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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

TESSIE CLEVELAND COMMUNITY
SERVICES CORP.,

Plaintiff and Respondent,

v.

MOHSEN LOGHMANI,

Defendant and Appellant.

B251944

(Los Angeles County
Super. Ct. No. TC023641)

APPEAL from a judgment of the Superior Court of Los Angeles County.
William B. Barry, Judge. Affirmed.

Mohsen Loghmani, in pro. per., for Defendant and Appellant.

J.J. Little & Associates, James J. Little for Plaintiff and Respondent.

A jury returned a verdict against appellant. Following entry of judgment, the trial court ordered appellant to pay respondent's attorney fees. Appellant appeals from the attorney fees order but makes no pertinent argument. We affirm.

BACKGROUND

Mohsen Loghmani, a licensed provider of contracting, professional engineering, and architectural services, entered into a number of agreements with respondent Tessie Cleveland Community Services Corp. (Tessie). In November 2011, a jury found Loghmani liable for professional negligence, misrepresentation, and breach of contract. Tessie was awarded net damages of \$388,325.47.

Judgment was entered on March 7, 2013. The trial court denied Loghmani's motions for new trial and for judgment notwithstanding the verdict.¹

On August 6, 2013, the trial court granted Tessie's motion for attorney fees, awarding \$1,458,101.25. Loghmani's appeal from that order is timely.²

DISCUSSION

An order awarding attorney fees is generally reviewed for an abuse of discretion, though the issue of whether fees are awardable by contract or otherwise is a question of law. (*Chodos v. Borman* (2014) 227 Cal.App.4th 76, 91.)

The record on appeal does not contain Tessie's motion for attorney fees or any opposition papers, and Loghmani's appellate brief does not contain an independent argument for overturning the attorney fees award. Instead, Loghmani argues that the trial

¹ On November 13, 2014, we dismissed Loghmani's appeal from the judgment and denial of these motions (B250392) as untimely. We also denied his request to consolidate that appeal with this one.

² Following our dismissal of Loghmani's prior appeal (B250392), Tessie filed a motion to dismiss this appeal and a motion for sanctions against Loghmani. We elect to definitively decide this appeal by this opinion and therefore the motion to dismiss is denied. In addition, although this appeal potentially could be considered frivolous and/or moot following the dismissal of the prior appeal, given the facts of this case, we decline to impose sanctions. The motion for sanctions is denied.

court improperly denied his motion for judgment notwithstanding the verdict and his motion for new trial, and simply requests that the subsequent fees award be “waived.” The appeal concerning these motions was dismissed, however, leaving us without jurisdiction to review the denials. Since Loghmani provides no independent basis for reversal of the order awarding attorney fees to Tessie, we must affirm.

DISPOSITION

The August 6, 2013 order is affirmed.

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BOREN, P.J.

We concur:

ASHMANN-GERST, J.

CHAVEZ, J.