

Petitioner filed an Order Shortening Time (OST) and a Request for Order (RFO) on August 25, 2022, requesting modification of child custody and parenting time orders, as well as a request for move away orders and an order to change the minor's school. On August 25, 2022, the court granted the OST setting the matter for a hearing on September 8, 2022. Petitioner was ordered to serve Respondent with the RFO on or before August 29, 2022, and Respondent was directed to file a Responsive Declaration on or before September 6, 2022.

Parties appeared for the hearing on September 8, 2022 and reached an agreement. Respondent acknowledge receipt of the RFO and agreed to file and serve his Responsive Declaration on or before September 23, 2022. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on October 10, 2022. A further review hearing was set for November 17, 2022. Parties were authorized to appear remotely for the hearing on November 17, 2022, if there was a request for oral argument.

Neither party appeared for CCRC on October 10, 2022.

Neither party has filed a supplemental declaration.

The court denies Petitioner's request for move away orders. All prior orders remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #9: THE COURT DENIES PETITIONER'S REQUEST FOR MOVE AWAY ORDERS. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THESE MATTERS 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; El Dorado County 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.

All matters where there is a request for oral argument or an order to appear will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Request for Order (RFO) to modify permanent spousal support on September 13, 2022. Petitioner concurrently filed an Income and Expense Declaration. Respondent was personally served on September 14, 2022. Petitioner seeks to modify the permanent spousal support order made on August 1, 2022. Petitioner asserts her monthly expenses exceed her income and Respondent has sizable assets.

Respondent has filed neither a Responsive Declaration nor an Income and Expense Declaration.

The court must take evidence on the Family Code Section 4320 factors to modify an award of permanent spousal support. Parties, therefore, are ordered to appear to select mandatory settlement conference and trial dates.

TENTATIVE RULING #10: PARTIES ARE ORDERED TO APPEAR at 1:30 PM ON NOVEMBER 17, 2022 TO SELECT MANDATORY SETTLEMENT CONFERENCE AND TRIAL DATES.

All matters where there is a request for oral argument or an order to appear will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

Respondent filed a Request for Order (RFO) on September 9, 2022, requesting to change venue to Sacramento County. Upon review of the court file, there is no Proof of Service Showing Petitioner was served with the RFO. The court further notes the RFO is deficient on its face. Respondent has not completed any portion of the FL-300 other than the face sheet and signature. Respondent sets forth no ground upon which the court could or should grant her request to change venue.

Petitioner filed a Responsive Declaration on September 22, 2022. Upon review of the court file, there is no Proof of Service showing respondent was served. Petitioner's Responsive Declaration does address Respondent's request to change venue, in as much as Petitioner objects to the change. Therefore, the court finds Petitioner has adequate notice of the requested change. Petitioner requests the court order Respondent provide her physical address to him, as the children are scheduled to visit Respondent for the Christmas holiday and she has failed to provide that information. Petitioner also raises other issues which are not related to the RFO, and therefore, the court has not considered them.

Respondent filed a Reply Declaration on October 28, 2022. Petitioner was served by mail on October 28, 2022. Respondent's Reply Declaration addresses the issues raised by Petitioner in his Responsive Declaration, therefore, the court finds Respondent has adequate notice of the Response. Respondent states she has provided the court and Petitioner with her physical address. Respondent also replies to the other issues raised by Petitioner, which are beyond the scope of the RFO. Therefore, the court will not address them.

The court denies Respondent's request to change venue. Respondent has failed to set forth any reasoning why the court should grant the request to change venue. Further, Respondent states in her Reply Declaration she has provided the court with her physical address, however, the court notes the only change of address information the court has received is for a Post Office Box in North Highlands, CA. The court finds it improbable that Respondent resides in a Post Office Box. Respondent is directed to provide Petitioner with her physical address no later than November 20, 2022.

All prior orders remain in full force and effect. Respondent shall prepare and file the findings and Orders After Hearing.

TENTATIVE RULING #11: THE COURT DENIES RESPONDENT'S REQUEST TO CHANGE VENUE. RESPONDENT IS DIRECTED TO PROVIDE PETITIONER WITH HER PHYSICAL ADDRESS NO LATER THAN NOVEMBER 20, 2022. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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All matters where there is a request for oral argument will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC) on September 8, 2022, alleging Petitioner violated the March 3, 2022, custody orders by picking up the minor during Respondent's parenting time and not returning her to his care. Upon review of the court file, there is no Proof of Service showing Petitioner was properly served with the OSC.

The matter is dropped from calendar.

TENTATIVE RULING #12: THE MATTER IS DROPPED FROM CALENDAR.

