

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

DESERT CROWN III HOMEOWNERS ASSOCIATION,
AN ARIZONA NONPROFIT CORPORATION,
Plaintiff/Appellee,

v.

DEBABRATA GUPTA, AN UNMARRIED MAN,
Defendant/Appellant.

No. 2 CA-CV 2025-0138
Filed March 19, 2026

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
NOT FOR PUBLICATION
See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Civ. App. P. 28(a)(1), (f).

Appeal from the Superior Court in Maricopa County
No. CV2023096287
The Honorable Adam D. Driggs, Judge

AFFIRMED

COUNSEL

Maxwell & Morgan P.C., Mesa
By Garren R. Laymon
Counsel for Plaintiff/Appellee

Debabrata Gupta, Scottsdale
In Propria Persona

MEMORANDUM DECISION

Judge Eckerstrom authored the decision of the Court, in which Presiding Judge Gard and Judge O'Neil concurred.

ECKERSTROM, Judge:

¶1 In this lien foreclosure action, Debabrata Gupta appeals from the superior court's judgment in favor of Desert Crown III Homeowners Association. For the following reasons, we affirm.

Factual and Procedural Background

¶2 We view the facts in the light most favorable to upholding the superior court's decision. *Tucson Estates Property Owners Ass'n v. Jenkins*, 247 Ariz. 475, ¶ 2 (App. 2019). Desert Crown initiated a lien foreclosure suit against Gupta in superior court. The court granted Desert Crown's motion to dismiss Gupta's counterclaim and granted summary judgment in favor of Desert Crown. The court denied Gupta's motion for reconsideration and entered judgment against Gupta as to the lien foreclosure. This appeal followed. We have jurisdiction pursuant to A.R.S. §§ 12-120.21(A)(1) and 12-2101(A)(1).

Discussion

¶3 Gupta argues the superior court erred in finding a factual basis for the monetary claims underlying the judgment against him. Although Gupta is not represented by counsel, we afford him the same consideration as a represented appellant, holding him to "the same familiarity with court procedures and the same notice of . . . rules . . . as is expected of a lawyer." *Higgins v. Higgins*, 194 Ariz. 266, ¶ 12 (App. 1999).

¶4 Gupta's opening brief cites no legal authority to support his claim of error. *See* Ariz. R. Civ. App. P. 13(a)(7)(A) (for each issue presented for review, opening briefs must contain "citations of legal authorities and appropriate references to the portions of the record on which the appellant relies"). Although he cites Rule 403, Ariz. R. Evid., in his reply brief, he thereafter fails to develop any legal argument in support of his position. *See Ritchie v. Krasner*, 221 Ariz. 288, ¶ 62 (App. 2009) (opening brief must present "significant arguments, supported by authority"). These deficiencies warrant waiver of appellate review. *See Boswell v. Fintelmann*,

DESERT CROWN III HOMEOWNERS ASS'N v. GUPTA
Decision of the Court

242 Ariz. 52, n.3 (App. 2017) (claims not supported by legal argument waived); *Sholes v. Fernando*, 228 Ariz. 455, n.5 (App. 2011) (waiving arguments that were “unsupported with citation to authority”). Even if we were to reach Gupta’s argument, he asks that we reweigh the evidence, which we will not do. *See Hurd v. Hurd*, 223 Ariz. 48, ¶ 16 (App. 2009) (our “duty on review” does not include reweighing evidence).

Attorney Fees

¶5 Desert Crown requests attorney fees and costs on appeal pursuant to Rule 21, Ariz. R. Civ. App. P., and A.R.S. §§ 12-341, 12-341.01. In our discretion, we deny the request for attorney fees. However, as the prevailing party, Desert Crown is entitled to its costs on appeal upon compliance with Rule 21. *See* A.R.S. § 12-341.

Disposition

¶6 For the foregoing reasons, we affirm the superior court’s judgment.