

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0600

HERITAGE v. PACHECO, et al.

Appellate Case Information

Case Filed: 28-Sep-2023

Case Closed:

Dept/Composition

Department A

Hon. Angela K Paton

Hon. Michael S Catlett

Hon. James B Morse

Side 1. HERITAGE POINT HOMEOWNERS ASSOCIATION, Plaintiff/Appellant

(Litigant Group) HERITAGE POINT HOMEOWNERS ASSOCIATION

- Heritage Point Homeowners Association

Attorneys for: Plaintiff/Appellant

Joshua M Bolen, Esq. (AZ Bar No. 24053)

Tessa Knueppel, Esq. (AZ Bar No. 34014)

Side 2. ISAAC PACHECO, et al., Defendant/Appellee

(Litigant Group) ISAAC PACHECO, et al.

- Isaac Pacheco PRO SE
- Sonia Pacheco PRO SE

CASE STATUS

Jul 9, 2024.....Pending Closure

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2022-011429	Breach of Contract		Jay R Adleman, Authoring Judge of Order		

2 OPEN DUE DATES

Response to Motion due

Due By: Friday, July 12, 2024

Re: FILED: Heritage Point Homeowners Association's Objection To Defendants/Appellees' Falsified Stipulation; Certificate of Service (Appellant)

Petition for Review to ASC due

Due By: Wednesday, July 24, 2024

Re: ORDERED: Motion for Reconsideration (Appellees Pro Per) = DENIED. Hon James B Morse Jr. - Author

CASE DECISION

28-May-2024 MEMORANDUM DECISION

James Morse.....Author

Angela Paton.....Concur

Michael Catlett.....Concur

Filed: 28-May-2024

Mandate:

Decision Disposition

Vacated
Remanded

34 PROCEEDING ENTRIES

- 28-Sep-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 08/30/23
- 28-Sep-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 28-Sep-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 6-Oct-2023 FILED: Heritage Point Homeowners Association's Notice of Payment of Appellants' Filing Fee; Certificate of Service (Appellant)
- 13-Oct-2023 RECEIPT No.: 2023-00958 ; \$280.00, Authorization: # 86012243353, Applied to: HERITAGE POINT HOMEOWNERS ASSOCIATION - Class A Filing Fee (\$280.00) Paid for: Carpenter Hazlewood Delgado & Bolen LLP - By nCourt LLC
- 16-Oct-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
- 18-Oct-2023 FILED: Case Management Statement (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0600****HERITAGE v. PACHECO, et al.****34 PROCEEDING ENTRIES**

8. 27-Nov-2023 FILED: Heritage Point Homeowners Association's Opening Brief; Certificate of Compliance [sic] Re: Opening Brief; Certificate of Service Re: Opening Brief (Appellant)
9. 8-Jan-2024 FILED: Answering Brief; Answering Brief (Duplicate); Answering Brief (Duplicate) (Appellee Pro Per)
10. 9-Jan-2024 ORDERED: Appellees must file the certificates of compliance and service by 01/19/2024. If the certificates are not timely filed, the court may impose sanctions, including striking the answering brief. Melina Brill ProTem Judge - Author
11. 12-Jan-2024 RECEIPT No.: 2024-00031 ; \$140.00, Authorization: # 12006980350, Applied to: ISAAC PACHECO, et al. - Class B Filing Fee (\$140.00) Paid for: ISAAC PACHECO - By nCourt LLC
12. 25-Jan-2024 FILED: Answering Brief (Duplicate); Certificate of Compliance; Certificate of Service (Appellee Pro Per)
13. 29-Jan-2024 FILED: Heritage Point Homeowners Association's Motion for Procedural Order for Extension of Time to File Reply to Appellees' Answering Brief; Certificate of Service (Appellant)
14. 29-Jan-2024 ORDERED: Heritage Point Homeowners Association's Motion for Procedural Order for Extension of Time to File Reply to Appellees' Answering Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 01-29-2024 to Tuesday, 02-13-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
15. 13-Feb-2024 FILED: Heritage Point Homeowners Association's Reply Brief; Certificate of Compliance Re: Reply Brief; Certificate of Service Re: Reply Brief (Appellant)
16. 27-Feb-2024 ORDERED: If Sonia Pacheco intends to participate as an appellee in this appeal, an amended answering brief that includes her signature must be filed by 03/05/2024. No other changes to the brief are permitted. FURTHER ORDERED: If amended answering brief with both appellees' signatures is not timely filed, Sonia Pacheco will be dismissed from this appeal. Melina Brill ProTem Judge - Author
[Vacated per order filed 03/11/2024]
17. 28-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
18. 8-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
19. 11-Mar-2024 ORDERED: Vacating the 02/27/2024 order. Barbara Vidal Vaught ProTem Judge - Author
20. 15-Mar-2024 FILED: Answering Brief (Duplicate) (Appellee Pro Per)
21. 26-Mar-2024 CLNDR: CONFERENCE, Department A, 4-30-24, CONFERENCE ROOM.
22. 28-May-2024 MEMORANDUM DECISION (Vacated, Remanded) Hon James B Morse Jr. - Author; Hon Angela K Paton - Concur; Hon Michael S Catlett - Concur
23. 28-May-2024 FILED: Decision Distribution Notification
24. 7-Jun-2024 FILED: Heritage Point Homeowners Association's Verified Statement of Attorneys' Costs on Appeal; Certificate of Service; Judgment (Proposed Order) (Appellant)
25. 7-Jun-2024 FILED: Affidavit of Tessa Knueppel Regarding Attorneys' Costs (Appellant)
26. 7-Jun-2024 FILED: Heritage Point Homeowners Association's Statement of Costs and Notice of Taxation of Costs; Certificate of Service (Appellant)
27. 13-Jun-2024 FILED: Stipulation for Extension of Time to File Motion (Motion for Reconsideration); Certificate of Service; Certificate of Compliance (Appellee Pro Per)
28. 20-Jun-2024 ORDERED: Stipulation for Extension of Time to File Motion (Motion for Reconsideration) (Appellee Pro Per) = GRANTED. Due date EXTENDED from Wednesday, 06-12-2024 to Wednesday, 06-26-2024. FURTHER ORDERED: no further extensions shall be granted absent extraordinary circumstances. Hon James B Morse Jr. - Author
29. 27-Jun-2024 FILED: Heritage Point Homeowners Association's Objection To Defendants/Appellees' Falsified Stipulation; Certificate of Service (Appellant)
30. 27-Jun-2024 FILED: Declaration of Joshua Bolen Regarding Falsified Stipulation; Certificate of Service (Appellant)
31. 28-Jun-2024 FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Service (Appellees Pro Per)
32. 9-Jul-2024 ORDERED: Motion for Reconsideration (Appellees Pro Per) = DENIED. Hon James B Morse Jr. - Author

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Civil Appeal

1 CA-CV 23-0600

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34 PROCEEDING ENTRIES

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| 33. | 9-Jul-2024 | ORDERED: Heritage Point Homeowners Association's Objection To Defendants/Appellees' Falsified Stipulation (Appellant) 6/27: Declaration of Joshua Bolen Regarding Falsified Stipulation (Appellant)= DENIED as moot. Hon James B Morse Jr. - Author |
| 34. | 9-Jul-2024 | ORDERED: Heritage Point Homeowners Association's Verified Statement of Attorneys' Costs on Appeal (Appellant) = GRANTED. Awarding Plaintiff/Appellant costs of \$383.89. Hon James B Morse Jr. - Author |