

On December 16, 2022, the court granted Petitioner's request for a Domestic Violence Restraining Order and referred the parties to Child Custody Recommending Counseling (CCRC) for an appointment on January 5, 2023 and a review hearing on March 2, 2023.

Neither party appeared for CCRC on January 5, 2023. Therefore, the court drops this matter from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #1: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE PARTIES' FAILURE TO APPEAR AT CCRC. 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Request for Order (RFO) requesting the court make child custody and parenting plan orders on December 6, 2022. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on January 11, 2023 and a review hearing on February 23, 2023. Respondent was served electronically on December 6, 2022.

Both parties appeared for CCRC on January 11, 2023 and were able to reach some agreements. A report with recommendations and agreements was filed on January 11, 2023. A copy was mailed to the parties on January 11, 2023.

Respondent filed a Responsive Declaration on February 21, 2023. Petitioner was served by mail on February 16, 2023. The court finds this to be late filed, and therefore, has not considered it.

Petitioner filed his Reply Declaration on February 24, 2023. The court finds this to be late filed, and therefore, has not considered it.

The court has read and considered the January 11, 2023 CCRC report and finds the agreements and recommendations to be in the best interest of the minors. The court adopts the agreements and recommendations as set forth in the January 11, 2023 report as its orders.

Motion to be Relieved

Counsel for Respondent filed a Motion to be Relieved as counsel on December 7, 2022. Respondent was noticed by mail on December 19, 2022. As of the original hearing date there was no Proof of Service showing Petitioner was served with the notice of the Motion to be Relieved. For judicial economy the court continued the Motion to be Relieved to join with the current review hearing. Counsel for Respondent was directed to provide notice to Petitioner of the Motion to be Relieved.

Upon review of the court file, it appears a Proof of Service showing Petitioner was served with the Motion to be Relieved on December 19, 2022. In light of proper service on all parties, and good cause established, the Motion to be Relieved is granted. This order will take effect as of the date of service of the court's order on Respondent.

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 #2: THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS TO BE IN THE BEST INTEREST OF THE MINORS. THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS AS SET FORTH IN THE JANUARY 11, 2023 REPORT AS ITS ORDERS. THE MOTION TO BE RELIEVED IS GRANTED. THIS ORDER WILL TAKE EFFECT AS OF THE DATE OF SERVICE OF THE COURT'S ORDER ON RESPONDENT. 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 ON 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 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed an ex parte application for emergency orders on December 20, 2022, requesting the court make orders for Respondent to cease selling the parties community property and for reimbursement for the sale of community property items. Respondent filed a Responsive Declaration on December 20, 2022 requesting the court deny Petitioner's requested orders. On December 21, 2022, the court granted the request in part and denied the request in part. The court ordered there were to be no further sales of community property items, and that parties were to meet and confer prior to any further sale of community property items. The court directed Respondent to maintain a detailed accounting of items sold and debts paid from the proceeds of the sale of community property items. The court admonished both parties of the need to follow the Automatic Temporary Restraining Orders. The court reserved on Respondent's request for Family Code section 271 sanctions.

Petitioner filed a Request for Order (RFO) on December 21, 2022 making the same requests as set forth in the ex parte application. Respondent was served by mail on January 4, 2023.

Neither party has filed any additional Declarations.

All prior orders remain in full force and effect. The court continues to reserve on Respondent's request for Family Code section 271 sanctions.

TENTATIVE RULING #3: ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. THE COURT CONTINUES TO RESERVE ON RESPONDENT'S REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS.

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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

4. DAVID MERCADO V. APRIL LOCKHART

PFL20180104

Petitioner filed an Order to Show Cause and Affidavit for Contempt on December 9, 2022. Petitioner asserts Respondent has violated the Domestic Violence Restraining Order on five occasions. Respondent was personally served on February 1, 2023.

Parties are ordered to appear on March 6, 2023 at 8:30 for arraignment.

TENTATIVE RULING #4: PARTIES ARE ORDERED TO APPEAR ON MARCH 6, 2023 AT 8:30 FOR ARRAIGNMENT.

Petitioner filed a Request for Order on December 14, 2022, requesting the court set aside its November 14, 2022 orders. Upon review of the court file, there is no Proof of Service showing Respondent was served with the RFO or that the Department of Child Support Services was served with the RFO. Therefore, the court drops the matter from calendar due to lack of proper service.

TENTATIVE RULING #5: THE COURT DROPS THE MATTER 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Petition to Establish a Paternal Relationship on August 18, 2022. The Proof of Service filed October 11, 2022, shows substitute service on Melanie Schwatzler on September 25, 2022. The court finds this is not proper service, as Petitioner has provided no evidence Respondent resides at the location of service.

The court has further concerns regarding El Dorado County being the proper jurisdiction for this matter. The court notes Respondent filed a request for Domestic Violence Restraining Order on November 8, 2022 in El Dorado County. She utilized her counsel's address on the DV-100. The court referred the parties to CCRC on December 2, 2022, at the conclusion of the Domestic Violence Restraining Order hearing.

A Child Custody Recommending Counseling (CCRC) report was filed on February 15, 2023. A copy of the report was mailed to the parties on February 23, 2023. However, based on the information provided in the CCRC report, Respondent resides in Virginia. Petitioner resides in Plumas County. Further, the minor was born in Placer County.

