

# Court of Appeals, Division One

## Civil Appeal

# 1 CA-CV 24-0152

# EQUESTRIAN ESTATES v. LAGAS

### Appellate Case Information

Case Filed: 5-Mar-2024

Case Closed:

### Dept/Composition

**Side 1. EQUESTRIAN ESTATES AT WHITE HILLS HOMEOWNERS ASSOCIATION, INC., an Arizona nonprofit corporation, Plaintiff/Appellee**  
(Litigant Group) EQUESTRIAN ESTATES AT WHITE HILLS HOMEOWNERS ASSOCIATION INC

• Equestrian Estates at White Hills Homeowners Association Inc

Attorneys for: Plaintiff/Appellee

Kathryn A Battock, Esq. (AZ Bar No. 23090)

Emily H Mann, Esq. (AZ Bar No. 21083)

**Side 2. JULIO D. LAGAS, Defendant/Appellant**

(Litigant Group) JULIO D LAGAS

• Julio D Lagas

PRO SE

### CASE STATUS

Jul 18, 2024.....Pending Closure

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MOH S8015CV202300609	Breach of Contract		Eric Gordon, Authoring Judge of Order		

### 3 OPEN DUE DATES

**Petition for Review to ASC due**

Due By:

Friday, August 2, 2024

Re: \* ORDERED: Motion for Partial Reconsideration of the Order File on June 17, 2024 Denying Moton [sic] to Dismiss of Appellee and/or Motion for Reconsideration of the Order Filed on June 26, 2024 Dismissing Appeal (Appellant Pro Per) = DENIED. Hon David B

**Response to Attorneys Fees due**

Due By:

Monday, August 5, 2024

Re: FILED: Application for Award of Attorneys' Fees and Taxable Costs; Application for Award of Attorneys' Fees and Taxable Costs (Certificate of Service) (Duplicate) (Appellee)

**Response to Costs due**

Due By:

Monday, August 5, 2024

Re: FILED: Application for Award of Attorneys' Fees and Taxable Costs; Application for Award of Attorneys' Fees and Taxable Costs (Certificate of Service) (Duplicate) (Appellee)

### 2 PENDING MATTERS

**General Motion**

Filed: 15-Jul-2024

Application for Award of Attorneys' Fees and TAXABLE COSTS (Appellee)

**General Motion**

Filed: 15-Jul-2024

Application for Award of ATTORNEYS' FEES and Taxable Costs (Appellee)

### CASE DECISION

26-Jun-2024 ORDER

ORDERED: Third Motion for Extension of Time Within Which to File Opening Brief (Appellant Pro Per) = DENIED. FURTHER ORDERED: Dismissing this appeal.

Filed:

26-Jun-2024

Mandate:

Decision Disposition

**Denied**

David Gass.....Author

### 24 PROCEEDING ENTRIES

- 5-Mar-2024 FILED: Index of Record, Notice of Appeal from Mohave County Superior Court filed 02/20/24
- 5-Mar-2024 FILED: e-Record on Appeal:  
Instruments/Minute Entries  
Digital Exhibits: Plaintiff Hearing Date 8/15/23 1,2

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 24-0152****EQUESTRIAN ESTATES v. LAGAS****24 PROCEEDING ENTRIES**

