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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

REGULO SIERRA,

Plaintiff and Appellant,

v.

PAUL H. MELBOSTAD et al.,

Defendants and Respondents.

A135899

(San Francisco City & County  
Super. Ct. No. CGC-11-516154)

**MEMORANDUM OPINION<sup>1</sup>**

Plaintiff Regulo Sierra sued his former attorneys, defendants Paul H. Melbostad and his law firm, for legal malpractice. The trial court sustained defendants' demurrer to plaintiff's first amended complaint without leave to amend on the ground the malpractice claims were time-barred.

Plaintiff, in pro. per. both here and below, purports to appeal from (1) the order sustaining the demurrer without leave to amend and (2) an order denying reconsideration of that order.

Neither order is appealable. (*Nowlon v. Koram Ins. Center, Inc.* (1991) 1 Cal.App.4th 1437, 1440; *Annette F. v. Sharon S.* (2005) 130 Cal.App.4th 1448, 1458–1459; 9 Witkin, *Cal. Procedure* (5th ed. 2008) Appeal, § 154, pp. 230–231, § 165,

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<sup>1</sup> We use the memorandum opinion format pursuant to California Standards of Judicial Administration, section 8.1.

pp. 241–242.) Accordingly, we hereby dismiss this appeal.<sup>2</sup>

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Sepulveda, J.\*

We concur:

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Dondero, Acting P.J.

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Banke, J.

\* Retired Associate Justice of the Court of Appeal, First Appellate District, Division Four, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

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<sup>2</sup> We resolve this appeal without oral argument because we are not deciding it on the merits. (See *Moles v. Regents of University of California* (1982) 32 Cal.3d 867, 871.)