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California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(a). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115(a).

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION THREE

ARTHUR COLEMAN,

Plaintiff and Appellant,

v.

COUNTY OF LOS ANGELES,
et al.,

Defendants and Respondents.

B271825

Los Angeles County
Super. Ct. No. BC530894

APPEAL from a judgment of the Superior Court of
Los Angeles County, Frederick C. Shaller, Judge. Affirmed.
Arthur Coleman, in pro. per., for Plaintiff and Appellant.
Nelson & Fulton, Henry Patrick Nelson and
Amber A. Logan for Defendants and Respondents.

Plaintiff and appellant Arthur Coleman appeals from the trial court's summary judgment in favor of defendants and respondents County of Los Angeles, Cecil Hambo, James R. Lopez and Carlos Jaen.¹ We affirm.

DISCUSSION

The judgment of a lower court is presumed to be correct on appeal, and all intendments and presumptions are indulged in favor of its correctness. (*In re Marriage of Arceneaux* (1990) 51 Cal.3d 1130, 1133.) As a consequence of this presumption of correctness, error must be affirmatively shown. (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564.) Thus, an appellant must demonstrate prejudicial or reversible error based on sufficient legal argument supported by citation to an adequate record. (*Yield Dynamics, Inc. v. TEA Systems Corp.* (2007) 154 Cal.App.4th 547, 556-557.) Matters not properly raised or that are lacking in adequate legal discussion will be deemed forfeited. (*Keyes v. Bowen* (2010) 189 Cal.App.4th 647, 655-656.)

To meet his burden on appeal from a grant of summary judgment, Coleman, as the appellant, must “direct the court to evidence that supports his arguments.” (*Hodjat v. State Farm Mutual Automobile Ins. Co.* (2012) 211 Cal.App.4th 1, 10.) “Moreover, an appellant is required to not only cite to valid legal authority, but also explain how it applies in his case. [Citation.] It is not the court's duty to attempt to resurrect an appellant's

¹ The challenged judgment was entered on April 12, 2016 after the trial court granted defendants' motion for summary judgment on March 15, 2016. Although Coleman's opening brief also references a purported judgment entered in July 2015, that document is not in the appellate record.

case or comb through the record for evidentiary items to create a disputed issue of material fact. [Citation.]” (*Ibid.*) An appellant who fails to pinpoint evidence in the record indicating the existence of triable issues of fact will be deemed to have waived any claim that the lower court erred in granting summary judgment. (See *Guthrey v. State of California* (1998) 63 Cal.App.4th 1108, 1115-1116.)

Coleman has not met his burden on appeal. His two-page opening brief, excluding the tables of contents and authorities, does not state the nature of the action or the relief sought in the trial court; it also does not provide a summary of the facts or the standard of review.² (See Cal. Rules of Court, rule 8.104(a)(1).) His brief does not mention the operative pleading, his causes of action, or the trial court’s 17-page summary judgment ruling.

Most significantly, Coleman’s brief contains no intelligible argument as required by California Rules of Court, rule 8.204(a)(1)(B). Coleman’s entire argument challenging the trial court’s granting of summary judgment is the following: the trial court “ ‘acted in excess of California legislative [*sic*] and outside of jurisdiction, and in so doing deprived [Coleman] of a fair trial as to a true and correct final judgment, supported by factual law matter during course of civil case, see citation, California Code of Civil Procedure section 473.’ ” This argument omits any meaningful legal analysis and is completely inadequate. Even if we could “vacate and void” the judgment under the cited statute, a matter open to debate (see *Las Vegas Land & Development Co., LLC v. Wilkie Way, LLC* (2013) 219 Cal.App.4th 1086, 1087 [mandatory relief provision of Code

² Coleman did not file a reply brief.

Civ. Proc., § 473, subd. (b), does not encompass summary judgments]), Coleman does not explain why section 473 allows us to vacate, void, or reverse the judgment in his case.

We recognize that Coleman is representing himself on appeal. His status as a party appearing in propria persona does not, however, provide a basis for preferential consideration. 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. (See *Bianco v. California Highway Patrol* (1994) 24 Cal.App.4th 1113, 1125.)

In sum, we find Coleman failed to meet his burden to demonstrate error and affirm the judgment without further discussion.

DISPOSITION

The judgment is affirmed. Defendants shall recover their costs on appeal.

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LAVIN, J.

WE CONCUR:

EDMON, P. J.

BACHNER, J.*

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