

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0266

15 UP-VW v. LUNA, et al.

Appellate Case Information

Case Filed: 4-Apr-2025

Case Closed:

Dept/Composition

Department F

Hon. David B Gass
Hon. Anni Hill Foster
Hon. Randall M Howe

Side 1. 15 UP-VW ENTERPRISES LLC, Plaintiff/Appellee

(Litigant Group) 15 UP-VW ENTERPRISES LLC

- 15 Up-VW Enterprises LLC

Attorneys for: Plaintiff/Appellee

Douglas N Nelson, Esq. (AZ Bar No. 16678)

Trevor J Fish, Esq. (AZ Bar No. 23206)

Side 2. JULIAN YANEZ LUNA, et al., Defendant/Appellant

(Litigant Group) JULIAN YANEZ LUNA, et al.

- Julian Yanez Luna PRO SE

- Sofia Cardoza Molina PRO SE

CASE STATUS

Apr 13, 2026.... Pending in ASC

Table with 7 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Includes rows for MAR CV2022-006206 and MAR CV2023-092213.

DESCENDENT CASE(S)

ASC CV-26-0073-PR

CASE DECISION

02-Feb-2026 MEMORANDUM DECISION

David Gass.....Author
Anni Foster.....Concur
Randall Howe.....Concur

Filed: 02-Feb-2026

Mandate:

Decision Disposition

Affirmed

44 PROCEEDING ENTRIES

- 1. 4-Apr-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 03/07/25
2. 4-Apr-2025 FILED: e-Record on Appeal: CV2022-006206 Instruments/Minute Entries Exhibits: None
3. 4-Apr-2025 FILED: e-Record on Appeal: CV2023-092213 Instruments/Minute Entries Exhibits: None
4. 4-Apr-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
5. 14-Apr-2025 RECEIPT No.: 2025-00386 ; \$330.00, Check Number: # 14888, Applied to: JULIAN YANEZ LUNA, et al. - Class A Filing Fee (\$330.00) Paid for: JULIAN YANEZ LUNA, et al. - By WPAL LLC
6. 23-Apr-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record
7. 24-Apr-2025 FILED: Case Management Statement (Appellants Pro Per)
8. 2-May-2025 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
9. 2-May-2025 FILED: Settlement Conference Program Notice
10. 16-May-2025 FILED: Notice of Appearance and Payment of Appellee's Filing Fee; Certificate of Service of Notice of Appearance and Payment of Appellee's Filing Fee (Appellee)

