

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

June 27, 2024

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

1. AMBER DOBBS V. ZACH MILLER

PFL20140872

Respondent filed a Request for Order (RFO) on January 16, 2024, requesting modification of parenting time and child support. The matter came before the court for hearing on April 4, 2024, at which time the parties presented the court with a stipulation as follows: Respondent shall have parenting time on the first, second, fourth, and fifth weekends from Saturday at 6:00 pm to Monday drop off at school or 11:00 am. Petitioner shall have the third weekends from Saturday through Sunday at 6:00 pm. On the following fourth weekend, Respondent shall have parenting time from Saturday at 9:00 am until Monday drop off at school or 4:00 pm if there is no school. Commencing May 3, 2024, Respondent's weekends shall extend to Tuesdays at 11:00 am or drop off at school. His fourth weekends shall extend to Tuesdays at 4:00 pm if there is no school. The parties were further ordered to confer and agree upon a co-parenting counselor and schedule an intake. A review hearing was set for the present date. Parties were ordered to file and serve supplemental declarations at least ten days prior to the hearing date.

The Supplemental Declaration of Amber Dobbs was filed on June 17, 2024. It was served on June 14th. Respondent filed and served his Declaration on June 20th.

Petitioner asks the court to modify the current schedule. She asks that Respondent have parenting time every first, second, fourth, and fifth weekend from Saturday at 6:00 pm to Monday at school drop-off or 11:00 am if there is no school that day. Petitioner asks to have all other parenting time. Should the third weekend, Petitioner's weekend, fall on one of Respondent's scheduled parenting days, he shall have the entirety of the third weekend and Petitioner shall have the fourth weekend. Petitioner also asks for the following holiday schedule: (1) odd years Respondent Martin Luther King Jr. Day, President's Day, and Memorial Day. Petitioner to have Labor Day, Columbus Day, and Veteran's Day. (2) Even years Respondent to have Memorial Day, Labor Day, Columbus Day, and Veteran's Day. Petitioner to have Martin Luther King Jr. Day, and President's Day.

Respondent opposes Petitioner's requests. Instead, he asks for the schedule to remain as is, with an extended visit on June 29, 2024 to begin at 8:00 am so the minor can attend a family funeral. He also asks to switch the minor to his medical insurance through Kaiser.

The court has reviewed the filings of the parties and finds that the current custody orders remain in the minor's best interests. As such, the court is maintaining the current custody orders. However, Respondent's request to start his visitation at 8:00 am on June 29, 2024, is granted. Respondent's request to switch the minor's primary insurance to Kaiser is also granted. All prior orders not in conflict with this order remain in full force and

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effect. Parties are admonished to comply with all court orders including the order for co-parenting counseling.

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

TENTATIVE RULING #1: THE COURT IS MAINTAINING THE CURRENT CUSTODY ORDERS. HOWEVER, RESPONDENT'S REQUEST TO START HIS VISITATION AT 8:00 AM ON JUNE 29, 2024, IS GRANTED. RESPONDENT'S REQUEST TO SWITCH THE MINOR'S PRIMARY INSURANCE TO KAISER IS ALSO GRANTED. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PARTIES ARE ADMONISHED TO COMPLY WITH ALL COURT ORDERS INCLUDING THE ORDER FOR CO-PARENTING COUNSELING. 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 TELEPHONE 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 TELEPHONE 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.

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2. ANN MICHELLE NADEAU V. CHRISTOPHER DUANE NADEAU

23FL1074

On April 11, 2024, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders as well as additional orders regarding the payment of expenses for the minor. The RFO and all other required documents were personally served on May 1st.

The parties attended Child Custody Recommending Counseling (CCRC) on May 9, 2024 and were able to reach agreements on all issues. A report containing the agreements was prepared and mailed to the parties on May 10th.

Respondent filed his Responsive Declaration to Request for Order on June 3rd.

Petitioner brings her RFO seeking joint legal and physical custody of the minor with a 50/50 or a 60/40 custody split. She also asks that Respondent be ordered to pay half of all uninsured healthcare costs, childcare costs, and extracurricular costs as well as reimbursement of summer childcare. It is unclear how much is being sought in reimbursement at the Kovar's receipt indicates a total price of \$2,340 but shows only that \$195 was actually paid.

Respondent seeks joint legal and physical custody and asks the court to confirm the parties' current custody plan. He also asks that the court order the parties to equally split uninsured healthcare costs, school or work-related daycare costs, and agreed upon extracurricular activities.

After reviewing the filings as outlined above, the court finds the agreements contained in the May 10, 2024 CCRC report to be in the best interests of the minor. Therefore, they are hereby adopted as the orders of the court.

Additionally, the court orders the parties to equally split childcare costs related to employment or reasonably necessary education or training for employment of either party, uninsured healthcare costs, and agreed upon extracurricular activities. The parties are ordered to comply with the reimbursement procedures as stated on the attached FL-192 Notice of Rights and Responsibilities Healthcare and Reimbursement Procedures.

