

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

1. AMY KNIERIEM V. BEAU MICHAEL LEMIRE

24FL0133

On July 1, 2024, Petitioner filed a Request for Order (RFO) seeking an order for child support and various other orders. She did not file an Income and Expense Declaration and there is no Proof of Service for the RFO. Nevertheless, Respondent filed and served his Responsive Declaration to Request for Order on October 24, 2024.

On October 11, 2024, Respondent filed an RFO seeking custody and visitation orders and an order prohibiting Petitioner from being present at, and recording, visits with the minor. The RFO was mail served on November 7th.

Respondent filed and served his Income and Expense Declaration on December 2nd.

Petitioner filed and served a Reply Declaration and her Income and Expense Declaration on December 27th.

Respondent's RFO was originally set to be heard concurrently with Petitioner's RFO on the present date. Thereafter, Respondent's RFO was continued to February 20, 2025. Because Respondent's RFO is for custody and visitation orders, the court finds it to be in the interests of judicial economy to continue Petitioner's RFO for child support to be heard concurrently with the request for custody orders. As such, Petitioner's RFO is continued to join with the hearing on Respondent's RFO which is set for February 20, 2024 at 8:30am in Department 5. The court reserves jurisdiction to retroactively modify child support to the date of the filing of the RFO.

TENTATIVE RULING #1: IN THE INTERESTS OF JUDICIAL ECONOMY, PETITIONER'S RFO IS CONTINUED TO FEBRUARY 20, 2024 AT 8:30AM IN DEPARTMENT 5. THE COURT RESERVES JURISDICTION TO RETROACTIVELY MODIFY CHILD SUPPORT TO THE DATE OF THE FILING OF THE RFO.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

2. CLARA STEWART V. FRANCISCO MARIN

SFL20190229

This matter is before the court for receipt and review of the 3111 report. After reviewing the court file, it appears the court still has yet to receive the 3111 report. As such, this matter is continued to 3/13/2025 at 8:30 AM in department 5.

TENTATIVE RULING #2: THIS MATTER IS CONTINUED TO 03/13/2025 AT 8:30 AM IN DEPARTMENT 5 FOR RECEIPT AND REVIEW OF THE 3111 REPORT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

3. DANIELLE MARIE HASAN V. TALIB HASAN

23FL0370

Custody and Visitation

The parties appeared before the court on October 2, 2024, for hearing on Petitioner's request for a Domestic Violence Restraining Order (DVRO). The DVRO was granted, and the parties were referred to Child Custody Recommending Counseling (CCRC). A review hearing was set for December 12, 2024, at which time the court noted that it was not yet in receipt of the CCRC report. The matter was continued to the present date.

On December 31, 2024, Respondent filed a Supplemental Declaration for Child Custody Hearing – Request for Non-Supervised Parenting Time and Child Custody. There is no Proof of Service for this document therefore the court has not, and cannot, consider it.

The parties attended CCRC on October 28, 2024. A report with recommendations was prepared on December 19th and mailed to the parties on December 20th. After reviewing the CCRC report the court finds the recommendations contained therein to be in the best interests of the minors. Therefore, the recommendations are hereby adopted as the orders of the court.

Order to Show Cause

On October 1, 2024, Respondent filed and Order to Show Cause and Affidavit for Contempt (OSC) alleging numerous violations of court orders. There is no Proof of Service for this document therefore the matter is dropped from calendar.

Support and Sanctions

On September 30, 2024, Respondent filed a Request for Order (RFO) seeking child and spousal support orders as well as monetary sanctions. He filed his Income and Expense Declaration concurrently therewith. There is no Proof of Service for either document.

The Department of Child Support Services (DCSS) filed its Responsive Declaration to Request for Order on October 17, 2024. It was served on October 16th.

Petitioner filed and served her Income and Expense Declaration on November 27, 2024. Respondent filed and served an updated Income and Expense Declaration on December 9th.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

On December 20th, Petitioner filed her Responsive Declaration to Request for Order and a Memorandum of Points and Authorities Regarding Petitioner's Request for Denial of Respondent's Motion for Spousal Support. Both documents were mail served the same day as filing.

By filing their respective Responsive Declarations, the court finds that DCSS and Petitioner waived any defect in service of the RFO; therefore, the matter may be reached on the merits.

Because DCSS is providing child support enforcement services in this matter, the issue of child support is continued to 2/24/2025 at 8:30 AM to be heard on the DCSS calendar in Department 10 in accordance with Family Code § 4251.

Respondent is requesting an order for monthly spousal support in the amount of \$3,000 retroactive to June of 2024. The court notes the Domestic Violence Restraining Order (DVRO) currently in effect protecting Petitioner from Respondent. Given the exceedingly strong public policy against forcing a victim of domestic violence to pay spousal support, the court is denying Respondent's request for spousal support.

Respondent is also requesting \$2,000 in monetary sanctions for each week he was unable to exercise his full 6-hour visit with the minors. Petitioner asks that the request for monetary sanctions be continued until after a ruling on the OSC. She notes that she is unable to fully respond to the request without jeopardizing her rights with regard to the pending OSC. However, as noted above, the OSC has been dropped from calendar. As such, the court is continuing the issue of monetary sanctions to 02/27/2025 at 1:30 PM. Parties are to file Supplemental Declarations no later than 10 days prior to the hearing date.

Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #3: THE RECOMMENDATIONS CONTAINED IN THE DECEMBER 19, 2024 CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT. THE OSC IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE. THE ISSUE OF CHILD SUPPORT IS CONTINUED TO 02/24/2025 AT 8:30 AM TO BE HEARD ON THE DCSS CALENDAR IN DEPARTMENT 10 IN ACCORDANCE WITH FAMILY CODE § 4251. RESPONDENT'S REQUEST FOR SPOUSAL SUPPORT IS DENIED GIVEN HIS HISTORY OF DOMESTIC VIOLENCE AGAINST PETITIONER AND THE OUTSTANDING DVRO. THE COURT IS CONTINUING THE ISSUE OF MONETARY SANCTIONS TO 02/27/2025 AT 1:30PM. PARTIES ARE TO FILE SUPPLEMENTAL DECLARATIONS NO LATER THAN 10

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

DAYS PRIOR TO THE HEARING DATE. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

5. GABRIEL HALL V. LINDSEY LEE HALL

22FL1173

Respondent filed a Request for Order (RFO) on April 12, 2024, requesting, among other things, support orders. The parties appeared for the RFO hearing on September 12, 2024, at which time they agreed to spousal support in the amount of \$173 per month commencing on September 1, 2024, and \$988 per month for child support commencing on September 1, 2024. The court reserved on the issues of retroactive child and spousal support and the parties agreed to a review hearing which was set for the present date. The court also reserved over the issue of the Discover card debt. Parties were ordered to file and serve updated Income and Expense Declarations and Supplemental Declarations 10 days prior to the hearing date.

Neither party has filed updated documents as stated above. Additionally, it appears judgement in this matter was entered on October 24, 2024. As such, this matter is dropped from calendar.

TENTATIVE RULING #5: THIS MATTER IS DROPPED FROM CALENDAR.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

6. JUSTIN HALLOCK V. DEBRA HALLOCK

PFL20200781

On September 5, 2024, the parties reached a stipulation regarding the issues of custody and visitation. As part of that stipulation, a review hearing was set for the present date.

