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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

BROOKE MORAMARCO,

Plaintiff and Respondent,

v.

BRANDON LAMB,

Defendant and Appellant.

B283672

(Los Angeles County  
Super. Ct. No. SS028946)

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

Claudia Medina, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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Brandon Lamb appeals a three-year civil harassment restraining order in favor of Brooke Moramarco.<sup>1</sup> We review the order for substantial evidence. (*Harris v. Stampolis* (2016) 248 Cal.App.4th 484, 497.) We affirm.

After holding a hearing and receiving testimony, a court shall issue a restraining order if it finds clear and convincing evidence that unlawful harassment exists. (Code Civ. Proc., § 527.6, subd. (i).) Harassment is “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. The course of conduct must be that which would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner.” (§ 527.6, subd. (b)(3).) “‘Credible threat of violence’ is a knowing and willful statement or course of conduct that would place a reasonable person in fear for his or her safety or the safety of his or her immediate family, that serves no legitimate purpose.” (§ 527.6, subd. (b)(2).) “‘Course of conduct’ is a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose,” including, among other acts, “following or stalking an individual.” (§ 527.6, subd. (b)(1).)

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<sup>1</sup> This case was an unlimited civil case, but Lamb filed a timely notice of appeal in the superior court using the form for an appeal in a limited civil case. We construe the notice liberally to properly appeal to this court. (Cal. Rules of Court, rule 8.100(a)(2); *Red Mountain, LLC v. Fallbrook Public Utilities Dist.* (2006) 143 Cal.App.4th 333, 344.)

Sufficient evidence supported the restraining order in this case. Moramarco lived in an apartment near Lamb and his wife. Moramarco testified the Lambs harassed her for two years when she came home at night due to perceived excessive noise. She said “any time I come home, I get the cops called” because the Lambs watch her from their window. Although not in the record, Moramarco showed the court several videos of the Lambs’ harassment. In one, they followed her down the stairs and out to her car, saying, “[Y]ou better keep walking, little bitch,” and calling her a “drunken whore, an alcoholic, all the way down to the street.” Another video showed Mrs. Lamb blocking the door to Moramarco’s apartment and telling Moramarco’s brother, “‘Who the hell do you guys think you are keeping me up all hours of the night?’” Moramarco described a video of Mr. Lamb “walking up to my car and putting his hand down on my car just for no reason, because there was no way out.” She described another video in which “they went right up to my door stomping, then they go outside and she came back down” and Mrs. Lamb was “staring at my door, like, evil.”

The court found Moramarco was not making excessive noise and Mrs. Lamb confronted Moramarco with an “unprovoked verbal attack.” The court found “a pattern of harassment by the Lambs towards Ms. Moramarco.” The court did not expressly find Moramarco suffered emotional distress, but neither the videos nor Moramarco’s petition are in the record. We must presume they supported the court’s order. (*In re Angel R.* (2008) 159 Cal.App.4th 1127, 1137 [“The appellant has the burden of establishing error and, lacking an adequate record, a reviewing court will presume the evidence supports the judgment.”].) We find Lamb’s challenges to the evidence unpersuasive.

### **DISPOSITION**

The order is affirmed. Respondent is awarded costs on appeal.

BIGELOW, P.J.

We concur:

RUBIN, J.

ROGAN, J.\*

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