In keeping with the court's order herein, Respondent is to reimburse Petitioner for payments made to Charter Extended Day Program. The parties are to follow the reimbursement procedures as stated in the FL-192. It is unclear to the court whether or not Kovar's Satori Academy was an agreed upon extracurricular activity and therefore the court is not ordering reimbursement of that expense.

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

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TENTATIVE RULING #2: THE COURT FINDS THE AGREEMENTS CONTAINED IN THE MAY 10, 2024 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINOR. THEREFORE, THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT. THE COURT ORDERS THE PARTIES TO EQUALLY SPLIT CHILDCARE COSTS RELATED TO EMPLOYMENT OR REASONABLY NECESSARY EDUCATION OR TRAINING FOR EMPLOYMENT OF EITHER PARTY, UNINSURED HEALTHCARE COSTS, AND AGREED UPON EXTRACURRICULAR ACTIVITIES. THE PARTIES ARE ORDERED TO COMPLY WITH THE REIMBURSEMENT PROCEDURES AS STATED ON THE ATTACHED FL-192 NOTICE OF RIGHTS AND RESPONSIBILITIES HEALTH-CARE AND REIMBURSEMENT PROCEDURES. RESPONDENT IS TO REIMBURSE PETITIONER FOR PAYMENTS MADE TO CHARTER EXTENDED DAY PROGRAM. THE PARTIES ARE TO FOLLOW THE REIMBURSEMENT PROCEDURES AS STATED IN THE FL-192. IT IS UNCLEAR TO THE COURT WHETHER OR NOT KOVAR'S SATORI ACADEMY WAS AN AGREED UPON EXTRACURRICULAR ACTIVITY AND THEREFORE THE COURT IS NOT ORDERING REIMBURSEMENT OF THAT EXPENSE. 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 TELEPHONE 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 TELEPHONE 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.

NOTICE OF RIGHTS AND RESPONSIBILITIES

Health-Care Costs and Reimbursement Procedures

If you have a child support order that includes a provision for the reimbursement of a portion of the child's or children's health-care costs and those costs are not paid by insurance, the **law says**:

1. Notice. You must give the other parent an itemized statement of the charges that have been billed for any health-care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 30 days after those costs were given to you.

2. Proof of full payment. If you have already paid all of the uninsured costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.

3. Proof of partial payment. If you have paid only your share of the uninsured costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the health-care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.

4. Payment by notified parent. If you receive notice from a parent that an uninsured health-care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health-care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.

5. Going to court. Sometimes parents get into disagreements about health-care costs. If you and the other parent cannot resolve the situation after talking about it, you can request that the court make a decision.

a. Disputed charges. If you dispute a charge made by the other parent, you may file a request for the court to resolve the dispute, but only if you pay that charge before filing your request.

b. Nonpayment. If you claim that the other parent has failed to pay you back for a payment, or they have failed to make a payment to the provider after proper notice, you may file a request for the court to resolve the dispute. The court will presume that if uninsured costs have been paid, those costs were reasonable.

c. Attorney's fees. If the court decides one parent has been unreasonable, it can order that parent to pay the other parent's attorney's fees and costs.

d. Court forms. Use forms [FL-300](#) and [FL-490](#) to get a court date. See form [FL-300-INFO](#) for information about completing, filing, and serving your court papers.

6. Court-ordered insurance coverage. If a parent provides health-care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health-care costs.

a. Burden to prove. The parent claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.

b. Cost of additional coverage. If a parent purchases health-care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.

7. Preferred health providers. If the court-ordered coverage designates a preferred health-care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any parent uses a health-care provider other than the preferred provider, any health-care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the parent incurring those costs.

Information About Child Support for Incarcerated or Confined Parents

1. Child support. As of September 27, 2022, child support automatically stops if the parent who has to pay is confined against their will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution.

Exception. Child support does not automatically stop if the parent who has to pay has money available to pay child support.

2. Past confinement. Child support also stops during past confinement if it was ordered from October 8, 2015, through December 31, 2019, or January 1, 2021, through September 26, 2022, and the parent who has to pay was confined for more than 90 days in a row during the same time frame.

Exceptions for past confinement. Child support does not automatically stop if the parent who has to pay was in jail or prison for failing to pay child support or for domestic violence against the other parent or the child, or if they had money available to pay support.

3. Timing. Child support automatically restarts the first day of the first full month after the parent is released. If you need to change your child support order, see page 2.

4. More info. For more information about child support and incarcerated parents, see [Family Code section 4007.5](#) or go to <https://selfhelp.courts.ca.gov/child-support/incarcerated-parent>.

NOTICE OF RIGHTS AND RESPONSIBILITIES

Information Sheet on Changing a Child Support Order

General Info

The court has made a child support order in your case. This order will remain the same unless one of the parents requests that the support be changed (modified). An order for child support can be modified by filing a request to change child support and serving the other parent. If both parents agree on a new child support amount, they can complete, sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* (form FL-350). (**Note:** If the local child support agency is involved in your case, it must be served with any request to change child support and approve any agreement.)

Online Self-Help Guide

For more information about how child support works, visit: <https://selfhelp.courts.ca.gov/child-support>.

