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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.

WESLEY WILLIS,

Defendant and Respondent.

2d Civil No. B282332
(Super. Ct. No. 56-2016-
00485273-CU-DF-VTA)
(Ventura County)

Paul A. Bridges appeals the trial court's order granting Wesley Willis's special motion to strike his complaint as a strategic lawsuit against public participation (SLAPP). (Code Civ. Proc., §§ 425.16, subd. (i), 904.1, subd. (a)(13) [order granting an anti-SLAPP motion is appealable].) Bridges contends: (1) the court erred in its analysis of the anti-SLAPP procedure, and (2) he demonstrated a probability of prevailing on his claims. We affirm.

FACTUAL AND PROCEDURAL HISTORY

Bridges sued Willis for allegedly false statements Willis made to law enforcement officials that eventually led to

Bridges's conviction for grand theft of a firearm (Pen. Code, § 487, subd (d)(2)). Willis filed an anti-SLAPP motion in response to Bridges's complaint. The trial court granted Willis's motion, and awarded him costs and fees of nearly \$6,000.

DISCUSSION

Bridges contends the trial court erred when it granted Willis's anti-SLAPP motion. We cannot reach the merits of his contention because he does not include the complaint in the record.

“A judgment or order of the [trial] court is presumed correct,” and any “error must be affirmatively shown” on appeal. (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564, italics omitted.) To do so, the appellant must furnish an adequate appellate record. (*Maria P. v. Riles* (1987) 43 Cal.3d 1281, 1295-1296.) If the appellant does not, the claim will be resolved against them. (*Ibid.*)

To determine whether the trial court erred when it granted Willis's anti-SLAPP motion, we must independently review: (1) whether the claims in Bridges's complaint arose from protected activity, and (2) whether Bridges failed to establish a probability of success on the merits. (*Baral v. Schnitt* (2016) 1 Cal.5th 376, 384-385.) But Bridges does not include a copy of his complaint in the appellate record. Without the complaint, we cannot exercise our review function. (See, e.g., *Niederer v. Ferreira* (1987) 189 Cal.App.3d 1485, 1509 [affirming judgment for cross-defendants on cross-complaint where cross-complaint was not included in record on appeal]; *Taliaferro v. Davis* (1963) 220 Cal.App.2d 793, 794 [affirming grant of motion to strike amended complaint where plaintiff did not include original complaint in record]; *Utz v. Aureguy* (1952) 109 Cal.App.2d 803,

805-806 [affirming dismissal of third amended complaint where plaintiff did not provide three prior complaints].)

DISPOSITION

The order is affirmed. Willis shall recover his costs on appeal. (Cal. Rules of Court, rule 8.278(a).)

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TANGEMAN, J.

We concur:

GILBERT, P. J.

PERREN, J.

Vincent J. O'Neill, Jr., Judge
Superior Court County of Ventura

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

Myers, Widders, Gibson, Jones & Feingold and
Dennis Neil Jones, for Defendant and Respondent.