

**NOT FOR PUBLICATION WITHOUT THE
APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-0415-22**

RIVERVALE HOMES, LLC,

Plaintiff-Respondent,

v.

AIDA SANTA LUCIA, a/k/a
AIDA ST. LUCIA, and KYLE
KHOROZIAN, a/k/a K.
VAROUJAN KHOROZIAN,

Defendants/Third Party
Plaintiffs-Appellants,

v.

RE/MAX PROPERTIES, COLIN
SOMERVILLE, RIVER VALE
PLANNING BOARD, and
BERGEN COUNTY CLERK,

Third-Party Defendants-
Respondents.

Submitted February 5, 2024 – Decided March 5, 2024

Before Judges Gilson and Berdote Byrne.

On appeal from the Superior Court of New Jersey, Law Division, Bergen County, Docket No. L-5345-18.

Asatrian Law Group, LLC, attorneys for appellants (Martin V. Asatrian, of counsel and on the brief).

Archer & Greiner, PC, attorneys for respondent (Michael J. Forino, on the brief).

PER CURIAM

Kyle Khorozian, (Khorozian), appeals from the trial court's post-judgment September 8, 2022 order denying his motion for a stay and/or recall of an arrest warrant entered against him, granting plaintiff's cross-motion finding him in contempt, and once again ordering his deposition. Khorozian argues he is not competent to testify at a deposition. He also reiterates arguments alleging the trial judge has a conflict of interest because his attorney, who began representing him in this case after Khorozian's pleadings were stricken for failure to attend the deposition, had a prior, unrelated matter against the trial judge.


This is Khorozian's fourth appeal stemming from plaintiff's efforts to enforce the sale of two residential real estate contracts. On April 24, 2023, we considered these arguments fully in Khorozian's appeal of the trial judge's denial of his motion for reconsideration, which was not consolidated with this appeal. See Rivervale Homes, LLC v. Aida Santa Lucia (Rivervale I), No. A-3355-20 (App. Div. April 24, 2023) (slip op. at 4-6, 18-20). Thereafter, we affirmed the

trial court's decision denying Khoroizian's motion to recuse the trial judge and cross-motion to prevent the sale of the property at issue. Rivervale Homes, LLC v. Aida Santa Lucia, Nos. A-2945-21 and A-3136-21 (App. Div. June 27, 2023) (slip op. at 2).

For the reasons explained in our prior decisions, we conclude the trial court did not err in denying Khoroizian's motion for a stay and/or recall of an arrest warrant entered against him, granting plaintiff's cross-motion finding Khoroizian in contempt, and compelling his deposition. We note this appeal is duplicative of the arguments we addressed in Rivervale I and should have been withdrawn after our decision was issued in April 2023. Further, the issue of the stay is moot due to a subsequent court order entered by the trial court on February 3, 2023, requiring Khoroizian to post the amount of the judgment in escrow, with which he complied, to stay the arrest warrant and the sale of the property.

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION