

Appellate Courts Case Information

CALIFORNIA COURTS
THE JUDICIAL BRANCH OF CALIFORNIA

Supreme Court

Change court

Court data last updated: 12/09/2019 11:16 AM

Docket (Register of Actions)

WATSON, ESTATE OF
Division SF
Case Number S258314

| Date | Description | Notes |
|------------|---|--|
| 10/01/2019 | Received untimely petition for review | Petitioner and Appellant: Scherrieto Little Pro Per |
| 10/02/2019 | Time for ordering review extended on the court's own motion | Having received the petition for review within the court's original jurisdiction, the time for ordering review on the court's own motion is hereby extended to and including December 2, 2019. (Cal. Rules of Court, rule 8.512(c).) |
| 10/02/2019 | Application for relief from default filed | Scherrieto Little, Petitioner and Appellant Pro Per |
| 10/02/2019 | Application for relief from default denied (case closed) | |

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Disposition

WATSON, ESTATE OF
Division SF
Case Number S258314

Only the following dispositions are displayed below: Orders Denying Petitions, Orders Granting Rehearing and Opinions. Go to the Docket Entries screen for information regarding orders granting review.

Case Citation: none

| Date | Description |
|------------|--|
| 10/02/2019 | Application for Relief from Default Denied |

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OCT 2 2019

Jorge Navarrete Clerk

Court of Appeal, Fourth Appellate District, Division One - No. D076062 Deputy

S258314

IN THE SUPREME COURT OF CALIFORNIA

Estate of ARTHUR LEE WATSON, Deceased.

SCHERRIETO LITTLE, Petitioner and Appellant,

v.

JANIS NAU, as Administrator, etc., Objector and Respondent.

Having received the petition for review within the court's original jurisdiction, the time for ordering review on the court's own motion is hereby extended to and including December 2, 2019. (Cal. Rules of Court, rule 8.512(c).)

CANTIL-SAKAUYE

Chief Justice

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

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(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

| | |
|------------------------------------|-----------------------------|
| Estate of ARTHUR ODOM, Deceased. | |
| JANIS NAU, as Administrator, etc., | D069587 |
| Petitioner and Respondent, | (Super. Ct. No. |
| v. | 37-2009-00150947-PR-LS-CTL) |
| SCHERRIETO LITTLE, | |
| Objector and Appellant. | |

APPEAL from an order of the Superior Court of San Diego County, Jeffrey S.

Bostwick, Judge. Affirmed.

Scherrieto Little, in pro. per., for Objector and Appellant.

Kessler & Seecof and Daniel J. Kessler for Petitioner and Respondent.

Scherrieto Little, a self-represented litigant, appeals the probate court's order granting in part and modifying Janis Nau's "Petition for Third and Final Account; Report of Administrator and Petition for Settlement; for Allowance of Statutory and Extraordinary Attorney's Fees; for Allowance of Statutory and Extraordinary Administrators Fees; for Reimbursement of Costs Advanced; for Determination of Persons Entitled to Distribution; and for Final Distribution filed on [August 13, 2014]." Little challenges the attorney and administrator fee as "fraud[ulent], excessive and unreasonable," and argues the probate case presented "no extraordinary circumstances" She appears to assert that the heirs have received no benefit "due to the fraud and lie's [sic] that have been committed by these corrupt attorney's [sic] and judge's [sic]." Little fails to raise any cognizable legal error; accordingly, we affirm the order.

DISCUSSION

Under California Rules of Court, rule 8.204 (a)(1) (B), each brief is required to "support each point by argument and, if possible, by citation of authority." Further, under rule 8.204 (a)(1)(C), the brief must "[s]upport any reference to a matter in the record by a citation to the volume and page number of the record where the matter appears." Here, Little did not comply with these requirements; therefore, we are unable to ascertain the relevant facts from her brief.

Little has not shown, with reference to reasoned legal argument and authorities, that the trial court erred in reaching its decision. "A judgment or order of the lower court is presumed correct [with] [a]ll intendments and presumptions . . . indulged to support it

on matters as to which the record is silent." (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564, italics omitted.) To obtain reversal, the appellant must affirmatively demonstrate error on the record before the court. (*Ibid.*) Further, an appellate court is not required to independently search the record for errors, or "consider alleged errors where the appellant merely complains without a pertinent argument." (*Benach v. County of Los Angeles* (2007) 149 Cal.App.4th 836, 852; *Guthrey v. State of California* (1998) 63 Cal.App.4th 1108, 1115.) "When an appellant fails to raise a point, or asserts it but fails to support it with reasoned argument and citations to authority, we treat the point as waived." (*Benach v. County of Los Angeles*, at p. 852.) Little has not demonstrated error or prejudice sufficient to overcome the presumption of correctness afforded to the probate court's order. (*Denham v. Superior Court, supra*, 2 Cal.3d at p. 564.)

DISPOSITION

The order is affirmed. Janis Nau is awarded costs on appeal.

O'ROURKE, J.

WE CONCUR:

McCONNELL, P. J.

HALLER, J.

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from this filing is
available in the
Clerk's Office.**