

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

SHANDOR PEDRAZZINI,
Plaintiff/Appellee,

v.

JERONIMO DAVID HERRERA,
Defendant/Appellant.

No. 2 CA-CV 2013-0094
Filed December 10, 2013

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c); Ariz. R. Civ. App. P. 28(c).

Appeal from the Superior Court in Pima County
No. C20131947
The Honorable Alyce Pennington, Judge Pro Tempore

AFFIRMED

COUNSEL

Jeronimo D. Herrera, Tucson
In Propria Persona

MEMORANDUM DECISION

Chief Judge Howard authored the decision of the Court, in which
Judge Vásquez and Judge Miller concurred.

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H O W A R D, Chief Judge:

¶1 Appellant Jeronimo Herrera appeals from an injunction against harassment entered against him and in favor of Shandor Pedrazzini and Pedrazzini's family. For the following reasons, we affirm.

Factual and Procedural Background

¶2 The record reflects the following procedural history. In April 2013, Pedrazzini filed a petition for an order of protection against Herrera. He requested the order prohibit Herrera from coming near his home, his children's schools, or places where his children frequently spend time. After an ex parte hearing that same day, the trial court set the matter for a contested hearing. That hearing took place just over a week later, and both Pedrazzini and Herrera were present. After both parties and additional witnesses were sworn and questioned, the court granted the requested injunction against harassment. We have jurisdiction over Herrera's appeal pursuant to A.R.S. § 12-2101(A)(1), (5)(b). *See Mahar v. Acuna*, 230 Ariz. 530, ¶ 11, 287 P.3d 824, 827-28 (App. 2012).

Discussion

¶3 Herrera argues there was insufficient evidence to support granting the injunction, that Shandor perjured himself, and that the trial court did not properly weigh the evidence presented.¹ "We review orders granting injunctions under a clear abuse of discretion standard." *LaFaro v. Cahill*, 203 Ariz. 482, ¶ 10, 56 P.3d 56, 59 (App. 2002).

¶4 Even though Herrera is a nonlawyer representing himself, he is held to the same standards as a qualified attorney. *See Old Pueblo Plastic Surgery, P.C. v. Fields*, 146 Ariz. 178, 179, 704 P.2d

¹Pedrazzini did not file an answering brief and we could regard his failure to do so as a confession of reversible error. *Cardoso v. Soldo*, 230 Ariz. 614, n.1, 277 P.3d 811, 813 n.1 (App. 2012). But we are not required to do so and in our discretion we address the substance of Herrera's appeal. *See id.*

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819, 820 (App. 1985). Herrera's opening brief does not comply in any meaningful way with Rule 13, Ariz. R. Civ. App. P. The brief contains virtually no assertions of legally relevant facts, lacks argument with citations to authorities, and does not state the basis of this court's jurisdiction or articulate the proper standard of review. Because Herrera has failed to comply with the rules or adequately develop his arguments, we summarily affirm the trial court's order granting the order of protection. *See* Ariz. R. Civ. App. P. 13(a)(6); *In re \$26,980.00 U.S. Currency*, 199 Ariz. 291, ¶ 28, 18 P.3d 85, 93 (App. 2000) (court does not consider bare assertion offered without elaboration or citation to legal authority).

¶5 Moreover, the trial court determines credibility. *Gutierrez v. Gutierrez*, 193 Ariz. 343, ¶ 13, 972 P.2d 676, 680-81 (App. 1998). And we view the facts in the light most favorable to upholding the court's ruling. *Mahar*, 230 Ariz. 530, ¶ 14, 287 P.3d at 828. When the facts are so viewed and in the absence of any relevant argument, sufficient evidence supports the trial court's injunction.

Disposition

¶6 For the foregoing reasons, we affirm the decision of the trial court.