Petitioner's Supplemental Declaration was filed and served on December 18, 2024. The Reply and Supplemental Declaration of Respondent was filed and served on December 30th. Minor's Counsel also filed and served her Statement of Issues and Contentions on December 30th.

On January 2nd, Petitioner filed and served Petitioner's Reply Declaration to Minor Counsel's Statement and Respondent's Reply and Supplemental Declaration.

Petitioner is requesting to return to a 4/2 custody schedule or, in the alternative, Petitioner to have the children Monday through Friday and Respondent to have them every other weekend. If the court is inclined to maintain the 50/50 parenting schedule, Petitioner asks that doing so be contingent on Respondent securing, and providing proof of, adequate housing for the children.

Respondent asks that the court maintain the order for joint physical and joint legal custody but change the visitation schedule to a week on/week off schedule, or 72 hours on/72 hours off. Finally, she requests an order directing Petitioner to cooperate with co-parenting counseling.

Minor's Counsel is requesting the following orders: (1) The parties shall practice a week-on/week-off parenting plan with exchanges on Fridays at 3pm or after school; (2) Neither party shall disparage the other party and both parties shall follow the respect guidelines when speaking about the other parent with and/or around the children; (3) The children shall be allowed to call either parent whenever they request to do so. The children shall be allowed privacy for all telephone calls. Parents are to ensure that the children are available and ready to make any scheduled telephone calls; and (4) Respondent shall take a parenting class which addresses alternate forms of discipline.

First and foremost, the court is in agreement with Minor's Counsel's assessment that Respondent is in need of a parenting class to address her ability to discipline the children without doing so physically. As stated in the court's September 5, 2024 ruling, there shall be no corporal punishment of the children. Respondent is ordered to take a

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

parenting class which addresses alternate forms of discipline. She is to provide proof of completion thereof to the court, Petitioner, and to Minor's Counsel within 90 days.

Given the ongoing contentiousness of this matter, the parties are ordered to participate in co-parenting counseling at a frequency and duration as recommended by the counselor. Counseling shall begin forthwith.

Regarding the issue of the phone calls, neither party is to interfere with the phone calls between the minors and the non-custodial parent. While the parties previously stipulated that each parent shall have telephone calls with the minor children on the second and third days of their non-parenting days, the court finds that it is in the best interests of the children to have daily calls with the non-custodial parent. Phone calls are to be a duration of 15 minutes unless the children, on their own accord, express that they wish to end the call earlier.

The court once again admonishes the parties to comply with the respect guidelines. Failure to do so may result in monetary sanctions, contempt charges, or even a change in custody orders.

Finally, regarding custody, the court does not find that the 72-hour schedule is in the best interests of the children. Instead, a week-on/week-off schedule would allow for decreased interactions between the parties and relieve stress on the minors. Therefore, commencing forthwith, the parties are to utilize a week-on/week-off schedule with exchanges to occur every Friday after school, or at 3:00 pm if no school.

All prior orders not in conflict with this order remain in full force and effect. Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #6: THE COURT REITERATES ITS PRIOR RULING THAT THERE SHALL BE NO CORPORAL PUNISHMENT OF THE CHILDREN. RESPONDENT IS ORDERED TO TAKE A PARENTING CLASS WHICH ADDRESSES ALTERNATE FORMS OF DISCIPLINE. SHE IS TO PROVIDE PROOF OF COMPLETION THEREOF TO THE COURT, PETITIONER, AND TO MINOR'S COUNSEL WITHIN 90 DAYS. THE PARTIES ARE ORDERED TO PARTICIPATE IN CO-PARENTING COUNSELING AT A FREQUENCY AND DURATION AS RECOMMENDED BY THE COUNSELOR. COUNSELING SHALL BEGIN FORTHWITH. REGARDING THE ISSUE OF PHONE CALLS, NEITHER PARTY IS TO INTERFERE WITH THE PHONE CALLS BETWEEN THE MINORS AND THE NON-CUSTODIAL PARENT. THE NON-CUSTODIAL PARENT IS TO HAVE ONE PHONE CALL WITH THE MINORS PER DAY.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

PHONE CALLS ARE TO BE A DURATION OF 15 MINUTES UNLESS THE CHILDREN, ON THEIR OWN ACCORD, EXPRESS THAT THEY WISH TO END THE CALL EARLIER.

COMMENCING FORTHWITH, THE PARTIES ARE TO UTILIZE A WEEK-ON/WEEK-OFF SCHEDULE WITH EXCHANGES TO OCCUR EVERY FRIDAY AFTER SCHOOL, OR AT 3:00 PM IF NO SCHOOL.

ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

7. KARLY GENTRY V. PAUL GENTRY

22FL0745

Respondent filed a Request for Order (RFO) along with an Order Shortening Time (OST) on November 13, 2024. On November 15, 2024, the court granted the OST and set the RFO for a hearing on December 12, 2024. Respondent is requesting bifurcation of the issue of marital status.

Petitioner has not filed a Responsive Declaration.

The court finds this matter to be moot as the parties have filed a judgment which is in the process of being reviewed and entered by the court.

TENTATIVE RULING #7: THE COURT FINDS THIS MATTER TO BE MOOT AS THE PARTIES HAVE FILED A JUDGMENT WHICH IS IN THE PROCESS OF BEING REVIEWED AND ENTERED BY THE COURT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

8. MELISSA DARLENE GARCIA V. DANIEL HENRY GARCIA

23FL1126

Petitioner filed a Request for Order (RFO) on September 19, 2024 seeking orders for custody and visitation, child support, spousal support, attorney's fees pursuant to Family Code § 2030 and monetary sanctions pursuant to Family Code § 271. She filed her Income and Expense Declaration and a Declaration of Gregory S. Clark concurrently therewith. All of the aforementioned were mail served on September 20th.

Respondent filed his Income and Expense Declaration on October 8th. It was served via email on October 3rd. Respondent has not filed a Responsive Declaration to Request for Order.

Petitioner brings her RFO requesting joint legal custody and primary physical custody of the minor children. She proposes Respondent have visits every other weekend from Friday to Sunday. She also requests respect guidelines.

The parties attended Child Custody Recommending Counseling (CCRC) on October 21st and were able to reach agreements on the issues of custody and visitation. A report containing those agreements was prepared and mailed to the parties the same day. The court has reviewed the agreements as contained therein and finds them to be in the best interests of the minors, they are therefore adopted as the orders of the court.

In addition to the custody and visitation orders, Petitioner is requesting guideline child and spousal support with an *Ostler/Smith* overtime table. She notes that Respondent has been paying \$2,000 per month in voluntary child support.

Petitioner alleges that Respondent's monthly income is approximately \$15,000. However, Respondent states that his average monthly income over the past 12 months amounted to \$3,674.57. This seems unlikely when his paystubs indicate that he routinely earns substantially more than that in gross regular wages every two weeks. As such, the court is utilizing \$7,641 as Respondent's monthly income. This is an average of the regular wages listed in his paystubs over a two-month period. Additionally, because Respondent did not provide a 12-month average for his Cash FB Rate 1 income the court is averaging the amounts listed in the paystubs provided and entering them as other taxable income.

