



On appeal, plaintiff argues that defendant directed Florida law enforcement to go to his house and monitor him and that qualified immunity does not apply because defendant abused his law enforcement powers by contacting Florida law enforcement. “Because the [trial court] is in a unique position to assess the credibility of witnesses and weigh the strength of evidence at hearing, we review the [trial court’s] decision to grant or deny a protective order only for an abuse of discretion, upholding its findings if supported by the evidence and its conclusions if supported by the findings.” Scheffler v. Harrington, 2020 VT 93, ¶ 8, 213 Vt. 364 (quotation omitted).

We are unable to consider plaintiff’s arguments that the evidence supported granting an order and that the facts demonstrated that qualified immunity did not apply because plaintiff has not ordered a copy of the transcript. Plaintiff, who is the appellant, is responsible for obtaining a transcript and waives any issue for which a transcript is necessary. V.R.A.P. 10(b)(1). Without a transcript, we have no record of what evidence and arguments were presented to the trial court at the hearing or the trial court’s findings and therefore cannot review the evidence to see if it supports the findings. In re Joyce, 2018 VT 90, ¶ 21, 208 Vt. 226 (explaining that appellate review of issues related to sufficiency of evidence cannot be reviewed without transcript). Therefore, we must assume that the evidence supports the court’s conclusion.

Affirmed.

BY THE COURT:

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Harold E. Eaton, Jr., Associate Justice

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Karen R. Carroll, Associate Justice

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Nancy J. Waples, Associate Justice