When a Child Support Order May Be Changed

The court considers several things when ordering the payment of child support.

- First, the number of children is considered, along with the percentage of time each parent has physical custody of the children.
- Next, the net disposable incomes of both parents are determined (which is how much money is left each month after taxes and certain other items like health insurance, union dues, or other child support ordered and paid are subtracted from a parent's paycheck). The court can also look at earning ability if a parent is not working.
- The court considers both parents' tax filing status and may consider hardships, such as the cost of raising a child of another relationship who lives with a parent.

A parent can request to change an existing order for child support when circumstances change significantly. For example if the net disposable income of one of the parents changes, parenting time changes, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based upon having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. *Remember:* You must follow the order you have now.

What forms do I need?

If you are asking to change a child support order, you must fill out one of these forms:

- [Form FL-300](#), *Request for Order* or
- [Form FL-390](#), *Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support*

You must also fill out one of these forms, and attach proof of income for the past two months (like your paycheck stubs):

- [Form FL-150](#), *Income and Expense Declaration* or
- [Form FL-155](#), *Financial Statement (Simplified)*

What if I am not sure which forms to fill out?

Contact the family law facilitator in your county. You can find them here: <https://www.courts.ca.gov/selfhelp-facilitators.htm>.

After you fill out the forms, file them with the court clerk and ask for a hearing date. Write the hearing date on the form.

The clerk may ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- [Form FW-001](#), *Request to Waive Court Fees and*
- [Form FW-003](#), *Order on Court Fee Waiver (Superior Court)*

You must serve the other parent. If the local child support agency is involved, serve it too.

- This means someone 18 or over—not you—must deliver copies of your filed court forms to the other parent, at least **16 court days** before the hearing. Add **5 calendar days** if delivered by mail within California (see Code of Civil Procedure section 1005 for other situations).
- **Court days** are weekdays when the court is open for business (Monday through Friday except court holidays). **Calendar days** include all days of the month, including weekends and holidays. To find court holidays, go to www.courts.ca.gov/holidays.htm.

Blank copies of both of these forms must also be served:

- [Form FL-320](#), *Responsive Declaration to Request for Order*
- [Form FL-150](#), *Income and Expense Declaration*

Then the server fills out and signs a *Proof of Service* Take this form, plus one copy, to the clerk and file it at least one week before your hearing.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last two years and your last two months' pay stubs. The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- [Form FL-340](#), *Findings and Order After Hearing* and
- [Form FL-342](#), *Child Support Information and Order*

Need help?

Contact the [family law facilitator](#) in your county or call your county's bar association and ask for an experienced family lawyer.

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4. ATHENA JOY SOLNOK V. DANIEL ALLEN SOLNOK

23FL0839

On January 26, 2024, Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) asserting one count of contempt. It was personally served on February 3rd.

The parties appeared for the arraignment on April 11th. At that time the court appointed the Public Defender's Office and continued the OSC to the present date.

The parties are ordered to appear for the arraignment.

TENTATIVE RULING #4: THE PARTIES ARE ORDERED TO APPEAR FOR ARRAIGNMENT.

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5. CLARISSA KIESEL V. MICHAEL BECKER

23FL0291

Counsel for Respondent, Rebecca Etsy-Burke, filed a Notice of Motion and Motion to be Relieved as Counsel and her supporting declaration on April 10, 2024. The motion was mail served on April 15th. Counsel has shown good cause for her withdrawal as the attorney of record for Respondent due to the irreparable breakdown of the attorney-client relationship. The motion is granted.

TENTATIVE RULING #5: THE MOTION TO BE RELIEVED AS COUNSEL IS GRANTED. WITHDRAWAL WILL BE EFFECTIVE AS OF THE DATE OF FILING PROOF OF SERVICE OF THE FORMAL, SIGNED ORDER, UPON THE CLIENT.

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6. JORDAN LYKINS V. SONJA GILSON

24FL0295

Respondent filed a Request for Order (RFO) on April 8, 2024, seeking custody orders, child support, spousal support, property control and attorney's fees. She filed her Income and Expense Declaration concurrently therewith. There is a Proof of Service by mail and a Proof of Electronic Service indicating that all documents were served on Petitioner, but neither one indicates the date served nor does either indicate service of the referral to Child Custody Recommending Counseling (CCRC).

On April 10th, Respondent filed a Declaration in Support of Family Code § 2030 Attorney's Fees. The declaration was served on April 15th.

The parties were referred to CCRC and given an appointment on May 6, 2024. Neither party appeared at CCRC and there is no indication that the CCRC referral form was served on Petitioner.

On May 21st, Petitioner filed and served a Declaration of Attorney Re: Notice of Referral to CCRC/CCRC Report of Non-Appearance. Petitioner filed and served his Responsive Declaration to Request for Order on June 13th. Petitioner then filed and served an Updating Declaration on June 17th. On June 21st he filed and served his Income and Expense Declaration.