Utilizing the same figures as outlined above and in the attached DissoMaster report, the court finds that spousal support per the Alameda formula is \$713 per month and child support is \$1,868 per month. The court adopts the attached DissoMaster report and orders Respondent to pay Petitioner \$2,581 per month as and for child support and temporary

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

spousal support, payable on the 1st of the month until further order of the court or legal termination. This order is effective as of October 1, 2024.

The court finds the above order results in arrears in the amount of \$10,324 through and including January 1, 2025. However, given that Respondent has been paying \$2,000 per month in voluntary support, he is to receive a credit of \$8,000. Thus, there is an outstanding arrears amount of \$2,324. As such, Respondent is ordered to pay Petitioner \$387.33 on the 15th of each month commencing on January 15, 2025 and continuing until paid in full (approximately 6 months).

The court further finds Respondent routinely earns overtime pay and Petitioner routinely earns overtime and SLS premium pay therefore, included with the court's order is a two-way overtime table. The parties are to true up any overtime earned in accordance with the table no later than fourteen days from the date the overtime payment is received.

Finally, Petitioner is requesting \$7,500 as and for need-based attorney's fees, as well as monetary sanctions in the amount of \$2,500.

The public policy of Family Code section 2030 is to provide "at the outset of litigation, consistent with the financial circumstances of the parties, parity between spouses in their ability to obtain effective legal representation." *In re Marriage of Keech*, 75 Cal. App. 4th 860, 866 (1999). This assures each party has access to legal representation to preserve each party's rights. It "is not the redistribution of money from the greater income party to the lesser income party," but rather "parity." *Alan S. v. Sup. Ct.*, 172 Cal. App. 4th 238, 251 (2009). In the face of a request for attorney's fees and costs, the court is to make findings on "whether there is a disparity in access to funds to retain counsel, and whether one party is able to pay for legal representation of both parties." Fam. Code § 2030(a)(2).

Family Code section 2032 works in tandem with Section 2030 to ensure that any award of costs and fees is just and reasonable. Fam. Code § 2032. "In determining what is just and reasonable under the relative circumstances, the court shall take into consideration the need for the award to enable each party, to the extent practical, to have sufficient financial resources to present the party's case adequately." *Id.* at (b). Financial resources are only one factor to be considered though. *Id.* In addition to the parties' financial resources, the court may consider the parties' trial tactics. *In Re Marriage of Falcone & Fyke*, 203 Cal. App. 4th 964; 975 (2012).

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

In reviewing the filings of the parties, there does appear to be a disparity in income, though not as large as Petitioner alleges in her moving papers. Nonetheless, it does appear that Respondent has a significant amount of liquidated assets as listed in Section 11(a) of his Income and Expense Declaration. That, in tandem with the fact that Respondent was nonresponsive to Petitioner's attempts to resolve these issues without the need for an RFO, the court finds Section 2030 attorney's fees to be warranted under the circumstances. Respondent is ordered to pay directly to Petitioner's attorney \$2,000 as and for attorney's fees. This amount is being awarded as it appears to be the amount incurred and expected to be incurred by Petitioner as of the writing of her counsel's declaration. The total amount may be paid in one lump or in monthly increments of \$500 due and payable on the 15th of each month commencing on January 15, 2025 and continuing until paid in full (approximately 4 months). If any payment is missed or late, the entire amount shall become immediately due and payable.

Petitioner's request for Section 271 sanctions is denied at this time. The court has taken Respondent's actions into consideration in making its award for attorney's fees therefore it does not seem that additional monetary sanctions are necessary at this time.

Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #8: THE AGREEMENTS CONTAINED IN THE OCTOBER 21, 2024 CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT. UTILIZING THE SAME FIGURES AS OUTLINED ABOVE AND IN THE ATTACHED DISSOMASTER REPORT, THE COURT FINDS THAT SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$713 PER MONTH AND CHILD SUPPORT IS \$1,868 PER MONTH. THE COURT ADOPTS THE ATTACHED DISSOMASTER REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$2,581 PER MONTH AS AND FOR CHILD SUPPORT AND TEMPORARY SPOUSAL SUPPORT, PAYABLE ON THE 1ST OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THIS ORDER IS EFFECTIVE AS OF OCTOBER 1, 2024.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$10,324 THROUGH AND INCLUDING JANUARY 1, 2025. HOWEVER, GIVEN THAT RESPONDENT HAS BEEN PAYING \$2,000 PER MONTH IN VOLUNTARY SUPPORT, HE IS TO RECEIVE A CREDIT OF \$8,000. THUS, THERE IS AN OUTSTANDING ARREARS AMOUNT OF \$2,324. AS SUCH, RESPONDENT IS ORDERED TO PAY PETITIONER \$387.33 ON THE 15TH OF EACH MONTH COMMENCING ON JANUARY 15, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 6 MONTHS).

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

THE COURT FURTHER FINDS RESPONDENT ROUTINELY EARNS OVERTIME PAY AND PETITIONER ROUTINELY EARNS OVERTIME AND SLS PREMIUM PAY THEREFORE, INCLUDED WITH THE COURT'S ORDER IS A TWO-WAY OVERTIME TABLE. THE PARTIES ARE TO TRUE UP ANY OVERTIME EARNED IN ACCORDANCE WITH THE TABLE NO LATER THAN FOURTEEN DAYS FROM THE DATE THE OVERTIME PAYMENT IS RECEIVED.

RESPONDENT IS ORDERED TO PAY DIRECTLY TO PETITIONER'S ATTORNEY \$2,000 AS AND FOR ATTORNEY'S FEES. THIS AMOUNT MAY BE PAID IN ONE LUMP OR IN MONTHLY INCREMENTS OF \$500 DUE AND PAYABLE ON THE 15TH OF EACH MONTH COMMENCING ON JANUARY 15, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 4 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.

PETITIONER'S REQUEST FOR SECTION 271 SANCTIONS IS DENIED AT THIS TIME.

PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

ATTORNEY (NAME AND ADDRESS): California ATTORNEY FOR: Father	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2025, Monthly		CASE NUMBER:

