

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

MEGAN WINTERS,
Plaintiff/Appellee,

v.

TANYA WINTERS,
Defendant/Appellant.

No. 2 CA-CV 2019-0024
Filed June 17, 2019

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NOT FOR PUBLICATION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)(1); Ariz. R. Civ. App. P. 28(a)(1), (f).

Appeal from the Superior Court in Gila County
No. PO20190004
The Honorable Timothy M. Wright, Judge

AFFIRMED

Tanya Winters, Payson
In Propria Persona

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MEMORANDUM DECISION

Judge Brearcliffe authored the decision of the Court, in which Presiding Judge Staring and Judge Vásquez concurred.

BREARCLIFFE, Judge:

¶1 Tanya Winters appeals from the trial court’s grant of an injunction against harassment in favor of her daughter, Megan Winters. We affirm.

Factual and Procedural Background

¶2 On January 16, 2019, Megan Winters filed a petition for an injunction against harassment against Tanya. That same day, the trial court granted the injunction, after holding an ex parte hearing and finding reasonable cause. After being served with the injunction, Tanya requested a hearing. On January 31, 2019, after hearing testimony from Megan Winters and Tanya, the court denied Tanya’s request that the injunction be modified. This appeal followed, and we have jurisdiction under A.R.S. §§ 12-120.21(A)(1), 12-2101(A)(5)(b).

Discussion

¶3 We review a trial court’s grant of an injunction against harassment for an abuse of discretion. *LaFaro v. Cahill*, 203 Ariz. 482, ¶ 10 (App. 2002). An injunction against harassment may be issued when the court finds “reasonable evidence of harassment of the plaintiff by the defendant during the year preceding the filing of the petition or that good cause exists to believe that great or irreparable harm would result to the plaintiff if the injunction is not granted.” *Id.* ¶ 11 (quoting A.R.S. § 12-1809(E)). A trial court abuses its discretion in issuing an injunction against harassment when the record fails to show “substantial evidence to support” the injunction. *Wood v. Abril*, 244 Ariz. 436, ¶ 6 (App. 2018) (quoting *Prudential Ins. Co. of Am. v. Pochiro*, 153 Ariz. 368, 370 (App. 1987)).

¶4 Tanya’s argument appears to be that the injunction should be vacated because she did not harass the appellee and does not intend to do so. However, because Tanya provides no transcripts from either the January 16 or the January 31 hearings, we presume that the record supports the trial court’s ruling. *See Varco, Inc. v. UNS Elec., Inc.*, 242 Ariz. 166, ¶ 3

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(App. 2017) (presuming “missing transcript would support the [trial] court’s ruling”); *see also* Ariz. R. Civ. App. P. 11(c)(1)(B) (“If the appellant will contend on appeal that a judgment, finding or conclusion, is unsupported by the evidence or is contrary to the evidence, the appellant must include in the record transcripts of all proceedings containing evidence relevant to that judgment, finding or conclusion.”). Tanya makes no other cognizable claims that can be addressed on review. *See Ritchie v. Krasner*, 221 Ariz. 288, ¶ 62 (App. 2009) (citations omitted) (“Opening briefs must present and address significant arguments, supported by authority that set forth the appellant’s position on the issue in question. . . . Failure to do so can constitute abandonment and waiver of that claim.”); *see also* Ariz. R. Civ. App. P. 13(a)(7).

Disposition

¶5 We affirm the trial court’s order of an injunction against harassment against Tanya.