Respondent brings her RFO requesting sole legal custody and primary physical custody of the parties' minor children. She proposes a visitation schedule for Petitioner of every other weekend from Friday after school, or 3:00 pm if no school, to 5:00 pm on Sunday. She asks that Petitioner be solely responsible for the cost of transporting the children for his visits. Respondent further requests exclusive use and possession of the property located on State Highway 193 in Garden Valley, California. Finally, she is requesting guideline child support, guideline spousal support, and attorney's fees in the amount of \$20,000 pursuant to Family Code § 2030.

According to Petitioner's counsel, he was never served with the CCRC referral. Petitioner is requesting a re-referral to CCRC. He is requesting joint legal and joint physical custody of the minors, an order precluding the parties from consuming alcohol during their parenting time, a non-disparagement order, a no-contact order between the children and Nicholas Dixon, and extended weekend parenting time and summer and vacation parenting time.

Regarding support, Petitioner is requesting a seek work order and the imputation of income commensurate with Respondent's earning capacity. He asks for an accounting of the community and separate property sold by Respondent and return thereof. Finally, he is

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asking the court to reserve jurisdiction on support until the 2023 tax return has been finalized.

Petitioner opposes Respondent's request for exclusive use and possession of the State Highway 193 property as he needs access to the property to continue running the community property business. He asks the court to order Respondent to cease any work on the property without a written agreement between the parties. He also opposes the request for attorney's fees arguing that he does not have the ability to pay.

The parties are re-referred to CCRC with an appointment on 6/27/2024 at 1:00 PM with Michaela Murphy. This matter is continued to 9/12/2024 at 8:30 am in Department 5. Parties are to file and serve supplemental declarations and current Income and Expense Declarations no later than ten days prior to the hearing date. The court reserves jurisdiction to award support back to the date of filing of the RFO.

With respect to Respondent's request for Family Code section 2030 attorney's fees, the court finds Respondent's Income and Expense Declaration to be incomplete. Throughout the document, there are sections labeled as "unknown" where Respondent should be aware of the information or could obtain the information relatively easily. Therefore, the court also continues the request for attorney's fees to the next hearing date. Respondent is directed to file and serve an updated Income and Expense Declaration with the most complete information possible.

TENTATIVE RULING #6: THE PARTIES ARE RE-REFERRED TO CCRC WITH AN APPOINTMENT ON 7/25/2024 AT 1:00 PM WITH MICHAELA MURPHY. THIS MATTER IS CONTINUED TO 9/12/2024 AT 8:30 AM IN DEPARTMENT 5. PARTIES ARE TO FILE AND SERVE SUPPLEMENTAL DECLARATIONS AND CURRENT INCOME AND EXPENSE DECLARATIONS NO LATER THAN TEN DAYS PRIOR TO THE HEARING DATE. THE COURT RESERVES JURISDICTION TO AWARD SUPPORT BACK TO THE DATE OF FILING OF THE RFO. THE COURT ALSO CONTINUES THE REQUEST FOR ATTORNEY'S FEES TO THE NEXT HEARING DATE. RESPONDENT IS DIRECTED TO FILE AND SERVE AN UPDATED INCOME AND EXPENSE DECLARATION WITH THE MOST COMPLETE INFORMATION POSSIBLE.

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7. JOSHUA LIGHTHALL V. LAUREN LOBER

PFL20210103

Respondent filed a Request for Order (RFO) on July 24, 2023, seeking custody and visitation orders as well as various additional orders. The matter came before the court on November 30, 2023, at which time the parties presented the court with a stipulation in which they agreed to adopt the CCRC report and reached several other agreements. The stipulation was adopted as the orders of the court and a review hearing was set for April 11th to address the issue of physical custody.

The Supplemental Declaration of Respondent Lauren Lober in Support of Joint Physical Custody was filed on March 28, 2024. It was served both electronically and by mail on the same date. Petitioner has not filed a supplemental declaration.

The parties appeared for the hearing on April 11th and Petitioner requested a continuance to allow him time to obtain counsel. The court granted the request, stayed the tentative ruling, and continued the hearing to the present date. There have been no filings regarding custody since the April 11th hearing date therefore the court reissues its prior tentative as follows.

According to Respondent the visits have been going well and she has obtained suitable housing for the minor. She further states she has been clean and sober for 18 months. She is requesting joint physical custody, though she has not proposed a visitation schedule.

In the initial RFO, Respondent was requesting the court affirm its prior orders for parenting time from Friday evenings to Sunday evenings. In the CCRC report, the parties agreed that after two weeks of a shortened visitation schedule the parties would move to a schedule of Friday through Sunday on the 1st, 3rd, and 4th weekend of each month. It is somewhat unclear if Respondent is requesting an increase in parenting time from that schedule. That said, the parties are to share joint physical custody with Respondent to have visitation on the 1st, 3rd, and 4th weekend of each month from 6:00 pm on Friday (Respondent to pick the minor up from the Boys and Girls Club) to 4:00 pm on Sunday. 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 #7: THE PARTIES ARE TO SHARE JOINT PHYSICAL CUSTODY WITH RESPONDENT TO HAVE VISITATION ON THE 1ST, 3RD, AND 4TH WEEKEND OF EACH MONTH FROM 6:00 PM ON FRIDAY (RESPONDENT TO PICK THE MINOR UP FROM THE BOYS AND GIRLS CLUB) TO 4:00 PM ON SUNDAY. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT.