Input Data	Father	Mother	Guideline (2025)	Cash Flow Analysis	Father	Mother	
Number of children	0	2	Nets (adjusted)	Guideline			
% time with Second Parent	20%	0%	Father	6,729	Payment (cost)/benefit	(2,581)	2,581
Filing status	MFJ->	<-MFJ	Mother	2,966	Net spendable income	4,148	5,547
# Federal exemptions	1*	3*	Total	9,695	% combined spendable	42.8%	57.2%
Wages + salary	7,641	3,479	Support (Nondeductible)		Total taxes	1,753	739
401(k) employee contrib	0	0	CS Payor	Father	Comb. net spendable	9,694	
Self-employment income	0	0	Presumed	1,868	Proposed		
Other taxable income	1,595	226	Basic CS	1,868	Payment (cost)/benefit	(2,581)	2,581
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	4,148	5,547
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	0	0
Other gains (and losses)	0	0	Child 1	714	% combined spendable	42.8%	57.2%
Ordinary dividends	0	0	Child 2	1,155	% of saving over gdl	0%	0%
Tax. interest received	0	0	SS Payor	Father	Total taxes	1,753	739
Social Security received	0	0	Alameda	713	Comb. net spendable	9,694	
Unemployment compensation	0	0	Total	2,581	Percent change	0.0%	
Operating losses	0	0	Proposed, tactic 9		Default Case Settings		
Ca. operating loss adj.	0	0	CS Payor	Father			
Roy, partnerships, S corp, trusts	0	0	Presumed	1,868			
Rental income	0	0	Basic CS	1,868			
Misc ordinary tax. inc.	1,595	226	Add-ons	0			
Other nontaxable income	0	0	Presumed Per Kid				
New-spouse income	0	0	Child 1	714			
SS paid other marriage	0	0	Child 2	1,155			
CS paid other relationship	0	0	SS Payor	Father			
Adj. to income (ATI)	0	0	Alameda	713			
9.3% elective PTE payment	0	0	Total	2,581			
Ptr Support Pd. other P'ships	0	0	Savings	0			
Health insurance	654	0	Mother	0			
Qual. Bus. Inc. Ded.	0	0	Father	0			
Itemized deductions	0	0	No releases				
Other medical expenses	0	0					
Property tax expenses	0	0					
Ded. interest expense	0	0					
Charitable contribution	0	0					
Miscellaneous itemized	0	0					
State sales tax paid	0	0					
Required union dues	0	0					
Mandatory retirement	0	0					
Hardship deduction	0*	0*					
Other gdl. adjustments	100	0					
AMT info (IRS Form 6251)	0	0					
Child support add-ons	0	0					
TANF, SSI and CS received	0	0					

ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Father	Two-way Monthly Overtime Wages Report 2025 Monthly	
		CASE NUMBER:

Change in Child Support

Blue is a cost to Father. Red italic is a cost to Mother

Mother's Gross Overtime Wages	Father's Gross Overtime Wages							
	0	100	200	300	400	500	600	700
0	0	15	30	45	59	74	90	105
100	16	1	14	29	44	59	75	91
200	32	16	1	13	29	45	61	77
300	47	32	17	1	15	31	47	63
400	62	47	31	15	1	17	33	49
500	77	61	45	29	12	4	20	35
600	91	75	58	42	26	10	6	22
700	105	88	72	56	40	23	7	9
800	118	102	85	69	53	37	21	5
900	132	115	99	82	66	50	34	18
1,000	145	128	112	95	79	63	47	30
1,100	158	141	125	108	92	76	59	43
1,200	171	154	137	121	105	88	72	56
1,300	183	167	150	134	117	101	84	68
1,400	196	179	162	146	130	113	97	81
1,500	208	191	175	158	142	125	109	93
1,600	220	204	187	170	154	138	121	105
1,700	233	216	199	183	166	150	133	117
1,800	245	228	211	194	178	161	145	129
1,900	256	240	223	206	190	173	157	140
2,000	268	251	235	218	201	185	168	152



PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

Change in Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages									
	800	900	1,000	1,100	1,200	1,300	1,400	1,500	
0	121	136	152	167	182	198	213	228	
100	107	122	138	153	168	184	199	214	
200	92	108	124	139	155	170	185	200	
300	79	94	110	125	141	156	172	187	
400	65	81	96	112	127	143	158	173	
500	51	67	83	98	114	129	145	160	
600	38	54	69	85	101	116	132	147	
700	25	40	56	72	87	103	119	134	
800	11	27	43	59	74	90	106	121	
900	2	14	30	46	62	77	93	108	
1,000	14	1	17	33	49	65	80	96	
1,100	27	11	5	21	36	52	68	83	
1,200	40	24	8	8	24	40	55	71	
1,300	52	36	20	4	12	27	43	59	
1,400	64	48	32	16	1	15	31	47	
1,500	77	61	44	28	13	3	19	35	
1,600	89	73	56	40	25	9	7	23	
1,700	101	84	68	52	36	20	5	11	
1,800	112	96	80	64	48	32	16	0	
1,900	124	108	92	76	60	44	28	12	
2,000	136	119	103	87	71	55	39	23	



PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

Change in Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages					
	1,600	1,700	1,800	1,900	2,000
0	243	258	273	288	303
100	229	244	259	274	289
200	216	231	246	261	276
300	202	217	232	247	262
400	189	204	219	234	249
500	175	191	206	221	236
600	162	178	193	208	223
700	149	165	180	195	210
800	137	152	167	183	198
900	124	139	155	170	185
1,000	111	127	142	158	173
1,100	99	114	130	145	161
1,200	87	102	118	133	148
1,300	74	90	106	121	136
1,400	62	78	94	109	124
1,500	50	66	82	97	113
1,600	39	54	70	85	101
1,700	27	43	58	74	89
1,800	15	31	47	62	78
1,900	4	20	35	51	66
2,000	<i>7</i>	8	24	40	55



PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

Total Child Support

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages	Father's Gross Overtime Wages							
	0	100	200	300	400	500	600	700
0	1,868	1,883	1,898	1,913	1,928	1,942	1,958	1,974
100	1,852	1,868	1,882	1,897	1,912	1,928	1,944	1,959
200	1,837	1,852	1,867	1,882	1,898	1,914	1,929	1,945
300	1,821	1,837	1,852	1,868	1,884	1,900	1,915	1,931
400	1,806	1,821	1,837	1,854	1,870	1,886	1,902	1,917
500	1,791	1,807	1,824	1,840	1,856	1,872	1,888	1,904
600	1,777	1,794	1,810	1,826	1,842	1,858	1,874	1,890
700	1,764	1,780	1,796	1,813	1,829	1,845	1,861	1,877
800	1,750	1,767	1,783	1,799	1,815	1,832	1,848	1,864
900	1,737	1,753	1,770	1,786	1,802	1,819	1,835	1,851
1,000	1,724	1,740	1,757	1,773	1,789	1,806	1,822	1,838
1,100	1,711	1,727	1,744	1,760	1,777	1,793	1,809	1,825
1,200	1,698	1,714	1,731	1,747	1,764	1,780	1,796	1,813
1,300	1,685	1,702	1,718	1,735	1,751	1,768	1,784	1,800
1,400	1,673	1,689	1,706	1,722	1,739	1,755	1,771	1,788
1,500	1,660	1,677	1,694	1,710	1,727	1,743	1,759	1,776
1,600	1,648	1,665	1,681	1,698	1,714	1,731	1,747	1,763
1,700	1,636	1,653	1,669	1,686	1,702	1,719	1,735	1,751
1,800	1,624	1,641	1,657	1,674	1,690	1,707	1,723	1,740
1,900	1,612	1,629	1,645	1,662	1,679	1,695	1,712	1,728
2,000	1,600	1,617	1,634	1,650	1,667	1,684	1,700	1,716

PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

Total Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages									
	800	900	1,000	1,100	1,200	1,300	1,400	1,500	
0	1,989	2,005	2,020	2,036	2,051	2,066	2,081	2,096	
100	1,975	1,990	2,006	2,021	2,037	2,052	2,067	2,083	
200	1,961	1,976	1,992	2,007	2,023	2,038	2,054	2,069	
300	1,947	1,963	1,978	1,994	2,009	2,025	2,040	2,055	
400	1,933	1,949	1,965	1,980	1,996	2,011	2,026	2,042	
500	1,920	1,935	1,951	1,967	1,982	1,998	2,013	2,028	
600	1,906	1,922	1,938	1,953	1,969	1,984	2,000	2,015	
700	1,893	1,909	1,924	1,940	1,956	1,971	1,987	2,002	
800	1,880	1,896	1,911	1,927	1,943	1,958	1,974	1,989	
900	1,867	1,883	1,898	1,914	1,930	1,946	1,961	1,977	
1,000	1,854	1,870	1,886	1,902	1,917	1,933	1,949	1,964	
1,100	1,841	1,857	1,873	1,889	1,905	1,920	1,936	1,952	
1,200	1,829	1,845	1,861	1,876	1,892	1,908	1,924	1,939	
1,300	1,816	1,832	1,848	1,864	1,880	1,896	1,912	1,927	
1,400	1,804	1,820	1,836	1,852	1,868	1,884	1,899	1,915	
1,500	1,792	1,808	1,824	1,840	1,856	1,872	1,887	1,903	
1,600	1,780	1,796	1,812	1,828	1,844	1,860	1,876	1,891	
1,700	1,768	1,784	1,800	1,816	1,832	1,848	1,864	1,880	
1,800	1,756	1,772	1,788	1,804	1,820	1,836	1,852	1,868	
1,900	1,744	1,760	1,777	1,793	1,809	1,825	1,841	1,856	
2,000	1,733	1,749	1,765	1,781	1,797	1,813	1,829	1,845	



PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

Total Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages					
	1,600	1,700	1,800	1,900	2,000
0	<i>2,112</i>	<i>2,127</i>	<i>2,142</i>	<i>2,156</i>	<i>2,171</i>
100	<i>2,098</i>	<i>2,113</i>	<i>2,128</i>	<i>2,143</i>	<i>2,158</i>
200	<i>2,084</i>	<i>2,099</i>	<i>2,114</i>	<i>2,129</i>	<i>2,144</i>
300	<i>2,070</i>	<i>2,086</i>	<i>2,101</i>	<i>2,116</i>	<i>2,131</i>
400	<i>2,057</i>	<i>2,072</i>	<i>2,087</i>	<i>2,103</i>	<i>2,118</i>
500	<i>2,044</i>	<i>2,059</i>	<i>2,074</i>	<i>2,089</i>	<i>2,105</i>
600	<i>2,031</i>	<i>2,046</i>	<i>2,061</i>	<i>2,076</i>	<i>2,092</i>
700	<i>2,018</i>	<i>2,033</i>	<i>2,048</i>	<i>2,064</i>	<i>2,079</i>
800	<i>2,005</i>	<i>2,020</i>	<i>2,036</i>	<i>2,051</i>	<i>2,066</i>
900	<i>1,992</i>	<i>2,008</i>	<i>2,023</i>	<i>2,038</i>	<i>2,054</i>
1,000	<i>1,980</i>	<i>1,995</i>	<i>2,011</i>	<i>2,026</i>	<i>2,041</i>
1,100	<i>1,967</i>	<i>1,983</i>	<i>1,998</i>	<i>2,014</i>	<i>2,029</i>
1,200	<i>1,955</i>	<i>1,970</i>	<i>1,986</i>	<i>2,001</i>	<i>2,017</i>
1,300	<i>1,943</i>	<i>1,958</i>	<i>1,974</i>	<i>1,989</i>	<i>2,005</i>
1,400	<i>1,931</i>	<i>1,946</i>	<i>1,962</i>	<i>1,977</i>	<i>1,993</i>
1,500	<i>1,919</i>	<i>1,934</i>	<i>1,950</i>	<i>1,965</i>	<i>1,981</i>
1,600	<i>1,907</i>	<i>1,923</i>	<i>1,938</i>	<i>1,954</i>	<i>1,969</i>
1,700	<i>1,895</i>	<i>1,911</i>	<i>1,927</i>	<i>1,942</i>	<i>1,958</i>
1,800	<i>1,884</i>	<i>1,899</i>	<i>1,915</i>	<i>1,931</i>	<i>1,946</i>
1,900	<i>1,872</i>	<i>1,888</i>	<i>1,904</i>	<i>1,919</i>	<i>1,935</i>
2,000	<i>1,861</i>	<i>1,877</i>	<i>1,892</i>	<i>1,908</i>	<i>1,924</i>

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

Change in Alameda Spousal Support

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages	Father's Gross Overtime Wages							
	0	100	200	300	400	500	600	700
0	0	17	34	50	67	84	101	117
100	<i>20</i>	<i>3</i>	<i>14</i>	<i>31</i>	<i>48</i>	<i>64</i>	<i>81</i>	<i>97</i>
200	<i>39</i>	<i>22</i>	<i>6</i>	<i>11</i>	<i>28</i>	<i>44</i>	<i>61</i>	<i>77</i>
300	<i>59</i>	<i>42</i>	<i>25</i>	<i>9</i>	<i>8</i>	<i>24</i>	<i>41</i>	<i>58</i>
400	<i>78</i>	<i>62</i>	<i>45</i>	<i>28</i>	<i>12</i>	<i>5</i>	<i>21</i>	<i>38</i>
500	<i>98</i>	<i>81</i>	<i>65</i>	<i>48</i>	<i>32</i>	<i>15</i>	<i>1</i>	<i>18</i>
600	<i>118</i>	<i>101</i>	<i>85</i>	<i>68</i>	<i>51</i>	<i>35</i>	<i>18</i>	<i>2</i>
700	<i>138</i>	<i>121</i>	<i>104</i>	<i>88</i>	<i>71</i>	<i>55</i>	<i>38</i>	<i>22</i>
800	<i>157</i>	<i>141</i>	<i>124</i>	<i>108</i>	<i>91</i>	<i>74</i>	<i>58</i>	<i>41</i>
900	<i>177</i>	<i>161</i>	<i>144</i>	<i>127</i>	<i>111</i>	<i>94</i>	<i>78</i>	<i>61</i>
1,000	<i>197</i>	<i>180</i>	<i>164</i>	<i>147</i>	<i>131</i>	<i>114</i>	<i>97</i>	<i>81</i>
1,100	<i>217</i>	<i>200</i>	<i>183</i>	<i>167</i>	<i>150</i>	<i>134</i>	<i>117</i>	<i>101</i>
1,200	<i>236</i>	<i>220</i>	<i>203</i>	<i>187</i>	<i>170</i>	<i>153</i>	<i>137</i>	<i>120</i>
1,300	<i>256</i>	<i>239</i>	<i>223</i>	<i>206</i>	<i>190</i>	<i>173</i>	<i>156</i>	<i>140</i>
1,400	<i>276</i>	<i>259</i>	<i>243</i>	<i>226</i>	<i>209</i>	<i>193</i>	<i>176</i>	<i>160</i>
1,500	<i>295</i>	<i>279</i>	<i>262</i>	<i>246</i>	<i>229</i>	<i>212</i>	<i>196</i>	<i>179</i>
1,600	<i>315</i>	<i>298</i>	<i>282</i>	<i>265</i>	<i>249</i>	<i>232</i>	<i>215</i>	<i>199</i>
1,700	<i>335</i>	<i>318</i>	<i>302</i>	<i>285</i>	<i>268</i>	<i>252</i>	<i>235</i>	<i>219</i>
1,800	<i>354</i>	<i>338</i>	<i>321</i>	<i>305</i>	<i>288</i>	<i>271</i>	<i>255</i>	<i>238</i>
1,900	<i>374</i>	<i>357</i>	<i>341</i>	<i>324</i>	<i>308</i>	<i>291</i>	<i>274</i>	<i>258</i>
2,000	<i>394</i>	<i>377</i>	<i>360</i>	<i>344</i>	<i>327</i>	<i>311</i>	<i>294</i>	<i>277</i>



PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

Change in Alameda Spousal Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages									
	800	900	1,000	1,100	1,200	1,300	1,400	1,500	
0	134	150	167	183	200	216	233	249	
100	114	130	147	163	180	196	213	229	
200	94	110	127	143	160	176	193	209	
300	74	91	107	124	140	157	173	190	
400	54	71	87	104	120	137	153	170	
500	34	51	68	84	101	117	134	150	
600	15	31	48	64	81	97	114	130	
700	5	11	28	45	61	78	94	111	
800	25	8	8	25	41	58	74	91	
900	45	28	11	5	22	38	55	71	
1,000	64	48	31	15	2	18	35	52	
1,100	84	67	51	34	18	1	15	32	
1,200	104	87	71	54	37	21	4	12	
1,300	123	107	90	74	57	41	24	7	
1,400	143	126	110	93	77	60	44	27	
1,500	163	146	130	113	96	80	63	47	
1,600	182	166	149	133	116	99	83	66	
1,700	202	185	169	152	136	119	103	86	
1,800	222	205	188	172	155	139	122	106	
1,900	241	225	208	191	175	158	142	125	
2,000	261	244	228	211	194	178	161	145	

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

Change in Alameda Spousal Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages					
	1,600	1,700	1,800	1,900	2,000
0	<i>265</i>	<i>282</i>	<i>298</i>	<i>315</i>	<i>331</i>
100	<i>246</i>	<i>262</i>	<i>279</i>	<i>295</i>	<i>312</i>
200	<i>226</i>	<i>242</i>	<i>259</i>	<i>275</i>	<i>292</i>
300	<i>206</i>	<i>223</i>	<i>239</i>	<i>256</i>	<i>272</i>
400	<i>186</i>	<i>203</i>	<i>219</i>	<i>236</i>	<i>252</i>
500	<i>167</i>	<i>183</i>	<i>200</i>	<i>216</i>	<i>233</i>
600	<i>147</i>	<i>163</i>	<i>180</i>	<i>196</i>	<i>213</i>
700	<i>127</i>	<i>144</i>	<i>160</i>	<i>177</i>	<i>193</i>
800	<i>107</i>	<i>124</i>	<i>140</i>	<i>157</i>	<i>173</i>
900	<i>88</i>	<i>104</i>	<i>121</i>	<i>137</i>	<i>154</i>
1,000	<i>68</i>	<i>85</i>	<i>101</i>	<i>118</i>	<i>134</i>
1,100	<i>48</i>	<i>65</i>	<i>81</i>	<i>98</i>	<i>114</i>
1,200	<i>29</i>	<i>45</i>	<i>62</i>	<i>78</i>	<i>95</i>
1,300	<i>9</i>	<i>26</i>	<i>42</i>	<i>59</i>	<i>75</i>
1,400	<i>11</i>	<i>6</i>	<i>22</i>	<i>39</i>	<i>56</i>
1,500	<i>30</i>	<i>14</i>	<i>3</i>	<i>19</i>	<i>36</i>
1,600	<i>50</i>	<i>33</i>	<i>17</i>	<i>0</i>	<i>16</i>
1,700	<i>69</i>	<i>53</i>	<i>36</i>	<i>20</i>	<i>3</i>
1,800	<i>89</i>	<i>72</i>	<i>56</i>	<i>39</i>	<i>23</i>
1,900	<i>109</i>	<i>92</i>	<i>75</i>	<i>59</i>	<i>42</i>
2,000	<i>128</i>	<i>112</i>	<i>95</i>	<i>78</i>	<i>62</i>



PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

Total Alameda Spousal Support

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages	Father's Gross Overtime Wages								
	0	100	200	300	400	500	600	700	
0	713	730	747	763	780	797	814	830	
100	693	710	727	744	761	777	794	810	
200	674	691	707	724	741	757	774	790	
300	654	671	688	704	721	737	754	770	
400	635	651	668	685	701	718	734	751	
500	615	632	648	665	681	698	714	731	
600	595	612	628	645	661	678	695	711	
700	575	592	609	625	642	658	675	691	
800	556	572	589	605	622	638	655	672	
900	536	552	569	586	602	619	635	652	
1,000	516	533	549	566	582	599	616	632	
1,100	496	513	530	546	563	579	596	612	
1,200	477	493	510	526	543	560	576	593	
1,300	457	474	490	507	523	540	556	573	
1,400	437	454	470	487	504	520	537	553	
1,500	418	434	451	467	484	501	517	534	
1,600	398	414	431	448	464	481	497	514	
1,700	378	395	411	428	445	461	478	494	
1,800	359	375	392	408	425	442	458	475	
1,900	339	356	372	389	405	422	439	455	
2,000	319	336	353	369	386	402	419	436	



PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

Total Alameda Spousal Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages									
	800	900	1,000	1,100	1,200	1,300	1,400	1,500	1,500
0	847	863	880	896	912	929	945	962	962
100	827	843	860	876	893	909	926	942	942
200	807	823	840	856	873	889	906	922	922
300	787	804	820	837	853	870	886	903	903
400	767	784	800	817	833	850	866	883	883
500	747	764	780	797	814	830	847	863	863
600	728	744	761	777	794	810	827	843	843
700	708	724	741	757	774	791	807	824	824
800	688	705	721	738	754	771	787	804	804
900	668	685	701	718	735	751	768	784	784
1,000	649	665	682	698	715	731	748	764	764
1,100	629	646	662	679	695	712	728	745	745
1,200	609	626	642	659	676	692	709	725	725
1,300	590	606	623	639	656	672	689	705	705
1,400	570	587	603	620	636	653	669	686	686
1,500	550	567	583	600	617	633	650	666	666
1,600	531	547	564	580	597	613	630	647	647
1,700	511	528	544	561	577	594	610	627	627
1,800	491	508	525	541	558	574	591	607	607
1,900	472	488	505	522	538	555	571	588	588
2,000	452	469	485	502	519	535	552	568	568

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

Total Alameda Spousal Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages					
	1,600	1,700	1,800	1,900	2,000
0	978	995	1,011	1,028	1,044
100	959	975	992	1,008	1,024
200	939	955	972	988	1,005
300	919	936	952	968	985
400	899	916	932	949	965
500	880	896	913	929	945
600	860	876	893	909	926
700	840	857	873	890	906
800	820	837	853	870	886
900	801	817	834	850	867
1,000	781	798	814	831	847
1,100	761	778	794	811	827
1,200	742	758	775	791	808
1,300	722	739	755	772	788
1,400	702	719	735	752	769
1,500	683	699	716	732	749
1,600	663	680	696	713	729
1,700	644	660	677	693	710
1,800	624	641	657	674	690
1,900	604	621	637	654	671
2,000	585	601	618	634	651

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

9. VASANTHA M. ESWARA V. MARTHANDA ESWARA

PFL20090027

On September 20, 2024, Respondent filed a Request for Order (RFO) seeking to terminate child support. Given that this is a post-judgment request for a support order, Respondent filed a Declaration Regarding Address Verification in compliance with Family Code § 215. Nonetheless, there is no Proof of Service evidencing service of the RFO on Petitioner. As such, this matter is dropped from calendar.

