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NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

TERANCE L. CHAPMAN, Plaintiff and Respondent, v. RONALD HARDWAY, Defendant and Appellant.	B291696 Los Angeles County Super. Ct. No. 18AVRO00132

APPEAL from an order of the Superior Court of Los Angeles County, Robert A. McSorley, Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.) Affirmed.

Ronald Hardway, in pro. per., for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

Defendant Ronald Hardway appeals from a five-year civil harassment restraining order protecting plaintiff Terance L. Chapman, Chapman's wife, and Chapman's son. Hardway contends the court erred in the way it conducted the hearing on Chapman's petition for a restraining order and by failing to consider documentary evidence before ruling on the petition. We affirm.

BACKGROUND

In January 2018, Chapman filed a petition for a civil harassment restraining order under Code of Civil Procedure[1] section 527.6, protecting Chapman, his wife, and his adult son from Hardway. On February 14, 2018, the court held a hearing on Chapman's petition. Hardway and Chapman, both of whom were self-represented, testified.

Chapman owns about 30 acres of farmland in Agua Dulce. Hardway lived on the property for about 12 or 13 years, until he was evicted in 2015. Since then, Hardway has "exhibited bizarre behavior, verbally threatened [Chapman's] family, [engaged in] stalking behavior [and] threaten[ed] to continue to file lawsuits against [Chapman]." Hardway has gone to Chapman's property "almost four or five times a month for the last three years since he's been evicted." Hardway has "parked on [the] corner of [Chapman's] property behind trees until after midnight," he has "rake[d]" Chapman's driveway, and he once swerved and sped "in

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[1] All undesignated statutory references are to the Code of Civil Procedure.

[a] truck in an attempt to block [Chapman's] wife[']s car from exiting the driveway." Hardway has also hidden in brush near Chapman's property with a camera and "zoom lens," trying to view Chapman's house, and on one occasion, Hardway told Chapman, "You better watch your backs. You don't know what I'm capable of."

Hardway testified Chapman filed the restraining order petition to retaliate for the various lawsuits Hardway filed against Chapman. Hardway also claimed that Chapman "called the Sheriff and filed a false report that [Hardway] was trespassing" in 2014 in an effort to unlawfully evict Hardway "under threat of arrest." Chapman also "tore up [Hardway's] water and telephone lines" while Hardway was lawfully residing on the property. Hardway admitted, however, that he did "rake" Chapman's driveway so he could "find out which direction [Chapman] was going."

During the hearing, Hardway told the court he had brought copies of the 2014 "false report" that Chapman submitted to the Sheriff's Department and "a list of dates [and] police reports" documenting Chapman's "past harassment [and] vandalism." Hardway never asked the court to admit those documents into evidence, however, and the court never made any ruling on the admissibility of those or any other documents.

The court issued a five-year restraining order protecting Chapman, his wife, and his son from Hardway. The court found Hardway engaged in "a course of conduct which is harassing and breaching and disturbing the peace of the persons lawfully on [Chapman's] property." Hardway appeals.

DISCUSSION

Under section 527.6, a victim of harassment may obtain "an order after hearing prohibiting harassment … ." (§ 527.6, subd. (a).) "Harassment" is defined as "unlawful violence, a credible threat of violence, or a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose." (§ 527.6, subd. (b)(3).) The trial court must issue a restraining order if it finds by clear and convincing evidence that unlawful harassment exists. (§ 527.6, subd. (i).)

We review the trial court's decision to issue a restraining order for abuse of discretion and the factual findings necessary to support the protective order for substantial evidence. (*Parisi v. Mazzaferro* (2016) 5 Cal.App.5th 1219, 1226.) "We resolve all conflicts in the evidence in favor of respondent, the prevailing party, and indulge all legitimate and reasonable inferences in favor of upholding the trial court's findings." (*Bookout v. Nielsen* (2007) 155 Cal.App.4th 1131, 1137–1138.) "Whether the facts are legally sufficient to constitute civil harassment within the meaning of section 527.6 is a question of law reviewed de novo." (*Parisi*, at p. 1226.)

As a preliminary matter, we conclude substantial evidence supports the court's order granting Chapman's restraining order petition. Chapman presented evidence that Hardway regularly went to Chapman's property during a three-year period after Hardway was no longer legally entitled to be on the property. Hardway harassed Chapman and his family by, among other things, uttering a veiled threat at Chapman, attempting to prevent Chapman's wife from leaving her property, waiting outside Chapman's property until late at night, and using a

camera with a zoom lens to surveil Chapman's home. Hardway's conduct clearly constitutes harassment that would cause a reasonable person to suffer substantial emotional distress. (See *Ensworth v. Mullvain* (1990) 224 Cal.App.3d 1105, 1111–1112 [defendant engaged in a harassing course of conduct when he followed the plaintiff, circled the plaintiff's office building, kept the plaintiff's home under surveillance, made numerous phone calls to the plaintiff, and sent the plaintiff threatening letters].)