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

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8. KELLI JEANCOQ V. RAYMOND LONERGAN

PFL20190708

Respondent filed a Request for Order (RFO) on January 16, 2024, requesting a modification of the current child custody, parenting plan, and domestic violence restraining orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on February 15, 2024 and a review hearing on April 4, 2024. Petitioner was served by mail on January 25, 2024. Respondent is requesting joint legal and physical custody and that the court vacate the existing Domestic Violence Restraining Order (DVRO). While Respondent did not check the box to modify child support on the caption of the FL-300, in the body of the FL-300 he is requesting the court order child support at \$125 per month. Respondent did not file an Income and Expense Declaration concurrently with the RFO.

On March 14, 2024, Respondent filed an FL-155, Financial Statement Simplified. There is no Proof of Service for this document, therefore, the court cannot consider it.

Respondent filed a Declaration regarding parenting classes on March 15, 2024. Petitioner was served on March 11, 2024.

Both parties attended CCRC and were able to reach some agreements. A report with the parties' agreements and further recommendations was filed with the court on March 19, 2024. Copies were mailed to the parties the same day.

Petitioner filed a Responsive Declaration on March 20, 2024. Respondent was served March 20, 2024.

Petitioner filed a Petition to Terminate Parental Rights on March 22, 2024. The petition is currently set for trial on September 17, 2024. Family Code section 7807(b) requires all proceedings be stayed until the court issues a final ruling on the Petition to Terminate Parental Rights. Therefore, the court stays these proceedings and continues this hearing until 9/26/2024, at 8:30 in Department 5. Pending the next hearing all prior orders remain in full force and effect.

TENTATIVE RULING #8: THE COURT STAYS THESE PROCEEDINGS AND CONTINUES THIS HEARING UNTIL 9/26/2024, AT 8:30 IN DEPARTMENT 5. PENDING THE NEXT HEARING 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 TELEPHONE 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

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

A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE 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.

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June 27, 2024

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

9. MARIA GUADALUPE VALADEZ V. LUIS VALADEZ

PFL20050723

Petitioner filed a Request for Order (RFO) on April 9, 2024. The RFO was mail served on April 16th. The parties were referred to Child Custody Recommending Counseling (CCRC), though Respondent did not appear. Nor has Respondent filed a Responsive Declaration to Request for Order.

This is a post-judgment request for modification of custody orders. As such, it was required to be personally served or, if served by mail, Petitioner was required to complete and file a Declaration Regarding Address Verification – Post Judgment Request to Modify a Child Custody, Visitation, or Child Support Order, which she has not done. See Fam. Code § 215.

Given that Respondent did not file a responsive declaration or participate in CCRC, the court cannot find that Respondent had sufficient knowledge of the pending RFO to waive the defect in service. Therefore, this matter is dropped from calendar due to lack of proper service.

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 TELEPHONE 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 TELEPHONE 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.

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June 27, 2024

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

10. MICHELLE MASTERS V. GUY SORBER

22FL0424

Order to Show Cause

Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) on January 17, 2024, alleging Respondent had violated multiple portions of the parties' November 2, 2023 Stipulation and Order. Respondent's counsel was personally served on January 31, 2024. The court notes that the Proof of Service indicates counsel agreed to accept service on behalf of his client after five attempts to personally serve Respondent.

The court orders parties to appear for the hearing.

Request for Order

On April 8, 2024, Petitioner filed an Ex Parte Application and Declaration for Orders and Notice requesting various orders regarding property division, insurance, the sale of the Tya Lane residence, and Family Code §271 sanctions.

Respondent did not file a Responsive Declaration to Request for Order. However, on April 9th, Respondent filed an Ex Parte Application and Declaration for Orders and Notice. Petitioner filed a Responsive Declaration to Request for Order on April 9th.

On April 9, 2024, Petitioner filed an RFO reiterating her ex parte requests. The RFO and all other required documents were personally served on the same date as filing.

On April 10, 2024, Respondent filed an additional RFO reiterating his ex parte requests.

Petitioner brings her RFO seeking the following orders: (1) An order directing Petitioner to transfer the title of Respondent's three cars, a 2013 Ford Edge, a 2008 Lexus, and a 2010 Toyota, to Respondent and Respondent to submit the change of title documents within five days of signature and to provide Petitioner with a release of liability. (2) Order the parties to cancel all joint vehicle insurance policies including, without limitation, policies for automobiles, the two motor homes, boats, jet skis, trailers, and any other joint policy listing Respondent as a driver. (3) Order the parties to obtain their own separate vehicle insurance policies. (4) Grant Petitioner exclusive use, possession, and control of the former marital residence and property located on Tya Lane in Placerville. (5) Confirm the court's prior order which was signed and filed on November 2, 2023. (6) Order Respondent to sign all documents necessary to list the Tya Lane residence for sale with realtor, Cynthia Harkey. In the event Respondent fails to sign said documents, appoint the clerk of the court to sign as elisor on behalf of Respondent. (7) Order the net sale proceeds of the Tya Lane sale be placed in a trust account held by Petitioner's attorney and no funds

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to be disbursed without written agreement of the parties or order of the court. (8) Reserve jurisdiction over all reimbursement credits, including costs related to the clerk signing as elisor, and Petitioner's community property interest in the vehicles being transferred to Respondent.

