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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

RHAKILA FULCHER,

Plaintiff and Appellant,

v.

DOLORES FRANCES
AFFORDABLE HOUSING, L.P.,

Defendant and Respondent.

B279160

(Los Angeles County
Super. Ct. No. BC591912)

APPEAL from a judgment of the Superior Court of
Los Angeles County, Barbara Scheper, Judge. Affirmed.

Rhakila Fulcher, in pro. per., for Plaintiff and Appellant.

No appearance for Defendant and Respondent.

INTRODUCTION

Plaintiff Rhakila Fulcher asked the trial court to enter a default judgment against defendant Dolores Frances Affordable Housing, L.P. (DFAH). After reviewing the complaint and plaintiff's evidence, the trial court determined the complaint did not state a cause of action and entered judgment in favor of DFAH. Plaintiff appeals; we affirm.

FACTUAL AND PROCEDURAL BACKGROUND

The complaint in this matter was filed August 19, 2015. Plaintiff, representing herself, utilized Judicial Council forms for the pleading and sued DFAH for breach of contract, fraud, premises liability, and general negligence. DFAH's default was entered August 11, 2016.¹ Plaintiff submitted a default "proveup package" pursuant to Code of Civil Procedure section 585, subdivision (d), seeking \$1.72 million in damages.

The trial court issued a minute order on November 15, 2016, explaining why plaintiff was not entitled to judgment against DFAH. Judgment in DFAH's favor was entered the same day.²

Plaintiff filed a notice of appeal three days later. Despite the notice of appeal, plaintiff continued to file motions in the trial court. The trial court held a hearing on plaintiff's motions to

¹ The default order itself is not in the record, but a review of the Los Angeles Superior Court Case Summary reflects its entry after a number of unsuccessful attempts.

² The judgment itself, although designated by plaintiff to be included in the clerk's transcript, was inadvertently omitted. The superior court provided this court with a copy. It is consistent with the trial court's minute order.

bifurcate and to reconsider the judgment and took those motions under submission. The trial court then issued a comprehensive order addressing not only the motions, but also the procedural history of the litigation. It provided a thorough recitation of plaintiff's evidence and the court's rationale for entering judgment in defendant's favor.³ The trial court ensured that all the documents submitted in support of plaintiff's request for default judgment were properly filed and available for appellate review.

The trial court also held a hearing on, and subsequently denied, plaintiff's request for a settled statement. The trial court's ruling indicated no hearings were held on the dates plaintiff specified.

DISCUSSION

Plaintiff is representing herself on appeal. Her opening brief does not comply with rule 8.204 of the California Rules of Court. Although the brief uses the words "table of contents" and "table of authorities," the following entries are not connected to those headings. The opening brief lacks a summary of the significant facts, does not include any record citations, and fails to include legal arguments or citations to relevant authority. Plaintiff's status as a self-represented litigant does not entitle her

³ Not once, but twice—and despite concluding plaintiff's complaint did not state a cause of action—the trial court gave plaintiff every benefit of the doubt and thoroughly reviewed the evidence in support of her request for a default judgment against DFAH. Plaintiff submitted more than 300 pages of evidence, and the trial court considered it before entering judgment in defendant's favor and reviewed it again on plaintiff's nonstatutory motion for reconsideration.

to ignore appellate rules. (*Nwosu v. Uba* (2004) 122 Cal.App.4th 1229, 1246.)

Because she is the appellant, plaintiff has the “duty to point out portions of the record that support the position taken on appeal. The appellate court is not required to search the record on its own seeking error. . . . [A]ny point raised that lacks citation may, in this court’s discretion, be deemed waived.” (*Del Real v. City of Riverside* (2002) 95 Cal.App.4th 761, 768.) Based on plaintiff’s failure to file an opening brief that provides an adequate basis for review of the judgment against her, we deem all of plaintiff’s arguments waived.

DISPOSITION

The judgment is affirmed. No costs are awarded.

DUNNING, J.*

We concur:

RUBIN, Acting P. J.

STRATTON, J.

* Judge of the Orange Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.