

KADARIHNA SULDAN, Plaintiff-Appellant

v.

TOBIAS ETNOLD, Defendant-Appellee

Civil Appeal No. 281

Appellate Division of the High Court

Ponape District

October 29, 1982

Appeal. The Appellate Division of the High Court, Nakamura, Associate Justice, remanded for a new trial where transcript of trial was unavailable.

Appeal and Error—Record on Review—Adequacy

On appeal of trial court judgment, where court reporter could not prepare the transcript of the trial, the case was remanded for a new trial.

NAKAMURA, *Associate Justice*

On October 17, 1978, the Trial Division of the High Court entered judgment in favor of the defendant. Plaintiff filed a timely appeal to the Appellate Division.

Unfortunately, it appears to the Court that the court reporter who took the trial proceedings cannot prepare the transcript. Therefore,

IT IS ORDERED that the above-captioned civil action be and it hereby is REMANDED to the Trial Division of the High Court for a new trial.