl Toothaker v. Country Brook Kennels & a., the court on September 13, 2019, issued the following order:

Having considered the brief, the memorandum of law, and the record submitted on appeal, we conclude that oral argument is unnecessary in this case. See Sup. Ct. R. 18(1). We affirm.

The plaintiff, Earl Toothaker, appeals an order of the Circuit Court (Gardner, J.) denying his petition seeking a writ of replevin against the defendants, Country Brook Kennels and Bonnie O'Shea. We construe his brief to contend that: (1) the trial court did not allow him to object; (2) the judge's name differed from that on the name plaque on the bench; (3) the trial court did not read all the documents submitted; (4) the trial court was upset with the case; and (5) the defendant kennel was not licensed to board cats.

The plaintiff, as the appealing party, has the burden on appeal to provide a record that is sufficient to decide the issues he is raising and to demonstrate that he raised those issues in the trial court. Bean v. Red Oak Prop. Mgmt., 151 N.H. 248, 250 (2004); see Dist. Div. R. 3.11(E)(1) (stating, if trial court's decision addresses matters not previously raised, party must identify any alleged errors concerning those matters in motion for reconsideration to preserve issue for appeal). Absent a transcript, we assume the evidence was sufficient to support the result reached by the trial court, Bean, 151 N.H. at 250, and review its order for errors of law only, see Atwood v. Owens, 142 N.H. 396, 397 (1997).

In this case, the plaintiff has failed to provide a transcript of the hearing before the trial court. Accordingly, we assume that the evidence was sufficient to support the trial court's determination, Bean, 151 N.H. at 250, and find no errors of law in the trial court's order, see Atwood, 142 N.H. at 397.

Affirmed.

Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

Eileen Fox,
Clerk