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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PIA BEATY,)
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 Plaintiff,)
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 vs.)
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 SANTA ROSA III HOA,)
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 Defendant.)
 _____)

2:12-cv-01807-RCJ-NJK

ORDER

This case arises out of an HOA unit owner’s dissatisfaction with the location of her unit. Pro se Plaintiff Pia Beaty purchased a unit within Defendant Santa Rosa III HOA in North Las Vegas, Nevada sight unseen while residing at her previous residence in Los Angeles County, California, completing the purchase via telephone, internet, and mail on October 14, 2009. (Compl. 8–9, Oct. 15, 2012, ECF No. 1). She is dissatisfied with her purchase, alleging that, unbeknownst to her at the time of purchase, her unit was on the edge of the development. She therefore believed, based upon a Google Maps search she performed, that a park on the other side of the fence was a part of the development. She is also dissatisfied that persons can see her exterior Jacuzzi area from the park, that there is damage to the wall from a tree planted in the park, that she has no easement over the park, and that her lot adjoins non-development property in general. Plaintiff sued Defendant in this Court on fourteen causes of action: (1)–(12) Misrepresentation; and (13)–(14) unspecified violations of federal law pursuant to 42 U.S.C. § 1983. The Court dismissed, and the Clerk entered judgment. Plaintiff appealed. The Court denied several motions to reconsider and granted a motion for attorney’s fees and costs in part.

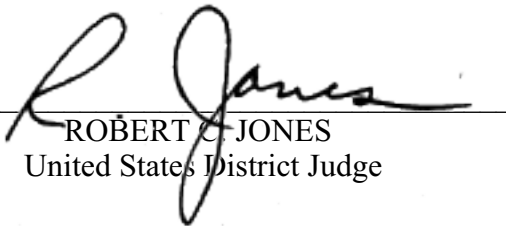
1 Plaintiff amended her notice of appeal, accordingly. Plaintiff has now filed a motion for
2 summary judgment that the Court has no jurisdiction to entertain. Jurisdiction has passed to the
3 Court of Appeals. In response, Defendant also asks the Court to award it sanctions against
4 Plaintiff under Rule 11. The Court will entertain a proper motion under Rule 11 or 28 U.S.C.
5 § 1927, but Defendant must submit a more particularized request and show that it has complied
6 with the procedural requirements of Rule 11 if it wishes to invoke that rule.

7 **CONCLUSION**

8 IT IS HEREBY ORDERED that the Motion for Summary Judgment (ECF No. 82) is
9 DENIED.

10 IT IS SO ORDERED.

11 Dated this 17th day of April, 2014.

12 
13 ROBERT C. JONES
14 United States District Judge
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