On an ex parte basis, the court affirmed its November 2, 2023, order and granted requests numbers 4 and 6 - 8 as stated above. Given that these requests have already been ruled upon, the court declines to rule on them herein. The only remaining requests on Petitioner's RFO are the requests regarding title to the vehicles, insurance, and Family Code § 271 sanctions.

Respondent brings his RFO requesting the following. \$60,000 to be distributed immediately to Respondent, from Petitioner, which may be credited against the amount owed under the stipulation. He requests trial be set regarding the issue of reimbursements and final property division. Finally, he asks that Terry Jensen be appointed as the listing agent for the Tya Lane residence.

The court denied all of Respondent's requests on an ex parte basis, except for the request for trial setting. The parties were ordered to appear for hearing to choose trial dates.

TENTATIVE RULING #10: PARTIES ARE ORDERED TO APPEAR FOR ARRAIGNMENT ON THE OSC AND TO SELECT TRIAL DATES ON THE RFOs.

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

11. NICOLE RILEY V. RANDY LOWELL HOFF

22FL0770

On February 5, 2024, Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC). There is no Proof of Service on file for this OSC.

On February 13, 2024 the parties appeared before the court on, among other things, an OSC filed by Petitioner on June 26, 2023. The OSC was originally set to be heard on July 27th but it has since been continued several times. At the February 13, 2024 hearing the court appointed Respondent an alternate Public Defender and once again continued the hearing on the OSC and set it for the present date.

On March 18, 2024, the parties appeared before the court on a request for Domestic Violence Restraining Order (DVRO) which the court ultimately granted. As the prevailing party on the DVRO, Petitioner requested attorney's fees and costs. The court continued the issue to the present date and ordered Respondent to file an Income and Expense Declaration.

The parties appeared before the court on April 11, 2024. At that time the court found that Mr. Hoff was evading service and therefore the court did not drop the February 5th OSC. The court reiterated the order that Respondent appear in person for the matter in Department 9. All issues were continued to the present date. Respondent was ordered to file and serve an Income and Expense Declaration no later than 10 days prior to the hearing. He was admonished that failure to do so would result in sanctions. Once again, Respondent has failed to file an Income and Expense Declaration.

TENTATIVE RULING #11: THE PARTIES ARE ORDERED TO APPEAR.

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

12. AARON LUKIANOW V. CINDY LUKIANOW

23FL0373

Petitioner filed a Request for Order (RFO), on December 15, 2023, requesting leave to amend the Petition for Dissolution and an order for Respondent to return Petitioner's gemstones. A Proof of Service was filed by Petitioner on January 8, 2024, showing service to Respondent via mail. However, the Proof of Service does not state what documents were served and it is signed by Petitioner, which is not permissible.

Respondent filed a Responsive Declaration on February 8, 2024. Proof of Service shows Petitioner was served by mail on February 9, 2024.

Parties appeared for the hearing on March 7, 2024, on Petitioner's request for oral argument. Petitioner requested a continuance to correct the defects in service. The court continued the matter to May 16th. The remainder of the court's tentative ruling was adopted as set forth.

Petitioner filed a Proof of Service on March 19, 2024, showing Respondent was served with the December 15, 2023 RFO. The Proof of Service does not show Respondent was served with the other necessary documents.

On May 2, 2024, the parties submitted a stipulation to continue the May 16th hearing to June 27th.

Petitioner filed a Supplemental Declaration and Income and Expense Declaration on June 10, 2024. Respondent was served on June 6, 2024. Petitioner's Declaration addresses issues regarding spousal support, which are not currently before the court.

Respondent filed an Income and Expense Declaration on June 12, 2024, as well as an Updating Declaration. Petitioner was served on June 12, 2024.

Respondent filed a Memorandum of Points and Authorities on June 17, 2024. Petitioner was served the same day.

The court has read and considered the filings as set forth above. The court finds the issue of spousal support is not before the court. The court continued the hearing on the RFO on March 7, 2024, however, adopted its tentative ruling as to the review of spousal support. Therefore, the court maintains the current orders as to temporary guideline spousal support.

As to the December 15, 2023 RFO, the court finds the service to once again be deficient. However, the court finds good cause to proceed with the RFO as Respondent has filed a Responsive Declaration and has addressed the issues raised in her Updating Declaration. The court finds it needs to take testimony to address the issues raised in the

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RFO. Therefore, the court sets the issues of the date of separation and the gemstones to join the trial currently set for October 22 and 23, 2024.

Respondent raises additional issues in her Updating Declaration, that the court finds are not currently before the court and therefore, declines to address them.

