

**IN THE COURT OF APPEALS OF IOWA**

No. 9-292 / 08-1554  
Filed June 17, 2009

**SUSAN OSHO,**  
Plaintiff-Appellant,

**vs.**

**NAGEB GOMO,**  
Defendant-Appellee.

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Appeal from the Iowa District Court for Polk County, Martha L. Mertz,  
Judge.

Plaintiff appeals the district court order dismissing her petition for relief  
from domestic abuse. **AFFIRMED.**

Michelle Mackel-Wiederanders, Iowa Legal Aid, Des Moines, for appellant.

Christopher Kragnes, Des Moines, for appellee.

Considered by Sackett, C.J., and Vogel, J., and Beeghly, S.J.\*

\*Senior judge assigned by order pursuant to Iowa Code section 602.9206 (2009).

**BEEGHLY, S.J.****I. Background Facts**

On August 29, 2008, Susan Osho filed a pro se petition for relief from domestic abuse under Iowa Code chapter 236 (2007). After a hearing on the matter, the district court issued an order on August 29, 2008, dismissing the petition. Susan appeals the district court order. Our review of a district court's ruling on a motion to dismiss is for the correction of errors at law. Iowa R. App. P. 6.4.

The appellant has the duty "to provide a record on appeal affirmatively disclosing the alleged error relied upon." *In re Marriage of Ricklefs*, 726 N.W.2d 359, 362 (Iowa 2007). Iowa Rule of Appellate Procedure 6.10(2)(c) provides, "If appellant intends to urge on appeal that a finding or conclusion is unsupported by the evidence or is contrary to the evidence, appellant shall include in the record a transcript of all evidence relevant to such finding or conclusion." Here, although there was a hearing, and a certificate of judge and reporter was filed, no transcript was submitted with the appeal. Because we do not know what specific relief Osho requested at the hearing, we have no basis to find the district court's ruling was in error. The decision of a district court may be affirmed because the appellant failed to present a proper record on appeal. See *In re F.W.S.*, 698 N.W.2d 134, 136 (Iowa 2005).

We determine the decision of the district court should be affirmed. See Iowa Ct. R. 6.24(4).

**AFFIRMED.**