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

ARTHUR HUNTER,

Plaintiff and Appellant,

v.

NASEEM MAJDALANI,

Defendant and Respondent.

B242060

(Los Angeles County  
Super. Ct. No. BC444267)

APPEAL from a judgment of the Superior Court of Los Angeles County, Mary Ann Murphy, Judge. Affirmed.

Arthur Hunter, in pro. per., for Plaintiff and Appellant.

Grant, Genovese & Baratta and Harry A. Safarian for Defendant and Respondent.

Plaintiff/appellant Arthur Hunter filed the present action against his landlord, defendant/respondent Naseem Majdalani, on August 23, 2010. He filed the operative third amended complaint, alleging causes of action for breach of quiet enjoyment, negligence, and breach of habitability, on December 9, 2011. On May 22, 2012, the trial court dismissed the action “for plaintiff’s failure to comply with orders dated 4/17/12, 11/9/11, and 2/5/12.”

Plaintiff contends that the trial court dismissed his action because he failed to file a fourth amended complaint and that such dismissal was an abuse of discretion. Defendant responds that plaintiff’s action was dismissed because plaintiff failed to comply with the trial court’s order to serve verified responses to written discovery, and he urges that the dismissal was within the court’s discretion.

To determine whether the trial court abused its discretion by dismissing plaintiff’s case, we would need to review the orders referenced in the dismissal, as well as the briefs and arguments of the parties filed in connection with those orders. However, plaintiff did not include any of these documents in his appellate record. Because he failed to supply us with an adequate appellate record, we must affirm the judgment. (E.g., *Defend Bayview Hunters Point Com. v. City and County of San Francisco* (2008) 167 Cal.App.4th 846, 859-860 [“Error must be affirmatively shown. (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564.) The party appealing has the burden of overcoming the presumption of correctness. For this purpose, it must provide an adequate appellate record demonstrating the alleged error. Failure to provide an adequate record on an issue requires that the issue be resolved against the appellant. (*Maria P. v. Riles* (1987) 43 Cal.3d 1281, 1295-1296.)”].)

## **DISPOSITION**

The judgment of dismissal is affirmed. Respondent is awarded his costs on appeal.

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SUZUKAWA, J.

We concur:

WILLHITE, Acting P. J.

MANELLA, J.