# CAPTION: STATE V. WHEELER

**08-18-23**

APPEAL NOS.: C-220490

C-220491

TRIAL NOS.: 22CRB-6370A

22CRB-6370B

KEY WORDS: INCOMPLETE RECORD – APP.R. 9 – DUE PROCESS – AGGRAVATED MENACING

SUMMARY:

Defendant’s due process rights were violated—requiring reversal of her convictions for aggravated menacing—where the trial court failed to record certain portions of the trial proceedings, the trial court certified that the record could not be completed, and the state conceded the issue.

JUDGMENT: REVERSED AND CAUSE REMANDED

JUDGES: OPINION by BERGERON, J.; ZAYAS, P.J., and BOCK, J., CONCUR.