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11.	22-May-2025	RECEIPT No.: 2025-00600 ; \$165.00, Authorization: #42004174113, Applied to: 15 UP-VW ENTERPRISES LLC - Class B Filing Fee (\$165.00) Paid for: Evans Dove Nelson Fish & Grier PLC - By nCourt LLC
12.	3-Jun-2025	FILED: Motion for Extension of Time to File Opening Brief (Appellant Pro Per)
13.	3-Jun-2025	ORDERED: Motion for Extension of Time to File Opening Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Tuesday, 06-03-2025 to Tuesday, 07-01-2025. If the brief is not timely filed, the court will dismiss this appeal. The parties are encouraged to submit future extension motions at least 5 business days prior to the brief deadline. Melina Brill ProTem Judge - Author
14.	27-Jun-2025	FILED: Appellants [sic] Opening Brief (Appellant Pro Per)
15.	10-Jul-2025	FILED: Motion for Expedited/Emergency Hearing (Appellant Pro Per)
16.	10-Jul-2025	FILED: Motion to Stay Sheriff's Notice of Sale (Appellant Pro Per)
17.	10-Jul-2025	FILED: Motion to Strike Sheriff's Notice of Sale (Appellant Pro Per)
18.	10-Jul-2025	FILED: Motion to Set Amount Amount [sic] of Supersedeas Bond (Appellant Pro Per)
19.	11-Jul-2025	ORDERED: Motion to Strike Sheriff's Notice of Sale (Appellant Pro Per) = DENIED. FURTHER ORDERED: Motion for Expedited/Emergency Hearing; Motion to Set Amount Amount [sic] of Supersedeas Bond; Motion to Stay Sheriff's Notice of Sale (Appellant Pro Per)= DENIED. Hon Randall M Howe - Author
20.	4-Aug-2025	FILED: Supplemented Superior Court e-Record with Revised Index of Record
21.	18-Aug-2025	FILED: Answering Brief of Plaintiff/Appellee 15 UP-VW Enterprises, LLC; Certificate of Compliance; Certificate of Service (Appellee)
22.	21-Aug-2025	ORDERED: Appellee must file a motion by 09/02/2025, establishing good cause for an extension of time to file the answering brief. FURTHER ORDERED: If appellee fails to file a motion or establish good cause for the untimely answering brief, the court will strike the brief. FURTHER ORDERED: Vacating the 09/08/2025 due date for the reply brief. The order ruling on appellee's motion will address the briefing schedule. Melina Brill ProTem Judge - Author
23.	2-Sep-2025	FILED: Motion to Accept Filing of Appellee's Answering Brief as Timely; Certificate of Service of Motion to Accept Filing of Appellee's Answering Brief as Timely (Appellee)
24.	5-Sep-2025	ORDERED: Motion to Accept Filing of Appellee's Answering Brief as Timely (Appellee) = GRANTED and accepting the answering brief filed on 08/18/2025. FURTHER ORDERED: Reply brief is due by 09/29/2025. 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
25.	29-Sep-2025	FILED: Procedural Motion - Motion for Extension of Time to File Reply Brief (Appellant Pro Per)
26.	29-Sep-2025	ORDERED: Procedural Motion - Motion for Extension of Time to File Reply Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 09-29-2025 to Thursday, 10-09-2025. The court will not grant any further extension absent new and unforeseen circumstances. 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
27.	9-Oct-2025	FILED: Appellant's Reply Brief (Appellant)
28.	5-Nov-2025	FILED: Motion to Modify Supersedeas Bond Amount (Appellant Pro Per)
29.	6-Nov-2025	ORDERED: Motion to Modify Supersedeas Bond Amount (Appellant Pro Per) = DENIED without prejudice to appellants seeking relief in the form of a petition for special action. The court does not express an opinion on whether special action jurisdiction will be accepted. Hon Randall M Howe - Author
30.	7-Nov-2025	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
31.	17-Nov-2025	FILED: Supplemented Superior Court e-Record with Revised Index of Record
32.	25-Nov-2025	CLNDR: CONFERENCE, Department F, 1-15-26, COURTROOM 2.
33.	2-Dec-2025	CLNDR: CONFERENCE, Department F, 1-15-26, COURTROOM 2.
34.	2-Feb-2026	MEMORANDUM DECISION (Affirmed) Hon David B Gass - Author; Hon Anni Hill Foster - Concur; Hon Randall M Howe - Concur
35.	2-Feb-2026	FILED: Decision Distribution Notification
36.	12-Feb-2026	FILED: Appellee's Statement of Costs and Attorneys' Fees; Certificate of Service of Appellee's Statement of Costs and Attorneys' Fees (Appellee)
37.	17-Feb-2026	FILED: Motion for Reconsideration (Appellants Pro Per)
38.	24-Feb-2026	ORDERED: Motion for Reconsideration (Appellants Pro Per) = DENIED. Hon David B Gass - Author

**Court of Appeals, Division One**

**Civil Appeal**

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**44 PROCEEDING ENTRIES**

- 39. 11-Mar-2026 FILED: ASC Order filed 03/11/2026 re: "Motion for Extension of Time to File Petition for Review" Denied without prejudice to Appellants Luna, et al. ability to file a motion in compliance with ARCAP 6(b). This matter is subject to dismissal if a compliant motion or petition for review is not filed by 03/18/2026.
- 40. 20-Mar-2026 FILED: ASC Order, 3/20/26, extending the time to file a Petition for Review to 4/13/26
- 41. 2-Apr-2026 ORDERED: Appellee's Statement of Costs and Attorneys' Fees (Appellee) = GRANTED in the amount of \$8,155.00 and costs in the amount of \$212.39 for a total of \$8,367.39. Hon David B Gass - Author
- 42. 14-Apr-2026 FILED: Email Notice from ASC re: Petition for Review filed 04/13/2026; request for partial record
- 43. 15-Apr-2026 FILED: Letter forwarding partial record to Arizona Supreme Court
- 44. 23-Apr-2026 FILED: ASC Order, 4/23/26, denying motion as moot; petition for review will be considered in due course