

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 24-0108****WHITMER, et al. v. HILTON CASITAS****Appellate Case Information**

Case Filed: 20-Feb-2024

Case Closed:

**Dept/Composition****Side 1. R. L. WHITMER, et al., Plaintiff/Appellant****(Litigant Group) R. L. WHITMER, et al.**

- R L Whitmer PRO SE
- Colleen London PRO SE

**Side 2. HILTON CASITAS COUNCIL OF HOMEOWNERS, Defendant/Appellee****(Litigant Group) HILTON CASITAS COUNCIL OF HOMEOWNERS**

- Hilton Casitas Council of Homeowners

**Attorneys for: Defendant/Appellee**

R Corey Hill, Esq. (AZ Bar No. 12188)

Ginette M Hill, Esq. (AZ Bar No. 18272)

Christopher Robbins, Esq. (AZ Bar No. 11064)

**Side 3. PROCACCIANTI AZ II, LP a Delaware limited partnership, Defendant/Appellee****(Litigant Group) PROCACCIANTI AZ II, LP a Delaware limited partnership**

- Procaccianti AZ II LP

**Attorneys for: Defendant/Appellee**

Andrew M Federhar, Esq. (AZ Bar No. 6567)

Jessica Anne Gale, Esq. (AZ Bar No. 30583)

**CASE STATUS**

Mar 28, 2024....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2016-050379	Declaratory Relief		Melissa Iyer Julian, Authoring Judge of Order		

**3 OPEN DUE DATES****Motion for Reconsideration due****Due By:** Friday, April 12, 2024

Re: \* ORDERED: Dismissing this appeal. FURTHER ORDERED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 [sic] (Appellants Pro Per) = DENIED. ORDERED: FURTHER ORDERED: Defendant Hilton Casitas'

**Response to Motion due****Due By:** Monday, April 22, 2024

Re: FILED: Combined Motion to Reinstate 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per)

**Petition for Review to ASC due****Due By:** Monday, April 29, 2024

Re: \* ORDERED: Dismissing this appeal. FURTHER ORDERED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 [sic] (Appellants Pro Per) = DENIED. ORDERED: FURTHER ORDERED: Defendant Hilton Casitas'

**PENDING MATTER****General Motion**

Filed: 2-Apr-2024

Combined Motion to Reinstate 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per)

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 24-0108**

**WHITMER, et al. v. HILTON CASITAS**

**CASE DECISION**

**28-Mar-2024 ORDER**

\* ORDERED: Dismissing this appeal. FURTHER ORDERED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 [sic] (Appellants Pro Per) = DENIED. ORDERED: Granting the motion to correct caption and

Filed: **28-Mar-2024**

Mandate:

Decision Disposition

**Dismissed**

**David Gass**.....Author

**18 PROCEEDING ENTRIES**

1. 20-Feb-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 01/22/24
2. 20-Feb-2024 FILED: e-Record on Appeal:  
Instruments/Minute Entries  
Exhibits: None
3. 20-Feb-2024 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 5-Mar-2024 RECEIPT No.: 2024-00220 ; \$280.00, Authorization: #65007339184, Applied to: R. L. WHITMER, et al. - Class A Filing Fee (\$280.00) Paid for: R. L. WHITMER, et al. - By nCourt LLC
5. 11-Mar-2024 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
6. 11-Mar-2024 FILED: Settlement Conference Program Notice
7. 11-Mar-2024 FILED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 [sic] (Appellants Pro Per)
8. 11-Mar-2024 FILED: Combined Acceptance of the Court of Appeals' Settlement Conference Program (Appellants Pro Per)
9. 12-Mar-2024 FILED: Notice of Appellee's Filing Fee for Hilton Casitas Council of Homeowners; Certificate of Service (Appellee)
10. 15-Mar-2024 FILED: Procaccianti's Joinder in Appellants [sic] Motion to Consolidate 1-CA-CV-0108, 1-CA-CV-24-0110 and 1-CA-CV-0114 with 1-CA-CV-0095; Certificate of Service of Procaccianti's Joinder in Appellants [sic] Motion to Consolidate 1-CA-CV-0108, 1-CA-CV-24-0110 and 1-CA-CV-0114 with 1-CA-CV-0095 (Appellee Procaccianti)
11. 18-Mar-2024 RECEIPT No.: 2024-00266 ; \$140.00, Authorization: #78012422198, Applied to: HILTON CASITAS COUNCIL OF CO-OWNERS - Class B Filing Fee (\$140.00) Paid for: Hill Hall & DeCiancio PLC - By nCourt LLC
12. 18-Mar-2024 FILED: Defendant Hilton Casitas' Joinder in Motion to Consolidate Appeals and Motion to Correct Caption in Appeals; Certificate of Service - Defendant Hilton Casitas' Joinder in Motion to Consolidate Appeals -and Motion to Correct Caption in Appeals (Appellee)
13. 20-Mar-2024 FILED: Procaccianti AZ II, L.P.'s Notice of Payment of Filing Fee; Certificate of Service of Procaccianti AZ II, L.P.'s Notice of Payment of Filing Fee (Appellee Procaccianti)
14. 22-Mar-2024 FILED: Procaccianti AZ II, L.P.'s Notice of Errata; Certificate of Service of Procaccianti AZ II, L.P.'s Notice of Errata (Appellee Procaccianti)
15. 25-Mar-2024 RECEIPT No.: 2024-00293 ; \$140.00, Authorization: 85012795323, Applied to: PROCACCIANTI AZ II, LP a Delaware limited partners - Class B Filing Fee (\$140.00) Paid for: Spencer Fane LLP - By nCourt LLC
16. 25-Mar-2024 FILED: Reply to Joinder to the Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114, with 1 CA-CV 24-00095 and Response to Motion to Correct Caption in Appeals (Appellant Pro Per)
17. 28-Mar-2024 ORDERED: Dismissing this appeal. FURTHER ORDERED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 [sic] (Appellants Pro Per) = DENIED. ORDERED: FURTHER ORDERED: Defendant Hilton Casitas' Joinder in Motion to Consolidate Appeals and Motion to Correct Caption in Appeals (Appellee) = Granting the motion to correct caption and amending the caption in this appeal by changing appellee from "Hilton Casitas Council of Co-Owners" to "Hilton Casitas Council of Homeowners." Hon David B Gass - Author
18. 2-Apr-2024 FILED: Combined Motion to Reinstate 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per)