TENTATIVE RULING #9: THIS MATTER IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

10. BROOKE ROGERS V. ZACHARY PODESTA

24FL0781

Petitioner filed a Request for Order (RFO) on October 25, 2024, requesting the court make child custody and parenting plan orders. The parties were not referred to Child Custody Recommending Counseling (CCRC) as they had been referred within the prior six months.

Proof of Service shows Respondent was personally served with the RFO and the remote appearance forms only on October 28, 2024. The court finds this service to be insufficient as all the necessary documents were not served.

The matter is dropped from calendar due to the lack of proper service.

TENTATIVE RULING #10: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

11. CHRISTINE PREMOCK V. RYAN PREMOCK

PFL20190171

Respondent filed an ex parte application for emergency orders on October 22, 2024. Petitioner filed a Responsive Declaration on October 24, 2024. The court denied the requested emergency orders on October 25, 2024. Respondent filed a Request for Order (RFO) on October 25, 2024, requesting the same orders as requested in the ex parte application. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on November 15, 2024, and a review hearing on January 9, 2025. Upon review of the court file there is no Proof of Service showing Petitioner was properly served. Additionally, the Department of Child Support Services (DCSS) is a party to the case and they were not properly served.

Nevertheless, both parties and the minors participated in the CCRC appointment. The parties were able to reach many agreements. A report containing the parties' agreements as well as additional recommendations was filed with the court on December 16, 2024, and mailed to the parties the same day.

Petitioner filed a Reply to the CCRC report on December 30, 2024. Proof of Service shows Respondent was served by mail on December 30, 2024. Petitioner objects to the recommendation for the parenting plan and requests Respondent have parenting time every other weekend.

The court has read and considered the filings as outlined above. The court finds good cause to proceed with the RFO, despite the lack of proper service, as Petitioner appeared for CCRC and has filed a Reply Declaration. The court finds there is no request to modify child support and therefore, the failure to serve DCSS is de minimis. The court finds the agreements of the parties as set forth in the December 16th CCRC report to be in the best interests of the minors. The court adopts the agreements and recommendations as set forth in in the December 16th CCRC report as its orders.

All prior orders not in conflict with this order remain in full force and effect. Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #11: THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE RFO, DESPITE THE LACK OF PROPER SERVICE, AS PETITIONER APPEARED FOR CCRC AND HAS FILED A REPLY DECLARATION. THE COURT FINDS THERE IS NO REQUEST TO MODIFY CHILD SUPPORT AND THEREFORE, THE FAILURE TO SERVE DCSS IS DE MINIMIS. THE COURT FINDS THE AGREEMENTS OF THE PARTIES AS SET FORTH IN THE

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

DECEMBER 16TH CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS. THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS AS SET FORTH IN IN THE DECEMBER 16TH CCRC REPORT AS ITS ORDERS. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

12. CIERA WELLS-AMMONS V. TRISTAN FERRIER

22FL0022

Petitioner filed a Request for Order (RFO) on September 26, 2024, requesting modification of the August 29, 2024 parenting plan orders. Proof of Service shows Respondent was personally served a “Notice of Hearing” on November 4, 2024.

Respondent has not filed a Responsive Declaration.

The court finds the service on Respondent to be insufficient. There is no indication in the Proof of Service that any of the necessary documents were served on Respondent. Further, even if the service had been proper, the court would have denied the requested modifications. Petitioner failed to set forth any change in circumstances since the August 29, 2024 orders nor how the requested modifications would be in the minor’s best interest.

The matter is dropped from calendar due to the lack of proper service. All prior orders remain in full force and effect.

TENTATIVE RULING #12: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

13. JACQUELINE MULLINAX V. BRYAN MULLINAX

22FL0920

On October 28, 2024, the parties reached a full stipulation, which included the parties attending Child Custody Recommending Counseling (CCRC) and a review hearing. The court adopted the parties' stipulation and referred the parties to CCRC with an appointment on November 13, 2024, and a review hearing on January 9, 2025.

Only Respondent appeared for the CCRC appointment on November 13th. As such, a single parent report was filed on November 18th. It was mailed to the parties the same day.

The court orders parties to appear for the hearing and for Petitioner to provide an explanation as to why she failed to appear for the November 13th CCRC appointment. The court advises Petitioner that sanctions may be imposed for her failure to appear at CCRC.

TENTATIVE RULING #13: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING. PETITIONER IS TO PROVIDE AN EXPLANATION AS TO WHY SHE FAILED TO APPEAR FOR THE NOVEMBER 13TH CCRC APPOINTMENT. THE COURT ADVISES PETITIONER THAT SANCTIONS MAY BE IMPOSED FOR HER FAILURE TO APPEAR AT CCRC.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

14. KRISTA KLINGENBERG V. DAMIEL KERSEY

PFL20120509

On March 12, 2024, the parties appeared before the court for hearing on a Domestic Violence Restraining Order (DVRO). The DVRO was granted, and the parties were referred to Child Custody Recommending Counseling (CCRC).

A review hearing was held on July 18th at which time the court made custody and visitation orders as set forth in the court's order from that date. The court set a review hearing for the present date to address whether Respondent has rebutted the Family Code § 3044 presumption.

Respondent filed a Declaration of Daniel Kersey; Exhibits on October 9th. It was electronically served the same day. Petitioner has not filed an updating declaration.

According to Respondent, not only is he in therapy but he is in the process of attending a parenting course and he has completed a co-parenting class. He has also provided the court with documentation of his participation in a Batterer's Intervention Program. He is now requesting unsupervised visitation.

The parties were before the court again on October 17, 2024. After argument, the court found Respondent had not yet overcome the Family Code section 3044 presumptions. The court referred the parties to Child Custody Recommending Counseling (CCRC) to determine a step-up plan to increase Respondent's parenting time. Parties were to attend CCRC on November 7th and return for a review hearing on January 9, 2025.

Both parties attended CCRC on November 7, 2024, and reached a full agreement. A report containing the parties' agreement was filed with the court on November 8, 2024, and mailed to the parties the same day.

Petitioner filed and served a Reply as well as a Supplemental Declaration on December 19, 2024. Petitioner clarifies in her declaration that the agreement is premised on Respondent completing the 52-week batterers intervention program. Petitioner further requests the current orders remain in full force and effect.

Neither Respondent nor Minors' Counsel have filed Supplemental Declarations.

