

RENDERED: October 10, 2003, 2:00 p.m.
NOT TO BE PUBLISHED

Commonwealth Of Kentucky

Court of Appeals

NO. 2002-CA-000440-MR

DEITRICH WEBSTER

APPELLANT

v. APPEAL FROM CHRISTIAN CIRCUIT COURT
HONORABLE JOHN L. ATKINS, JUDGE
ACTION NO. 01-CR-00394

COMMONWEALTH OF KENTUCKY

APPELLEE

OPINION

AFFIRMING

** ** * * *

BEFORE: EMBERTON, CHIEF JUDGE; McANULTY, JUDGE, AND HUDDLESTON,
SENIOR JUDGE.¹

McANULTY, JUDGE. Deitrich Webster (hereinafter appellant)
appeals from a judgment of conviction entered by the Christian
Circuit Court pursuant to a conditional guilty plea. Appellant
was indicted in this case for "Bail Jumping, First-degree" for

¹ Senior Judge Joseph R. Huddleston sitting as Special Judge by assignment of the Chief Justice pursuant to Section 110(5)(b) of the Kentucky Constitution and KRS 21.580.

failing to appear for sentencing on a felony charge on or about August 1, 2001. The issue raised is whether his conviction for bail jumping violated double jeopardy principles after the court previously held him in contempt for failure to appear.

The Commonwealth contends that the record is insufficient for this court to review appellant's claim of double jeopardy. The Commonwealth's quarrel is with the absence in the record of the trial court's orders in this case. While appellant argues he was punished twice for violating a single order of the court, the trial court's order of contempt is not found in the record on appeal. The Commonwealth maintains, therefore, that it cannot respond adequately to the double jeopardy argument because the terms of the order violated are not clear in the record.

The completeness of the record is the responsibility of the appellant. Commonwealth v. Thompson, Ky., 697 S.W.2d 143 (1985). A claim unsupported by the record cannot be considered on appellate review. Copley v. Commonwealth, Ky., 854 S.W.2d 748 (1993). Because the contempt order is not in the record, we find that there is insufficient information in the record on appeal to permit us to review the issue raised.

Accordingly, we affirm appellant's conviction for bail jumping.

ALL CONCUR.

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