

NOT DESIGNATED FOR PUBLICATION

No. 91,940

IN THE COURT OF APPEALS OF THE STATE OF KANSAS

B.J.S., a minor child,
by and through his mother and next friend,
C.F. and C.F., individually,
Appellants,

v.

M.L.S.,
Appellee.

MEMORANDUM OPINION

Appeal from Wyandotte District Court; CORDELL D. MEEKS, JR., judge.

Opinion filed October 28, 2005. Affirmed.

Stanley R. McAfee, of Kansas City, for appellants.

Brian D. Levinson, of Levinson & Levinson, P.A., of Basehor, for appellee.

Before ELLIOTT, P.J., JOHNSON and BUSER, JJ.

Per Curiam: C.F. appeals the trial court's order denying her request to change the name of her minor child.

Based on petitioner's failure to designate a record which affirmatively shows that prejudicial error occurred in the trial court, we affirm.

C.F. filed a petition to determine the paternity of her son, B.J.S. In addition to raising various child support and custody issues, she requested her son's name be changed to reflect her surname. M.S. was found to be the biological father of B.J.S. based on his stipulation he is the boy's father as well as the fact his last name appears on B.J.S.'s birth certificate.

The trial court denied the name change request based on the proffered testimony of counsel. On appeal, C.F. contends the trial court erred in not allowing evidence to be presented on the issue. But the portion of the transcript containing counsel's proffered testimony is not included in the record on appeal. See *State ex rel. Stovall v. Alivio*, 275 Kan. 169, 172, 61 P.3d 687 (2003). Here, there simply is not an adequate record for us to give meaningful review to the issue.

We are unable to determine whether the trial court erred in denying C.F.'s request for name change. Without that adequate record, the claim of error fails.

Affirmed.