NO HEARING ON THESE MATTERS 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; El Dorado County 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

13. DCSS V. JESUS GERARDO CORRARAL, III (OTHER PARENT: BRITTANY HOSTETTLER) PFS20130042

Respondent filed a Request for Order (RFO) on August 30, 2022, requesting a change in child custody, parenting time, and child support. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on October 3, 2022, and a review hearing on November 17, 2022. Other Parent was personally served September 30, 2022. There is no Proof of Service showing the Department of Child Support Services (DCSS) was served.

Both parties attended CCRC on October 3, 2022 and were able to reach a full agreement. A report was filed with the court on October 13, 2022. A copy of the report was mailed to the parties on October 14, 2022. The court has read and considered the agreements of the parties and finds them to be in the best interest of the minor. The court adopts the agreement of the parties as its order.

Regarding the request to modify child support, the court notes Respondent failed to properly notice DCSS who is a party to the child support action. Further, Respondent failed to file an Income and Expense Declaration as required. The court continues the request to modify child support to the child support calendar with the Child Support Commissioner pursuant to Family Code section 4251. Respondent is ordered to serve DCSS with the RFO as well as an updated Income and Expense Declaration no later than December 1, 2022. Failure to do so will result in the matter being dropped from the court's calendar. Other parent is ordered to file and serve an Income and Expense Declaration on Respondent and DCSS at least 10 days prior to the next hearing.

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

TENTATIVE RULING #13: THE COURT ADOPTS THE AGREEMENT OF THE PARTIES AS ITS ORDER. THE COURT CONTINUES THE REQUEST TO MODIFY CHILD SUPPORT TO THE CHILD SUPPORT CALENDAR DECEMBER 12, 2022 AT 8:30 AM. RESPONDENT IS ORDERED TO SERVE DCSS WITH THE RFO AS WELL AS AN UPDATED INCOME AND EXPENSE DECLARATION NO LATER THAN DECEMBER 1, 2022. FAILURE TO DO SO WILL RESULT IN THE MATTER BEING DROPPED FROM THE COURT'S CALENDAR. OTHER PARENT IS ORDERED TO FILE AND SERVE AN INCOME AND EXPENSE DECLARATION ON RESPONDENT AND DCSS AT LEAST 10 DAYS PRIOR TO THE NEXT HEARING. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT IS ORDERED TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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All matters where there is a request for oral argument will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Request for Order (RFO) on September 2, 2022, requesting the court change the parenting plan. Parties were referred to CCRC for an appointment on September 29, 2022, and a review hearing on November 17, 2022. Respondent was personally served on September 9, 2022. Petitioner requests the court modify the parenting plan to allow Petitioner parenting time from Friday after school until Sundays at 7:00 p.m. and Respondent parenting time from Sunday at 7:00 p.m. until Friday drop off for school.

Respondent filed a Responsive Declaration on September 16, 2022. There is no Proof of Service in the court file showing Petitioner was served with the Responsive Declaration.

Petitioner filed a Reply Declaration on September 22, 2022. Respondent was served by mail on September 22, 2022.

The parties and the minor participated in CCRC and were able to reach a full agreement. The CCRC report was filed with the court on October 11, 2022. A copy of the report was mailed to the parties on October 11, 2022.

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

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

TENTATIVE RULING #14: THE COURT FINDS THE AGREEMENT OF THE PARTIES TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE AGREEMENT OF THE PARTIES AS ITS ORDER. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THESE MATTERS 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; EL DORADO COUNTY 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Petition to Establish a Paternal Relationship on September 8, 2022. A Summons was issued. There is no Proof of Service showing Respondent was served with the Summons.

Petitioner filed a Request for Order (RFO) on September 8, 2022, requesting the court make child custody and parenting time orders. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on October 3, 2022 and a review hearing on November 17, 2022. Upon review of the court file there is no Proof of Service showing Respondent was served with the RFO.

Only Petitioner appeared for the CCRC appointment. As such, a single parent report was issued with no agreements and no recommendations. The report was filed with the court on October 5, 2022. A copy of the report was mailed to Petitioner on October 6, 2022. A copy of the report was left at the "Will Call" in the Clerk's Office as Respondent's address is unknown.

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

TENTATIVE RULING #15: THE MATTER IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

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All matters where there is a request for oral argument will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed an amended Petition for Dissolution on September 9, 2022. A summons was issued on September 9, 2022. Respondent was personally served on September 21, 2022, in Mishawaka Indiana.

Petitioner filed a Request for Order on September 9, 2022, requesting the court make orders as to child custody, child support, parenting time, as well as a variety of requests listed under other. Petitioner concurrently filed an Income and Expense Declaration. Respondent was personally served on September 21, 2022.

