

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0670

HILTON CASITAS v. WHITMER

Appellate Case Information

Case Filed: 25-Oct-2023

Case Closed:

Dept/Composition

Side 1. HILTON CASITAS HOMEOWNERS ASSOCIATION, Appellant/Cross-Appellee

(Litigant Group) HILTON CASITAS HOMEOWNERS ASSOCIATION

- Hilton Casitas Homeowners Association

Attorneys for: Appellant/Cross-Appellee

Edith I Rudder, Esq. (AZ Bar No. 20650)

Jennifer Putnam Ooms, Esq. (AZ Bar No. 36958)

Side 2. R L WHITMER, Appellee/Cross-Appellant

(Litigant Group) R L WHITMER

- R L Whitmer

Attorneys for: Appellee/Cross-Appellant

Ross P Meyer, Esq. (AZ Bar No. 28473)

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR LC2022-000424-001	Decision of the Arizona Department of Real Estate		Joseph P Mikitish, Authoring Judge of Order		

OPEN DUE DATE

Answering/Cross-Opening Brief Due

Due By:

Monday, June 10, 2024

Re: FILED: Appellant/Cross-Appellee's Opening Brief; Certification of Word Count (Certificate of Compliance); Certificate of Service of Appellant/Cross-Appellee's Opening Brief (Appellant/Cross-Appellee)

21 PROCEEDING ENTRIES

1.	25-Oct-2023	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/28/23 and Notice of Cross Appeal filed 10/18/23
2.	25-Oct-2023	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3.	26-Oct-2023	FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4.	8-Nov-2023	FILED: Appellant/Cross-Appellee's Notice of Appearance and Payment of Appellant's Filing Fee; Certificate of Service (Appellant/Cross-Appellee)
5.	14-Nov-2023	RECEIPT No.: 2023-01070 ; \$280.00, Authorization: # 18015279088, Applied to: HILTON CASITAS HOMEOWNERS ASSOCIATION - Class A Filing Fee (\$280.00) Paid for: Carpenter Hazlewood Delgado & Bolen LLP - By nCourt LLC
6.	15-Nov-2023	FILED: Case Management Statement (Appellant/Cross-Appellee)
7.	15-Nov-2023	FILED: Notice of No Transcript; Certificate of Service (Appellant/Cross-Appellee)
8.	20-Nov-2023	FILED: Appellate Clerk Notice Re: Appellee/Cross Appellant's Fee and Case Management Statement Due/Appellant's Brief Due
9.	4-Dec-2023	FILED: Unopposed Motion for Procedural Order to Extend Time for Appellant/Cross-Appellee Hilton Casitas Homeowners Association's Opening Brief; Certificate of Service of Unopposed Motion for Procedural Order to Extend Time for Appellant/Cross-Appellee Hilton Casitas Homeowners Association's Opening Brief (Appellant/Cross-Appellee)
10.	4-Dec-2023	ORDERED: Unopposed Motion for Procedural Order to Extend Time for Appellant/Cross-Appellee Hilton Casitas Homeowners Association's Opening Brief (Appellant/Cross-Appellee) = GRANTED. Due date EXTENDED from Tuesday, 12-26-2023 to Thursday, 01-25-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
11.	7-Dec-2023	RECEIPT No.: 2023-01149 ; \$280.00, Authorization: #41009543859, Applied to: R L WHITMER - Class A Filing Fee (\$280.00) Paid for: R L WHITMER - By nCourt LLC
12.	25-Jan-2024	FILED: Appellant/Cross-Appellee's Opening Brief; Certification of Word Count (Certificate of Compliance); Certificate of Service of Appellant/Cross-Appellee's Opening Brief (Appellant/Cross-Appellee)
13.	31-Jan-2024	ORDERED: The cross-appeal case management statement must be filed by 02/12/2024. Melina Brill ProTem Judge - Author

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0670****HILTON CASITAS v. WHITMER****21 PROCEEDING ENTRIES**

14. 12-Feb-2024 FILED: Cross Appellant's [sic] ARCAP 3(b) Motion to Revest Jurisdiction in the Superior Court to Rule on Cross-Appellant's Application for Attorneys' Fees and Costs as the Prevailing Party and Stay Proceedings; Certificate of Service - Cross Appellant's [sic] ARCAP 3(b) Motion to Revest Jurisdiction in the Superior Court to Rule on Cross-Appellant's Application for Attorneys' Fees and Costs as the Prevailing Party and Stay Proceedings (Appellee/Cross-Appellant)
15. 12-Feb-2024 FILED: Case Management Statement (Appellee/Cross-Appellant)
16. 13-Feb-2024 ORDERED: Vacating the 03/05/2024 due date for the answering brief/cross-appeal opening brief. The order ruling on the pending motion will set a due date to file the answering brief/cross-appeal opening brief. Melina Brill ProTem Judge - Author
17. 16-Feb-2024 FILED: Appellant/Cross-Appellee's Response to Appellee's ARCAP 3(B) Motion to Revest Jurisdiction in the Superior Court to Rule on Cross-Appellant's Application for Attorneys' Fees and Costs as the Prevailing Party and Stay Proceedings; Certificate of Service of Appellant/Cross-Appellee's Response to Appellee's ARCAP 3(B) Motion to Revest Jurisdiction in the Superior Court to Rule on Cross-Appellant's Application for Attorneys' Fees and Costs as the Prevailing Party and Stay Proceedings (Appellant/Cross-Appellee)
18. 1-Mar-2024 FILED: Notice of Association of Counsel within Firm; Certificate of Service (Appellant/Cross-Appellee)
19. 6-Mar-2024 ORDERED: Appellant's Application for Attorneys' Fees and Costs as the Prevailing Party and Stay Proceedings (Appellee/Cross-Appellant) = GRANTED in part and staying this appeal until 04/08/2024. FURTHER ORDERED: Requiring cross-appellant to file the answering brief/cross-appeal opening brief by 05/08/2024. If cross-appellant does not file a brief timely, this court will dismiss the cross-appeal and will submit the appeal for decision on the record and the filed briefs. Hon David B Gass - Author
20. 9-Apr-2024 FILED: Cross Appellant's ARCAP 3(B) Stipulate [sic] Motion to Continue Revesting of Jurisdiction in the Superior Court to Rule on Cross-Appellant's Motion for Leave to File Application for Attorneys' Fees and Costs as the Prevailing Party and Stay Proceedings; Certificate of Service (Appellee/Cross-Appellant)
21. 10-Apr-2024 ORDERED: Cross Appellant's ARCAP 3(B) Stipulate [sic] Motion to Continue Revesting of Jurisdiction in the Superior Court to Rule on Cross-Appellant's Motion for Leave to File Application for Attorneys' Fees and Costs as the Prevailing Party and Stay Proceedings (Appellee/Cross-Appellant) = GRANTED and continuing the stay of this appeal until 05/08/2024, for the purposes set forth in this court's 03/06/2024 stay order. FURTHER ORDER: Answering brief/cross-appeal opening brief is due on 06/10/2024. If brief not timely filed, this court will dismiss the cross-appeal and submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge- Author