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

TENTATIVE RULING #12: AS TO THE DECEMBER 15, 2023 RFO, THE COURT FINDS THE SERVICE TO ONCE AGAIN BE DEFICIENT. HOWEVER, THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE RFO AS RESPONDENT HAS FILED A RESPONSIVE DECLARATION AND HAS ADDRESSED THE ISSUES RAISED IN HER UPDATING DECLARATION. THE COURT FINDS IT NEEDS TO TAKE TESTIMONY TO ADDRESS THE ISSUES RAISED IN THE RFO. THEREFORE, THE COURT SETS THE ISSUES OF THE DATE OF SEPARATION AND THE GEMSTONES TO JOIN THE TRIAL CURRENTLY SET FOR OCTOBER 22 AND 23, 2024. RESPONDENT RAISES ADDITIONAL ISSUES IN HER UPDATING DECLARATION, THAT THE COURT FINDS ARE NOT CURRENTLY BEFORE THE COURT AND THEREFORE, DECLINES TO ADDRESS THEM. 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 TELEPHONE 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 TELEPHONE 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.

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

13. ALIVIA DURGAN V. JOHN SULLIVAN

24FL0120

Parties appeared for a hearing on child custody and parenting plan orders on April 25, 2024. The parties requested the court set a review hearing. The court adopted its tentative ruling and set a review hearing for June 27, 2024. Parties were directed to file and serve Supplemental Declarations at least 10 days prior to the next hearing.

Upon review of the court file, neither party has filed a supplemental declaration. As such, the court reasonably presumes that all current court orders remain in the best interest of the minors. Therefore, the court drops the review hearing from calendar.

TENTATIVE RULING #13: THE MATTER IS DROPPED FROM CALENDAR DUE TO NEITHER PARTY FILING A SUPPLEMENTAL DECLARATION. 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 TELEPHONE 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 TELEPHONE 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.

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June 27, 2024

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

15. GABRIEL HALL V. LINDSEY HALL

22FL1173

Respondent filed a Request for Order (RFO) on April 12, 2024, requesting the court make child custody and parenting plan orders, as well as child support and property control orders. Respondent did not file an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on May 10, 2024 and a review hearing on June 27th. Proof of Service shows Petitioner was served with a variety of documents, however, the RFO and referral to CCRC, notice of tentative ruling, and blank Responsive Declaration are not among them.

Only Respondent appeared for the May 10th CCRC appointment. As such a single parent report was filed with the court on May 10th and mailed to the parties the same day.

Petitioner filed a Responsive Declaration and Income and Expense Declaration on June 5, 2024. Respondent was served on June 5th.

The court finds good cause to proceed with the underlying RFO, as Petitioner has filed a Responsive Declaration which addresses the issues raised by Respondent. The court further finds good cause to rerefer the parties to CCRC with an appointment on 7/26/2024 at 1:00 PM with Rebecca Nelson and sets a further review hearing on 9/12/2024 at 1:30 PM in department 5, as it does not appear Petitioner received notice of the CCRC appointment. The court also continues the remainder of Respondent's requests, including the requests for child and spousal support and property control to the same review hearing. Respondent is directed to file and serve an updated Income and Expense Declaration at least 10 days prior to the hearing. The court reserves jurisdiction to retroactively award support back to the date of the filing of the RFO.

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

TENTATIVE RULING #15: THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE UNDERLYING RFO, AS PETITIONER HAS FILED A RESPONSIVE DECLARATION WHICH ADDRESSES THE ISSUES RAISED BY RESPONDENT. THE COURT FURTHER FINDS GOOD CAUSE TO REREFER THE PARTIES TO CCRC WITH AN APPOINTMENT ON 7/26/2024 AT 1:00 PM WITH REBECCA NELSON AND SETS A FURTHER REVIEW HEARING ON 9/12/2024 AT 1:30 PM IN DEPARTMENT 5, AS IT DOES NOT APPEAR PETITIONER RECEIVED NOTICE OF THE CCRC APPOINTMENT. THE COURT ALSO CONTINUES THE REMAINDER OF RESPONDENT'S REQUESTS, INCLUDING THE REQUESTS FOR CHILD AND SPOUSAL SUPPORT AND PROPERTY CONTROL TO THE SAME REVIEW HEARING. RESPONDENT IS DIRECTED TO FILE AND SERVE AN UPDATED INCOME AND EXPENSE DECLARATION AT LEAST 10 DAYS PRIOR TO THE HEARING. THE COURT RESERVES JURISDICTION TO RETROACTIVELY AWARD

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

SUPPORT BACK TO THE DATE OF THE FILING OF THE RFO. 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 TELEPHONE 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 TELEPHONE 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.

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

16. GAGE TAYLOR V. KAYLA TAYLOR

23FL1171

Petitioner filed a Request for Order (RFO) on April 10, 2024, requesting the court make child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on May 9, 2024 and a review hearing on June 27th. Upon review of the court file, there is no Proof of Service showing Respondent was properly served with the RFO and referral to CCRC along with the other necessary forms.

