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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

LETICIA VALLADARES,

Plaintiff and Appellant,

v.

WELLS FARGO BANK, N.A., etc., et
al.,

Defendants and Respondents.

B254159

(Los Angeles County
Super. Ct. No. PC051396)

APPEAL from a judgment of the Superior Court of Los Angeles County, Stephen Pfahler, Judge. Affirmed.

William Beck for Plaintiff and Appellant.

Anglin Flewelling Rasmussen Campbell & Trytten, Robert Collings Little and Robin C. Campbell for Defendants and Respondents.

Plaintiff, Leticia Valladares, appeals from a judgment following an order sustaining a demurrer to her second amended complaint without leave to amend. The record on appeal does not contain the demurrer to the second amended complaint, the opposition, or the reply. Defendant, Wells Fargo Bank, N.A., argues the record is inadequate to permit appellate review. We agree.

On appeal, a judgment or final order is presumed correct. (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564; *Cahill v. San Diego Gas & Electric Co.* (2011) 194 Cal.App.4th 939, 956.) All intendments and presumptions are made to support the judgment or final order on matters as to which the record is silent. (*Denham v. Superior Court*, *supra*, 2 Cal.3d at p. 564; *Cahill v. San Diego Gas & Electric Co.*, *supra*, 194 Cal.App.4th at p. 956.) An appellant must affirmatively establish error by an adequate record. (*Foust v. San Jose Const. Co., Inc.* (2011) 198 Cal.App.4th 181, 187; *Osgood v. Landon* (2005) 127 Cal.App.4th 425, 435; *Park Place Estates Homeowners Assn. v. Naber* (1994) 29 Cal.App.4th 427, 433; *Null v. City of Los Angeles* (1988) 206 Cal.App.3d 1528, 1532.) In other words, it is an appellant's burden to provide an adequate record on appeal. (*Ballard v. Uribe* (1986) 41 Cal.3d 564, 574-575; *Foust v. San Jose Const. Co., Inc.*, *supra*, 198 Cal.App.4th at p. 187; *Null v. City of Los Angeles*, *supra*, 206 Cal.App.3d at pp. 1532–1533.)

Here, we cannot make a determination on whether the trial court erred by sustaining the demurrer to the second amended complaint without leave to amend. Plaintiff has failed to provide us with the demurrer, opposition, or reply. Because the record is inadequate, the decision of the trial court should be affirmed. (*Foust v. San Jose Const. Co., Inc.*, *supra*, 198 Cal.App.4th at p.

187; *Gee v. American Realty & Const., Inc.* (2002) 99 Cal.App.4th 1412, 1416.)

The judgment is affirmed. Defendant, Wells Fargo Bank, N.A., may recover its appellate costs from plaintiff, Leticia Valladares.

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TURNER, P. J.

We concur:

KRIEGLER, J.

KIN, J. *

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