The court has read and considered the filings as outlined above. The court finds the parties agreements to be premature, in that the Family Code section 3044 presumptions have not been overcome and it would not be in the best interests of the minors to adopt the agreements outright. The court does find the agreement to proceed to unsupervised

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

parenting time between the minors and Respondent to be in the best interest of the minors. The court adopts provision #1 of the parenting plan as set forth on page 3 of the CCRC report only. The court sets a further review hearing on March 27, 2025, at 8:30 AM in Department 5 to reassess the Family Code section 3044 presumptions and implementation of the remainder of the parties' agreements.

All prior orders not in conflict with this order remain in full force and effect.

TENTATIVE RULING #14: THE COURT FINDS THE PARTIES AGREEMENTS TO BE PREMATURE, IN THAT THE FAMILY CODE SECTION 3044 PRESUMPTIONS HAVE NOT BEEN OVERCOME AND IT WOULD NOT BE IN THE BEST INTERESTS OF THE MINORS TO ADOPT THE AGREEMENTS OUTRIGHT. THE COURT DOES FIND THE AGREEMENT TO PROCEED TO UNSUPERVISED PARENTING TIME BETWEEN THE MINORS AND RESPONDENT TO BE IN THE BEST INTEREST OF THE MINORS. THE COURT ADOPTS PROVISION #1 OF THE PARENTING PLAN AS SET FORTH ON PAGE 3 OF THE CCRC REPORT ONLY. THE COURT SETS A FURTHER REVIEW HEARING ON MARCH 27, 2025, AT 8:30 AM IN DEPARTMENT 5 TO REASSESS THE FAMILY CODE SECTION 3044 PRESUMPTIONS AND IMPLEMENTATION OF THE REMAINDER OF THE PARTIES' AGREEMENTS. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

16. PAMELA DEHERRERA V. JULIAN DEHERRERA

23FL0886

Respondent filed a Request for Order (RFO) on October 8, 2024, requesting an order compelling production of documents from Petitioner. Petitioner was personally served on October 8, 2024.

The court notes the RFO was untimely, as it was filed eight days prior to trial and discovery had closed. Further, the RFO is now moot as the trial has concluded.

The court drops the RFO from calendar as moot.

TENTATIVE RULING #16: THE RFO IS DROPPED FROM CALENDAR AS MOOT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

17. PAUL ANDRUS V. CHI ANDRUS

23FL1194

Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) on October 16, 2024, alleging one count of contempt. Respondent was personally served on December 7, 2024.

The parties are ordered to appear for arraignment.

TENTATIVE RULING #17: PARTIES ARE ORDERED TO APPEAR FOR ARRAIGNMENT.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

18. RYAN WISE V. ALLISON WHITE

PFL20200713

Respondent filed a Request for Order (RFO) on July 29, 2024, seeking a modification of the current child custody and parenting plan orders. Respondent also filed three declarations concurrently. Respondent also requested a referral to mediation. Petitioner was personally served on August 20, 2024.

Petitioner has not filed a Responsive Declaration.

Respondent filed two additional Declarations on September 25, 2024. There is no Proof of Service for these documents and therefore, the court cannot consider them.

On October 17, 2024, the court adopted its tentative ruling, referring the parties to Child Custody Recommending Counseling (CCRC) with an appointment on November 4, 2024, and a review hearing on January 9, 2025.

Both parties attended CCRC on November 4th and were able to reach agreements. A report memorializing the parties' agreements was filed with the court on December 24, 2024, and mailed to the parties the same day.

The court has read and considered the filings as outlined above. The court finds the agreements of the parties to be in the best interest of the minor. The court adopts the parties' agreements as its order.

All prior orders not in conflict with this order remain in full force and effect. Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #18: THE COURT FINDS THE AGREEMENTS OF THE PARTIES TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE PARTIES' AGREEMENTS AS ITS ORDER. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

**THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE
8.05.07.**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

19. TIMOTHY NILES V. APRIL RAINSBARGER

24FL1051

Petitioner filed a Petition for Custody and Support on October 8, 2024. A Summons was issued the same day. Petitioner concurrently filed a Request for Order (RFO) seeking child custody orders.

Upon review of the court file, there is no Proof of Service of the Summons and Petition, nor is there a Proof of Service for the RFO and other necessary documents.

Petitioner filed a Declaration on December 16, 2024. There is no Proof of Service for this document, and therefore, the court cannot consider it.

The court drops the matter from calendar because the Petition and Summons have not been served. As such, the court has not obtained jurisdiction over the parties. The matter is also dropped from calendar due to the failure to properly serve Respondent with the RFO.

TENTATIVE RULING #19: THE COURT DROPS THE MATTER FROM CALENDAR BECAUSE THE PETITION AND SUMMONS HAVE NOT BEEN SERVED. AS SUCH, THE COURT HAS NOT OBTAINED JURISDICTION OVER THE PARTIES. THE MATTER IS ALSO DROPPED FROM CALENDAR DUE TO THE FAILURE TO PROPERLY SERVE RESPONDENT WITH THE RFO.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

20. TODD STANLEY V. HANNAH COLE

24FL0221

Petitioner filed a Request for Order on March 13, 2024, seeking custody and visitation orders.

Respondent filed a Request for a Domestic Violence Restraining Order (DVRO) on March 13, 2024, listing Petitioner as the restrained party and Respondent as the protected party. Petitioner was ordered to have visitation with the children Monday through Thursday from 2:00 pm to 6:30 pm and Friday at 2:00pm until Saturday at 4:00pm.

On March 18th, Petitioner filed a Request for a DVRO against Respondent. A temporary DVRO was granted, and Petitioner was granted temporary sole legal and sole physical custody of the children. Respondent was ordered to have professionally supervised visits with the children once per week for two hours at a time. These orders were later amended to allow Respondent unsupervised visits with the children on Mondays and Wednesdays from after school until 7:00pm and on Sundays from 10:00am to 6:30pm.

Both DVRO requests have been repeatedly continued.

The parties attended Child Custody Recommending Counseling (CCRC) on August 29th, however, in light of the competing DVROs, CCRC was unable to provide recommendations to the court. A report stating as much was prepared on October 2nd and mailed to the parties on October 4th.

Parties were re-referred to CCRC following the court issuing a DVRO protecting Respondent and the minors. Parties were to attend CCRC on November 6, 2024, and return for a review hearing on January 9, 2024.

Both parties attended CCRC on November 6, 2024 and were unable to reach agreements. A report with recommendations was filed with the court on December 24, 2024, and mailed to the parties the same day.

Respondent filed a Request for Order (RFO) on December 13, 2024, requesting modification of the parenting time orders and exchange location. Upon review of the court file, there is no Proof of Service for this RFO. Therefore, the matter is dropped from calendar.

Petitioner filed a Reply brief on December 30, 2024. It was served the same day. The court notes the brief exceeds the page limit. The court does not grant leave to exceed the page limit and has only considered the first 10 pages. Petitioner also filed a Declaration on

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 9, 2025

8:30 a.m./1:30 p.m.

December 30, 2024. It was also served the same day. Petitioner asserts there is a pending request for the minors to relocate to Oregon. The court is unaware of such a request.

Respondent filed a Supplemental Memorandum of Points and Authorities on January 2, 2025. The court finds this filing to be untimely and has not considered it.

The court orders parties to appear for the hearing.

TENTATIVE RULING #20: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.