

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-150748
Plaintiff-Appellee,	:	TRIAL NO. 15TRD-49719
vs.	:	<i>JUDGMENT ENTRY.</i>
ROBERT HALEY,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See Rep.Op.R. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.*

Defendant-appellant Robert Haley was pulled over and cited for speeding for travelling 72 m.p.h. in a 55 m.p.h. speed zone on northbound I-75 in Cincinnati, Ohio, in violation of Cincinnati Municipal Code 506-8. The violation of Cincinnati Municipal Code 506-8 was listed on the citation given to Haley.

Haley pleaded not guilty, and after a bench trial, he was found guilty and convicted of speeding. The trial court ordered Haley to pay a fine and court costs. He timely appealed his conviction, but did not file a transcript of the trial court proceedings with this court.

In his appeal, Haley asserts three “arguments,” which we take as assignments of error. Haley first argues that the traffic citation misidentified the model of the vehicle he was driving and failed to identify a violation of a statute, and that these errors deprived the court of subject matter jurisdiction. Haley also argues that the trial court improperly denied him the opportunity to examine the police officer about documents regarding the calibration of the radar detector. Finally, Haley contends

OHIO FIRST DISTRICT COURT OF APPEALS

that the trial court deprived him of his due process rights by not permitting him to present a defense. Based on the record before us, these arguments are without merit.

Haley opted not to provide the court with a transcript of the proceedings before the trial court, and filed a statement that there would be no transcript, as allowed by App.R. 9. Although Haley presented thoughtful arguments regarding this matter at oral argument, his failure to file a transcript with this court inhibits our review of his arguments. The duty to provide a transcript for appellate review falls upon the appellant. *Knapp v. Edwards Laboratories*, 61 Ohio St.2d 197, 199, 400 N.E.2d 384 (1980).

For instance, there is nothing in the record to corroborate Haley's argument regarding the calibration of the radar, documents relating to calibration, or the judge's rulings regarding these matters. Because there is no transcript for us to review, we must presume regularity in the proceedings below. *See State v. Gonzalez*, 151 Ohio App.3d 160, 2002-Ohio-4937, 783 N.E.2d 903 (1st Dist.). Moreover, the citation did properly identify the municipal ordinance violated, and a slight misidentification of the model of the vehicle driven by Haley, even if true, would not have deprived the trial court of jurisdiction.

Haley's assignments of error are overruled. We affirm the judgment of the trial court.

A certified copy of this judgment entry is the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

HENDON, P.J., MOCK and STAUTBERG, JJ.

To the clerk:

Enter upon the journal of the court on September 2, 2016
per order of the court _____.

Presiding Judge