

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

BARBARA CARPE,
Appellant,

APPELLATE DIVISION (CIVIL): AY
CASE NO: 502013AP000016XXXXMB
L.T. NO: 502012SC019342XXXXSB

v.

AIRPORT PARKING,
Appellee.

Opinion filed: **AUG 28 2013**

Appeal from the County Court in and for Palm Beach County,
Judge Edward Garrison

For Appellant: Barbara Carpe, pro se
3015 S. Ocean Blvd., #11D
Highland Beach, FL 33487

For Appellee: Airport Parking c/o Amado Leguillo
3020 South Federal Hwy.
Ft. Lauderdale, FL 33316

PER CURIAM.

AFFIRMED. Plaintiff/Appellant, Barbara Carpe, seeks appellate review of the final judgment entered in favor of Defendant/Appellee, Airport Parking. Ms. Carpe argues that the evidence presented by Airport Parking was insufficient to support the final judgment in its favor. The final judgment contains no written factual findings, and there is no transcript of the non-jury trial or statement of the evidence in the record on appeal. Without a transcript of the trial proceedings to review the testimony or other evidence presented, we are unable to review the evidence presented by Ms. Carpe and Airport Parking.¹ Therefore, we cannot conclude that the trial court's decision was not supported by the evidence or by an alternative theory. See *Applegate v. Barnett Bank of Tallahassee*, 377 So. 2d 1150 (Fla. 1979). Under these

¹ On July 11, 2013, the Court directed Ms. Carpe to either file a transcript or submit a statement of the evidence to enable the Court to properly resolve the issues presented in the appeal.

circumstances, this Court in its appellate capacity must assume the trial court correctly decided the factual issues. *Crusaw v. Crusaw*, 637 So. 2d 949, 949 (Fla. 1st DCA 1994). Accordingly, we are constrained by the lack of an adequate record, and must affirm the final judgment. *See Applegate*, 377 So. 2d 1150.

FINE, GILLEN, CROW, JJ., concur.