Nevertheless, both parties and the minor appeared for the CCRC appointment. The parties were unable to reach any agreements. A report with recommendations was filed with the court on June 10, 2024 and mailed to the parties on June 11th.

Respondent has not filed a Responsive Declaration.

The court finds good cause to proceed with the RFO, as Respondent appeared and fully participated in the CCRC appointment. The court finds Petitioner's request would result in a move-away order, which requires the court to take testimony. Therefore, the court orders parties to appear to select Mandatory Settlement Conference and Trial dates.

TENTATIVE RULING #16: THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE RFO, AS RESPONDENT APPEARED AND FULLY PARTICIPATED IN THE CCRC APPOINTMENT. THE COURT FINDS PETITIONER'S REQUEST WOULD RESULT IN A MOVE-AWAY ORDER, WHICH REQUIRES THE COURT TO TAKE TESTIMONY. THEREFORE, THE COURT ORDERS PARTIES TO APPEAR TO SELECT MANDATORY SETTLEMENT CONFERENCE AND TRIAL DATES.

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

17. JEFFERY JONES V. LACEY MARR-JONES

PFL20200249

Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) on April 18, 2024. Upon review of the court file, there is no Proof of Service showing Respondent was properly served with the April 18, 2024 filed OSC.

The court drops the matter from calendar due to the lack of proper service.

TENTATIVE RULING #17: 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 TELEPHONE 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 TELEPHONE 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.

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

18. JESSICA PESA V. ZACHARY BAILEY

24FL0334

Petitioner filed a Request for Order (RFO) on April 9, 2024, requesting the court make child custody and support orders. Petitioner did not file an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment May 8, 2024, and a review hearing on June 27, 2024. Upon review of the court file, there is no Proof of Service showing Respondent was served with the RFO, the referral to CCRC, or the other necessary documents. Respondent was served with the Petition and Summons.

Only Petitioner appeared for CCRC on May 8th. As such a single parent report was filed with the court on May 8, 2024, and mailed to the parties the same day.

Respondent has not filed a Responsive Declaration.

Petitioner filed five Declarations on May 3, 2024. There is no Proof of Service for these documents, therefore, the court cannot consider them.

The court drops the matter from calendar due to the lack of proper service. Additionally, the request for child support is dropped due to Petitioner's failure to file an Income and Expense Declaration.

TENTATIVE RULING #18: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. ADDITIONALLY, THE REQUEST FOR CHILD SUPPORT IS DROPPED DUE TO PETITIONER'S FAILURE TO FILE AN INCOME AND EXPENSE DECLARATION.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE 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 TELEPHONE 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.

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June 27, 2024

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

19. KRISTIN DISTLER V. DAVID DUVALLE

PFL20150008

Respondent filed an Order to Show Cause and Affidavit for Contempt on February 8, 2024, alleging Petitioner has failed to comply with the parenting plan orders for 113 days. Petitioner was personally served on February 20, 2024.

The parties appeared for arraignment on May 2, 2024. The court advised Respondent the OSC pleadings were insufficient, as they did not provide dates for when the alleges violations of court orders occurred. The court continued the matter to allow Respondent time to file an amended complaint. The court advised Respondent the amended complaint would need to be personally served on Petitioner.

Upon review of the court file, Respondent has not filed an amended complaint. Therefore, the court drops the matter from calendar due to the insufficient grounds for contempt.

All prior orders remain in full force and effect.

TENTATIVE RULING #19: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE DEFICIENT PLEADINGS.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE 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 TELEPHONE 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.

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DEPARTMENT 5

June 27, 2024

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

20. LYRIC ATKINSON V. ANOTHONY THOMA

24FL0150

Petitioner filed a Request for Order (RFO) requesting the court make custody orders and support orders on May 2, 2024. Petitioner did not file an Income and Expense Declaration. The parties were not referred to Child Custody Recommending Counseling (CCRC) as there had been a previous appointment on March 14, 2024. Upon review of the court file, there is no Proof of Service of the Summons, RFO, or referral to CCRC.

The court drops the matter from calendar for failure to serve the Summons, RFO, and other necessary documents.

TENTATIVE RULING #20: THE 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 TELEPHONE 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 TELEPHONE 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.

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June 27, 2024

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

21. YEKATERINA VRONSKY V. YURIY VRONSKY

23FL1068

Petitioner filed a Request for Order (RFO) on May 1, 2024, requesting the court make spousal support orders. Petitioner did not concurrently file an Income and Expense Declaration as required. Upon review of the court file, there is no Proof of Service showing Respondent was properly served with the RFO and other necessary documents.

Respondent filed a Responsive Declaration on June 13, 2024. Petitioner was served by mail and electronically the same day. Respondent objects to the court proceeding with the RFO as Petitioner failed to file an Income and Expense Declaration.

The court drops the matter from calendar due to the lack of proper service as well as Petitioner's failure to file an Income and Expense Declaration.

TENTATIVE RULING #21: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE AS WELL AS PETITIONER'S FAILURE TO FILE AN INCOME AND EXPENSE DECLARATION.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE 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 TELEPHONE 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.