THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2020-0195, Richard Benson v. Michael Drewry, the court on October 21, 2020, issued the following order:

Having considered the memorandum of law filed by the plaintiff, Richard Benson, the brief filed by the defendant, Michael Drewry, and the limited record submitted on appeal, we conclude that oral argument is unnecessary in this case. See Sup. Ct. R. 18(1). The defendant appeals an order of the Circuit Court (Leonard, J.) finding in favor of the plaintiff on the plaintiff's claims against the defendant related to an unpaid promissory note. We affirm.

On appeal, the defendant argues that the evidence was insufficient to support the trial court's decision. We are unable to review his appellate argument substantively because he has failed to provide a sufficient record for our review. As the appealing party, the defendant had the burden of providing us with a record sufficient to decide his appellate issues. Bean v. Red Oak Prop. Mgmt., 151 N.H. 248, 250, (2004); see Sup. Ct. R. 13; see also Town of Nottingham v. Newman, 147 N.H. 131, 137 (2001) (explaining that the rules of appellate practice are not relaxed for self-represented litigants). The trial court based its decision, in part, upon "the credible testimony" at the hearing on the merits; however, the defendant has not provided a copy of the transcript of that hearing as part of the record on appeal. Absent a complete record, we must assume that the evidence supported the trial court's decision. See Bean, 151 N.H. at 250. We review the court's order for errors of law only, see Atwood v. Owens, 142 N.H. 396, 397 (1997), and find none.

Affirmed.

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

Timothy A. Gudas,
Clerk