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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

VICTOR QUINTANA,

Plaintiff and Appellant,

v.

H. RUSSELL HALPERN,

Defendant and Respondent.

B290397

(Los Angeles County
Super. Ct. No. BC677386)

APPEAL from a judgment of the Superior Court of Los Angeles County, Steven Kleifield, Judge. Affirmed.

Victor Quintana, in pro. per., for Plaintiff and Appellant.

Halpern Law Firm and Loren B. Halpern for Defendant and Respondent.

Victor Quintana appeals from a trial court order dismissing his lawsuit against H. Russell Halpern. The trial court ordered Quintana to show cause as to why it should not issue terminating sanctions for his failure to file proof of service of process on Halpern. Quintana did not appear at this hearing, nor did he prove he served Halpern by any method of communication with the trial court. The trial court therefore dismissed the lawsuit under California Rule of Court rule 3.110, subdivision (b) for failure to provide Halpern with notice of his lawsuit and to prove he did so by filing serving of process with the court within 60 days.

Quintana appeals from the order of dismissal. Although Quintana is self-represented on this appeal, he must nonetheless follow the same procedural rules as a represented party. (*Rappleyea v. Campbell* (1994) 8 Cal.4th 975, 984–985.) Consistent application of procedural rules promotes fairness. (*Ibid.*)

Quintana cites two inapposite cases. *Gressley v. Williams* (1961) 193 Cal.App.2d 636, 638–639 concerns demurrers. *Kauffman v. Bobo & Wood* (1950) 99 Cal.App.2d 322, 323 is irrelevant for the same reason.

Quintana has not satisfied his burden on appeal of demonstrating error. (See *Brewster v. Southern Pacific Transportation Co.* (1991) 235 Cal.App.3d 701, 716.)

DISPOSITION

The judgment is affirmed. Costs to Halpern.

WILEY, J.

We concur:

GRIMES, Acting P. J.

STRATTON, J.