

IN THE UTAH COURT OF APPEALS

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Thomas Russell Grover,	)	MEMORANDUM DECISION
	)	(Not For Official Publication)
Plaintiff and Appellant,	)	
	)	Case No. 20100603-CA
v.	)	
	)	
Neal David Grover of the	)	F I L E D
Isabel M. Grover Trust; and	)	(November 26, 2010)
Neal David Grover, William Ray	)	
Grover, and Richard Albert	)	2010 UT App 334
Grover, Trustees,	)	
	)	
Defendants and Appellees.	)	

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Third District, Salt Lake Department, 070917959  
The Honorable Glenn K. Iwasaki

Attorneys: Thomas Russell Grover, Salt Lake City, Appellant Pro  
Se  
            Matthew J. Ball, Salt Lake City, for Appellees

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Before Judges Thorne, Voros, and Christiansen.

PER CURIAM:

Thomas Russell Grover appeals the district court's order granting summary judgment. This matter is before the court on a sua sponte motion for summary disposition. We affirm.

When reviewing whether the district court properly granted summary judgment, this court reviews the district court's conclusions of law for correctness and we grant them no deference. See Grappendorf v. Pleasant Grove City, 2007 UT 84, ¶ 5, 173 P.3d 166. The district court granted summary judgment after determining that the claims presented in Grover's complaint could have been, or were, litigated in a prior lawsuit between the parties. Thus, the district court ruled that Grover's present lawsuit was barred by the doctrine of res judicata.

"The term 'res judicata' refers generally to the preclusive effects of judgments previously entered, and consists of 'two branches: claim preclusion and issue preclusion'". D.U. Company, Inc. v. Jenkins, 2009 UT App 195, ¶ 14, 216 P.3d 360.

Claim preclusion refers to claims that were raised or could have been raised in the prior action. See id. Issue preclusion prevents parties from relitigating issues which were previously adjudicated. See id.

Grover does not challenge the district court's basis for granting summary judgment. "If an appellant fails to allege specific errors of the lower court, the appellate court will not seek out errors in the lower court's decision." Allen v. Friel, 2008 UT 56, ¶ 7, 194 P.3d 903. "An appellant must allege that the lower court committed an error that the appellate court should correct." Id. If an appellant does not challenge the district court's basis for its judgment, the district court's determination is placed beyond the reach of further appellate review, and an appellate court "may not consider the issue sua sponte." Id.

Grover's response to this court's motion for summary disposition does not articulate why the district court erred in granting summary judgment, or how the court erred by denying his request for sanctions. Instead, Grover reasserts allegations of fraud and improper dealings. Because Grover does not challenge the district court's basis for its judgment, we are compelled to affirm the district court's order granting summary judgment and denying his request for sanctions. See id. ¶ 36.

Affirmed.

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William A. Thorne Jr., Judge

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J. Frederic Voros Jr., Judge

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Michele M. Christiansen, Judge