In her Declaration, Petitioner states she has been living in South Bend Indiana since July 19, 2022. It is unclear from Petitioner's Declaration when the family relocated out of state. Petitioner requests the court to make property division as well as child and spousal support orders. Petitioner asserts Respondent has violated the Automatic Temporary Restraining Orders (ATROS) by removing her from life insurance policies, as well as medical and dental insurance.

The court has read and considered the filings and declarations as stated above and finds that pursuant to Family Code 2320 (a), California may lack jurisdiction over this matter. At the time of the filing of both the Amended Petition for Dissolution and the Request for Order, Petitioner, by her own admission, did not reside in the state of California. Petitioner admits she relocated to the state of Indiana and has been residing in South Bend Indiana. Petitioner has provided no documentation she has returned to live in California. Respondent was served in Indiana and continues to reside there. It appears neither party has resided in El Dorado County for the prior three months.

The court needs additional information from the parties, specifically when they relocated out of the state of California, and where they are currently residing. Therefore, parties are ordered to appear for a hearing on the matter on December 1, 2022, at 1:30pm.

TENTATIVE RULING: PARTIES ARE ORDERED TO APPEAR FOR A HEARING ON THE MATTER ON DECEMBER 1, 2022 AT 1:30PM. PARTIES MAY APPEAR IN PERSON OR BY ZOOM APPEARANCE.

Petitioner filed a Request for Order (RFO) on September 9, 2022, requesting the court modify post judgement spousal support. Petitioner concurrently filed an Income and Expense Declaration. Upon review of the court file, there is no Proof of Service showing respondent was served with the RFO or Income and Expense Declaration.

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

TENTATIVE RULING #17: THE MATTER IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

NO HEARING ON THESE MATTERS 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; EL DORADO COUNTY 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Request for Order (RFO) on September 9, 2022, requesting the court make child custody, parenting time, and property control orders, as well as order a psychological evaluation of Respondent. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on October 3, 2022 and a review hearing on November 17, 2022. Upon review of the court file, there is no Proof of Service showing Respondent was served.

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

TENTATIVE RULING #18: THE MATTER IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

NO HEARING ON THESE MATTERS 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; EL DORADO COUNTY 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Request for Order (RFO) on September 12, 2022, requesting the court order an earnings assignment for the October 1, 2021, spousal support order. Respondent was served by mail with address verification on September 12, 2022. Petition states Respondent was ordered to pay permanent spousal support in the amount of \$1,835 per month effective October 1, 2021. Petitioner asserts that as of August 8, 2022, Respondent was 60 days delinquent on his spousal support payments. Petitioner further asserts that as of the time of the filing of the RFO, Respondent is current with the support payments, though it took repeated attempts to gain his compliance with the support orders. Petitioner is therefore requesting the court issue an earnings assignment to ensure timely payments of support.

Respondent has not filed a Responsive Declaration.

The court grants Petitioner's request for order for an earnings assignment.

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

TENTATIVE RULING #19: THE COURT GRANTS PETITIONER'S REQUEST FOR ORDER FOR AN EARNINGS ASSIGNMENT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE THE EARNINGS ASSIGNMENT ORDER AND THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THESE MATTERS 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; El Dorado County 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Request for Order on September 12, 2022, requesting the court make orders as to child custody, parenting time, child support, and spousal support. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on October 6, 2022, and a review hearing on November 17, 2022. Respondent was personally served on September 17, 2022. Petitioner has not filed or served an Income and Expense Declaration.

Respondent filed a Responsive Declaration on October 11, 2022. There is no Proof of Service showing Petitioner was served with the Responsive Declaration. Therefore, the court cannot consider this document. Respondent has not filed or served an Income and Expense Declaration.

Only Respondent attended CCRC on October 6, 2022. As such as single parent report was file with no agreements or recommendations. A copy of the report was filed with the court on October 6, 2022. A copy of the report was mailed to the parties on October 11, 2022.

The court denies Petitioner's requested orders. Petitioner failed to appear at the CCRC appointment set at her request. Further, Petitioner has failed to file the required documents for the court to make child support and spousal support orders.

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

TENTATIVE RULING #20: THE COURT DENIES PETITIONER'S REQUESTED ORDERS. PETITIONER FAILED TO APPEAR AT THE CCRC APPOINTMENT SET AT HER REQUEST. FURTHER, PETITIONER HAS FAILED TO FILE THE REQUIRED DOCUMENTS FOR THE COURT TO MAKE CHILD SUPPORT AND SPOUSAL SUPPORT ORDERS. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THESE MATTERS 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; El Dorado County 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 1:30 p.m. on December 1, 2022, either in person or by zoom appearance unless otherwise notified by the court.