3.	5-Mar-2024	FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4.	22-Mar-2024	RECEIPT No.: 2024-00287 ; \$280.00, Authorization: #19-637113705, Applied to: JULIO D LAGAS - Appellant's Filing Fee (\$280.00) Paid for: JULIO D LAGAS - By
5.	28-Mar-2024	FILED: Motion for Additional Time to File Case Management Statement (Appellant Pro Per)
6.	29-Mar-2024	ORDERED: Motion for Additional Time to File Case Management Statement (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 03-25-2024 to Tuesday, 04-09-2024. If the case management statement is not timely filed, the court will consider imposing sanctions, which may include dismissing this appeal. Melina Brill ProTem Judge - Author
7.	3-Apr-2024	FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
8.	3-Apr-2024	FILED: Settlement Conference Program Notice
9.	8-Apr-2024	RECEIPT No.: 2024-00349 ; \$140.00, Check Number: #2493, Applied to: EQUESTRIAN ESTATES AT WHITE HILLS HOMEOWNERS ASSOC - Class B Filing Fee (\$140.00) Paid for: - By Phillips Maceyko and Battock PLLC
10.	11-Apr-2024	FILED: Notice of Dismissal Without Prejudice (Appellant Pro Per)
11.	12-Apr-2024	ORDERED: Notice of Dismissal Without Prejudice (Appellant Pro Per) = DENIED. Melina Brill ProTem Judge - Author
12.	16-Apr-2024	FILED: Appellee Equestrian Estates at White Hills Homeowners Association Inc.'s Motion to Dismiss Brief (Appeal); Appellee Equestrian Estates at White Hills Homeowners Association Inc.'s Motion to Dismiss Brief (Appeal) (Duplicate)(Certificate of Service) (Appellee)
13.	30-Apr-2024	FILED: Response to Appellee's Motion to Dismiss (Appellant Pro Per)
14.	1-May-2024	ORDERED: Appellee Equestrian Estates at White Hills Homeowners Association Inc.'s Motion to Dismiss Brief (Appeal) (Appellee) = DENIED. FURTHER ORDERED: The case management statement must be filed by 05/06/2024. FURTHER ORDERED: The opening brief remains due on 05/06/2024. If the statement and brief are not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
15.	6-May-2024	FILED: Motion for Extension of Time Within Which to File Opening Brief (Appellant Pro Per)
16.	6-May-2024	ORDERED: Motion for Extension of Time Within Which to File Opening Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 05-06-2024 to Thursday, 06-06-2024. If the brief is not timely filed, the court will dismiss this appeal. FURTHER ORDERED: The case management statement must be filed by 05/21/2024. Melina Brill ProTem Judge - Author
17.	7-Jun-2024	FILED: Appellee Equestrian Estates at White Hills Homeowners Association Inc.'s Renewed Motion to Dismiss Brief; Appellee Equestrian Estates at White Hills Homeowners Association Inc.'s Renewed Motion to Dismiss Brief (Duplicate) (Appellee)
18.	10-Jun-2024	FILED: Second Motion for Extension of Time Within Which to File Opening Brief (Appellant Pro Per)
19.	17-Jun-2024	ORDERED: Denying request to participate in pro bono program. FURTHER ORDERED: Appellee Equestrian Estates at White Hills Homeowners Association Inc.'s Renewed Motion to Dismiss Brief (Appellee) = DENIED. FURTHER ORDERED: Second Motion for Extension of Time Within Which to File Opening Brief (Appellant Pro Per) = GRANTED. Due date for case management statement EXTENDED from Tuesday, 05-21-2024 to Monday, 06-24-2024. Due date for opening brief EXTENDED from Thursday, 06-06-2024 to Monday, 06-24-2024. If statement and brief not filed timely, court will dismiss appeal. Hon David B Gass - Author
20.	24-Jun-2024	FILED: Third Motion for Extension of Time Within Which to File Opening Brief (Appellant Pro Per)
21.	26-Jun-2024	ORDERED: Third Motion for Extension of Time Within Which to File Opening Brief (Appellant Pro Per) = DENIED. FURTHER ORDERED: Dismissing this appeal. Hon David B Gass - Author
22.	5-Jul-2024	FILED: Motion for Partial Reconsideration of the Order File on June 17, 2024 Denying Moton [sic] to Dismiss of Appellee and/or Motion for Reconsideration of the Order Filed on June 26, 2024 Dismissing Appeal (Appellant Pro Per)
23.	15-Jul-2024	FILED: Application for Award of Attorneys' Fees and Taxable Costs; Application for Award of Attorneys' Fees and Taxable Costs (Certificate of Service) (Duplicate) (Appellee)
24.	18-Jul-2024	ORDERED: Motion for Partial Reconsideration of the Order File on June 17, 2024 Denying Moton [sic] to Dismiss of Appellee and/or Motion for Reconsideration of the Order Filed on June 26, 2024 Dismissing Appeal (Appellant Pro Per) = DENIED. Hon David B Gass - Author