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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION TWO

ELIZABETH KARNAZES,
Cross-complainant and Appellant,
v.
JOHN J. HARTFORD,
Cross-defendant and Respondent.

A128486

(San Mateo County
Super. Ct. No. CIV458258)

On May 11, 2010, cross-complainant Elizabeth Karnazes filed a notice purporting to appeal from judgments and orders entered on “Nov. 21, 2008; Feb. 23, 2009, Mar. 30, 2009, May 18, 26-27, 2009 Sept. 28, 2009, Feb. 23, 2010, Mar. 4, 2010, Mar. 24, 2010, April 14, 2010, May 7, 2010, July 20, 2009.”

We directed the parties to file supplemental briefing on the question of which judgments and orders designated in the notice of appeal were appealable and thus not subject to dismissal. Having received that briefing, and treating respondent’s brief as including a motion to dismiss, on September 21, 2011, we filed an order stating, in pertinent part: “Respondent’s motion to dismiss the appeal from orders dated November 21, 2008, February 23, 2009, March 30, 2009, May 18, 2009 . . . is granted on the ground that these orders are not appealable. Respondent’s motion to dismiss appellant’s appeal from the July 20, 2009, and September 28, 2009 orders is granted because the appeal from these orders is untimely.” Our September 21, 2011 order is now final.

That ruling, therefore, left the following six: (1) May 26-27, 2009; (2) February 23, 2010; (3) March 24, 2010; (4) March 24, 2010; (5) April 14, 2010; and (6) May 7, 2010.

“A reviewing court must raise the issue on its own initiative whenever a doubt exists as to whether the trial court has entered a final judgment or other order or judgment made appealable by Code of Civil Procedure section 904.1.” (*Jennings v. Marralle* (1994) 8 Cal.4th 121, 126.) “An attempt to appeal from a nonappealable order does not give this court jurisdiction or authority to review it.” (*Sherman v. Standard Mines Co.* (1913) 166 Cal. 524, 525.) If an appeal is purportedly taken from an order that is not statutorily authorized, dismissal is required. (E.g., *Collins v. Corse* (1936) 8 Cal.2d 123, 124; *Rossi v. Caire* (1922) 189 Cal. 507, 508; *Art Movers, Inc. v. Ni West, Inc.* (1992) 3 Cal.App.4th 640, 645; *Redevelopment Agency v. Goodman* (1975) 53 Cal.App.3d 424, 429; *Adohr Milk Farms, Inc. v. Love* (1967) 255 Cal.App.2d 366, 369; 9 Witkin, Cal. Procedure (5th ed. 2008) Appeal, § 86, p. 146.)

Because the issue goes to our jurisdiction to proceed further, we undertake an independent examination of whether the remaining six orders specified in the notice of appeal are appealable. And conclude that they are not.

First, the only order made or entered “May . . . 26-27, 2009” is the one dismissing “All Cross-Complaints and Amended Cross-Complaints against John J. Hartford.” This dismissal was entered at appellant’s request. It is therefore not appealable. (*H.D. Arnaiz, Ltd. v. County of San Joaquin* (2002) 96 Cal.App.4th 1357, 1364-1365 and decisions cited.)

Next in chronological line is the order made or entered “Feb. 23, 2010.” This was an order directing appellant to pay respondent “monetary sanctions in the amount of \$1,315.00” for failing to make timely discovery. Because the amount is less than \$5,001, this order is not appealable. (Code Civ. Proc., § 904.1, subs. (a)(11), (a)(12).) The order made or entered “Mar. 4, 2010” is a reiteration of the February 23 order.

The only order made or entered on “Mar. 24, 2010” was the denial of appellant’s motion to set aside the voluntary dismissal. Because the dismissal is not appealable,

neither is the order declining to vacate it set it aside. (*H.D. Arnaiz, Ltd. v. County of San Joaquin, supra*, 96 Cal.App.4th 1357, 1366-1367; 9 Witkin, Cal. Procedure, *supra*, Appeal, § 197, pp. 273-274.) The only order made or entered on April 14, 2010 is a reiteration of the order made on March 24.

Finally, the only order made on May 7, 2010 is a minute order reciting that appellant's "renewed Motion To Vacate the Order of September 29, 2009 and Judgment is DENIED" on the ground that "The moving party has failed to comply with the requirements of Code of Civ. Proc. Section 1008(b)." This order is not appealable. (*Crotty v. Trader* (1996) 50 Cal.App.4th 765, 771; see Code Civ. Proc., § 1008, subd. (g).)

The purported appeals from all remaining orders are dismissed. The parties shall bear their respective costs on appeal.

Richman, J.

We concur:

Kline, P.J.

Haerle, J.