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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

PAUL A. BRIDGES,

Plaintiff and Appellant,

v.

MARTY INGRAHAM,

Defendant and Respondent.

2d Civil No. B282967
(Super. Ct. No. 56-2016-
00485079-CU-CR-VTA)
(Ventura County)

Paul A. Bridges appeals the trial court's denial of his request for default judgment and its order dismissing the action with prejudice. (Code Civ. Proc., §§ 581d, 585.) We affirm.

FACTUAL AND PROCEDURAL HISTORY

Bridges leased a residential property from Marty Ingraham. In his complaint, he alleges “[o]n multiple occasions, [Ingraham] . . . would willfully involve herself in private matters concerning [him] and his wife, his family, and his friends.” She “loiter[ed], illegal[ly] trespass[ed], . . . stalk[ed], . . . and . . . intimidat[ed]” Bridges. She would call or visit unannounced.

She told him she would discover if he did anything of which she did not approve.

Bridges asked Ingraham to stop her harassment. He sent her a cease-and-desist letter. He obtained counsel to explore legal remedies.

Bridges discovered he was paying the utilities of both his residence and that of a neighbor. When he confronted Ingraham with his discovery, she replied “I can do whatever I want! This is my property!” The interactions between Bridges and Ingraham led another tenant to terminate her lease with Ingraham and cease contact with Bridges.

Bridges later discovered that neighbors installed security cameras that could see into his residence. He deemed this a “gross invasion of privacy.”

Three men with concealed faces met Bridges and his wife at Oxnard Harbor one night. One of the men hit Bridges while another restrained his wife. Two men beat Bridges while his restrained wife watched. One then took out a knife, but another told him to put it away because “[s]he didn’t want that.” The three masked men fled when they heard a noise.

After the incident, Bridges moved his family from the residence he leased from Ingraham. He did not file criminal charges against her for the beating due to a lack of evidence, but instead brought a civil suit for violations of his civil rights. (Civ. Code, §§ 51.5, subd. (a), 51.7, subd. (a).) He sought over \$4.4 million in general, special, and punitive damages.

The trial court found that Ingraham was personally served with the summons and complaint; that she failed to respond to that process; and that the clerk properly entered her default. But it also found the evidence insufficient to support

Bridges's claim for damages: The interactions with Ingraham described in the complaint were "not clearly set out." Bridges used conclusory phrases to describe Ingraham's conduct, and the evidence he provided "[did] not describe what actually happened"; it was "unspecifi[c]," "unclear," and "not clearly developed." The evidence linking Ingraham to the incident with the masked men was inconclusive. The court refused Bridges's request for judgment and dismissed the action with prejudice.

DISCUSSION

Bridges contends the trial court erred when it found insufficient evidence of damages to support his request for entry of default judgment.¹ We do not reach this contention because, as the court below correctly determined, Bridges's complaint failed to state a cause of action.

A defendant's failure to answer a complaint admits the material allegations in the complaint. (*Tuolumne Redemption Co. v. Patterson* (1861) 18 Cal. 415, 416.) But to obtain default judgment, those allegations must state facts that constitute a cognizable cause of action. (*Kim v. Westmoore Partners, Inc.* (2011) 201 Cal.App.4th 267, 282 (*Kim*).) We independently review whether Bridges's complaint sets forth such facts. (*Falahati v. Kondo* (2005) 127 Cal.App.4th 823, 828.)

It does not. Bridges sued Ingraham for alleged violations of his civil rights. (Civ. Code, §§ 51.5, subd. (a), 51.7, subd. (a).) Both of those causes of action require proof that

¹ Bridges also contends the trial court relied on an erroneous analysis in denying his request, but does not support this contention with argument or evidence. It is forfeited. (*Berger v. California Ins. Guarantee Assn.* (2005) 128 Cal.App.4th 989, 1007.)

Ingraham's conduct was a substantial factor in causing Bridges's harm. (*Austin B. v. Escondido Union School Dist.* (2007) 149 Cal.App.4th 860, 880-881 [Civ. Code, § 51.7]; *Jackson v. Superior Court* (1994) 30 Cal.App.4th 936, 941 [Civ. Code, § 51.5].) But Bridges's conclusory statements that Ingraham loitered, trespassed, stalked, and intimidated him are legal conclusions, not evidence of causation. (*Kim, supra*, 201 Cal.App.4th at p. 281 [““contentions, deductions, or conclusions of fact or law”” are not evidence].) The security cameras that allegedly invaded his privacy were set up by a neighbor, not Ingraham. And the evidence linking Ingraham to the assault on Bridges was inconclusive. Without a causal connection between Ingraham's actions and the harms Bridges purportedly endured, damages cannot be recovered. (*Chaparkas v. Webb* (1960) 178 Cal.App.2d 257, 260 [plaintiff must show causal connection between damages and defendant's conduct]). The trial court properly denied Bridges's request for default judgment.

DISPOSITION

The judgment is affirmed.

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TANGEMAN, J.

We concur:

GILBERT, P. J.

PERREN, J.

Mark S. Borrell, Judge
Superior Court County of Ventura

Paul A. Bridges, in pro. per., for Plaintiff and
Appellant.

No Appearance for Defendant and Respondent.