Hardway contends the court erred in granting the restraining order because it failed to review "supporting documentation of the parties and their prior litigation history." Hardway fails to identify, however, which documents he believes the court failed to consider before ruling on Chapman's petition. Although Hardway references the "false report" and "list of dates [and] police reports" he told the court he had brought to the hearing, he does not explain why those documents, or any other documents he believes the court should have considered, are relevant to the court's ruling on the petition. Nor does Hardway point to where in the record any of the documents he believes the court should have considered are located. Hardway has, therefore, forfeited this argument. (See *Yield Dynamics, Inc. v. TEA Systems Corp.* (2007) 154 Cal.App.4th 547, 556–557 [the appellant must provide the reviewing court with an adequate record, accurate citations to the parts of the record that support the appellant's claims, and sufficient legal argument]; *Keyes v. Bowen* (2010) 189 Cal.App.4th 647, 655–656 (*Keyes*) [any issues that are not supported by an adequate record, accurate record citations, or sufficient legal discussion will be deemed forfeited].)

In any event, as we noted above, Hardway never asked the court to admit, or otherwise consider, the "false report" and "list

of dates [and] police reports," and there is nothing in the record showing he tried to introduce any other evidence or asked the court to take judicial notice of any court records concerning the parties' prior litigation. We cannot reverse an order or judgment for the erroneous exclusion of evidence unless the appellant made a specific offer of proof before the trial court as to the relevance and admissibility of such evidence. (Evid. Code, § 354; see also *People v. Brady* (2005) 129 Cal.App.4th 1314, 1332 [" 'It is the burden of the proponent of evidence to establish its relevance through an offer of proof or otherwise,' and a specific offer of proof is necessary in order to preserve an evidentiary ruling for appeal"].) Because Hardway never made an offer of proof concerning any evidence he believes the court should have admitted, we cannot reverse the court's order granting the restraining order on the grounds the court failed to consider such evidence.

Hardway next contends the court erred by accepting Chapman's testimony that Hardway had gone to Chapman's property "almost four or five times a month for the last three years since [Hardway was] evicted." According to Hardway, the court should have asked Chapman to offer additional evidence to support his testimony because "no rational minded jurist would have allowed such a claim to invade its thought process without requesting a matter of proof in place and instead of testimony."

Hardway forfeited any claim that the court erroneously admitted or relied on Chapman's testimony because he never objected to that testimony below. (Evid. Code, § 353 [a reviewing court cannot reverse an order because of the erroneous admission of evidence unless the appellant objected to, or moved to exclude, such evidence in the trial court]; *Seibert v. City of San Jose* (2016)

247 Cal.App.4th 1027, 1057–1058 [an appellant forfeits any challenge to the admission of evidence if he did not timely object to the admission of that evidence in the trial court].) In any event, it is well settled that the testimony of a single witness is sufficient to establish any fact necessary to support a finding. (See Evid. Code, § 411 ["Except where additional evidence is required by statute, the direct evidence of one witness who is entitled to full credit is sufficient for proof of any fact."].) Accordingly, the court had no obligation to ask Chapman to submit additional evidence to corroborate his testimony.

Finally, Hardway claims the court erred because it failed to prevent him from admitting an adverse fact—i.e., that he had "rake[d]" Chapman's driveway "[t]o find out which direction [Chapman] was going." The only authority Hardway cites to support this argument is a section of a treatise advising judges how to ensure self-represented litigants are not misled by the court or another party during the course of litigation. (See Cal. Judges Benchbook: Civil Proceedings Before Trial (CJER 2019) Parties, § 10.103, pp. 824–827.) Nothing in the cited portion of that treatise stands for the proposition that a court is required to ensure self-represented litigants do not testify to adverse facts. Because Hardway does not cite any other authority to support this argument, we do not discuss it any further. (See *Keyes*, *supra*, 189 Cal.App.4th at pp. 655–656 [an appellant forfeits any arguments not adequately developed in the appellant's briefs]; see also *Bianco v. California Highway Patrol* (1994) 24 Cal.App.4th 1113, 1125 [a self-represented party is to be treated like any other party and is entitled to the same, but no greater, consideration than other litigants and attorneys].)

DISPOSITION

The order is affirmed. No costs are awarded on appeal.

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LAVIN, Acting P. J.

WE CONCUR:

EGERTON, J.

DHANIDINA, J.