

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE
October 15, 2003 Session

COMBUSTION FEDERAL CREDIT UNION v. JOHN H. FARMER

Appeal from the Circuit Court for Hamilton County
No. 92CV1143 W. Neil Thomas III, Judge

FILED NOVEMBER 26, 2003

No. E2003-00107-COA-R3-CV

A judgment was rendered against Mr. Farmer in 1992. It remained unpaid, and the judgment creditor's petition for revival was granted. Mr. Farmer appeals, claiming that he never signed the note which formed the basis of the 1992 action. We affirm.

Tenn. R. App. P. 3 Appeal as of Right; Judgment of the Circuit Court is Affirmed

WILLIAM H. INMAN, SR. J., delivered the opinion of the court, in which HERSCHEL P. FRANKS and D. MICHAEL SWINEY, JJ., joined.

John H. Farmer, Pro Se.

Allison Ulin Lynch, Chattanooga, Tennessee, attorney for appellee, Combustion Federal Credit Union.

OPINION

On September 28, 1992, in the Hamilton County Circuit Court, a judgment was rendered in favor of the Combustion Federal Credit Union against Mr. Farmer which was unpaid and unassigned. Within the time allowed, the judgment creditor petitioned the Circuit Court to revive the judgment, and proper notice was served on Mr. Farmer. He appeared in court and undertook to deny that he executed the promissory note which was the basis of the 1992 judgment. The Circuit Court ruled that the judgment was *res judicata* and sustained the petition to revive.

Mr. Farmer appears *pro se*. His appeal does not comply with the Rules of Appellate Procedure and he does not specify any issues for our consideration. We cannot review facts - we do not know what the facts are - without an appellate record, and by law we are consequently required to assume that the record, had it preserved the evidence, would have contained sufficient evidence to support the action of the trial court. See *Sherrod v. Wix*, 849 S.W.2d 780 (Tenn. App. Ct. 1992).

Judgment is affirmed. Costs are assessed to the appellant, John H. Farmer, for which execution may issue if necessary.

WILLIAM H. INMAN, SENIOR JUDGE