On its own motion, the court is setting a review hearing on the Domestic Violence Restraining Order granted on December 2, 2022. The court intends to address the issue of jurisdiction, given Respondent was not a resident of El Dorado County or the state of California when she filed her request for the Domestic Violence Restraining order.

The court orders parties to appear for the hearing on March 6, 2023 at 8:30 in Department 5.

TENTATIVE RULING #6: THE COURT ORDERS PARTIES TO APPEAR FOR THE HEARING ON MARCH 6, 2023 AT 8:30 IN DEPARTMENT 5.

Respondent filed a Request for Order (RFO) on December 12, 2022, requesting the court modify the parenting time orders. Petitioner was personally served on December 21, 2022. The parties were not referred to Child Custody Recommending Counseling (CCRC) as it had been less than six months since the prior referral. Respondent is requesting modifications as to the religion of the minor, the provision for transportation of the minor for Respondent's parenting time, and a provision which prohibits travel when there is inclement weather on Interstate 80.

Petitioner filed a Responsive Declaration on February 21, 2023. Respondent was served electronically on February 16, 2023. Petitioner's Responsive Declaration is late filed and therefore, the court has not considered it.

The court denies Respondent's request to modify the prior court orders as to religion. The court denies Respondent's request to modify the exchange provisions. The court grants Respondent's request as to inclement weather. If there is inclement weather and it is not safe to drive even when chains are not required, or chains are required, then the child will spend extra day(s) with Petitioner or Respondent until the weather clears and it is safe to travel.

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 COURT DENIES RESPONDENT'S REQUEST TO MODIFY THE PRIOR COURT ORDERS AS TO RELIGION. THE COURT DENIES RESPONDENT'S REQUEST TO MODIFY THE EXCHANGE PROVISIONS. THE COURT GRANTS RESPONDENT'S REQUEST AS TO INCLEMENT WEATHER. IF THERE IS INCLEMENT WEATHER AND IT IS NOT SAFE TO DRIVE EVEN WHEN CHAINS ARE NOT REQUIRED, OR CHAINS ARE REQUIRED, THEN THE CHILD WILL SPEND EXTRA DAY(S) WITH PETITIONER OR RESPONDENT UNTIL THE WEATHER CLEARS AND IT IS SAFE TO TRAVEL. 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 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Minor's Counsel filed an ex parte application for emergency orders to temporarily suspend Petitioner's parenting time on October 11, 2022. On October 12, 2022, the court granted the requested orders and temporarily suspended Petitioner's professionally supervised parenting time.

Minor's Counsel filed a Request for Order (RFO) on October 12, 2022 making the same requests as set forth in the ex parte application. Parties were served by mail and electronically on November 22, 2022. A hearing was originally set for December 22, 2022.

Minor's Counsel filed a Supplemental Statement of Issues and Contentions for the December 22, 2022 hearing on December 5, 2022. Parties were served electronically and by mail the same date.

Petitioner filed a Request to Reschedule the hearing on December 13, 2022, stating she was in treatment and could not attend. The court granted the Request to Reschedule and continued the hearing to March 2, 2023.

Minor's Counsel filed a second Supplemental Statement of Issues and Contentions on February 15, 2023. Parties were served electronically and by mail on February 15, 2023. Minor's Counsel requests the court continue the suspension of Petitioner's professionally supervised parenting time, as Petitioner has had no contact with the minor since October of 2022. Minor's Counsel attempted contact with Petitioner but has been unsuccessful.

Respondent filed a Declaration on February 22, 2023. Parties were served by mail on February 16, 2023. Respondent asserts the minor is thriving in his care. Petitioner has not had contact with the minor since October. Respondent states Petitioner is currently incarcerated in the Merced County Jail and has been charged with violation of Penal Code section 273.5(a). Petitioner was arrested on November 13, 2022 and the next hearing is set for March 1, 2023. Respondent requests the current orders remain in place.

Petitioner has not filed a Responsive Declaration.

The court has read and considered the filings as set forth above. The court finds the current orders remain in the minor's best interest. This is especially true given Petitioner's incarceration status out of county. Professionally supervised parenting time with Petitioner remains suspended pending further order of the court.

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

TENTATIVE RULING #8: THE COURT FINDS THE CURRENT ORDERS REMAIN IN THE MINOR'S BEST INTEREST. THIS IS ESPECIALLY TRUE GIVEN PETITIONER'S INCARCERATION STATUS OUT OF COUNTY. PROFESSIONALLY SUPERVISED PARENTING TIME WITH PETITIONER REMAINS SUSPENDED PENDING FURTHER ORDER OF THE COURT. ALL PRIOR ORDERS NOT IN CONFLICT

WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. MINOR'S COUNSEL 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

On December 9, 2022, the court granted Petitioner's request for a Domestic Violence Restraining Order. Petitioner requested the court grant her attorney's fees as well an award of damages caused by Respondent to Petitioner's vehicle. The court continued the hearing on the request for attorney's fees and damages as Respondent had not filed an Income and Expense Declaration. The court ordered parties to file Supplemental Declarations and Respondent to file an Income and Expense Declaration at least 10 days prior to the hearing.

Neither party has filed a Supplemental Declaration. Respondent has not filed an Income and Expense Declaration.

Family Code section 6344(b) allows "[i]n any action in which the petitioner is the prevailing party and cannot afford to pay for the attorney's fees and costs, the court shall, if appropriate based on the parties' respective abilities to pay, order that the respondent pay petitioner's attorney's fees and costs for commencing and maintaining the proceeding. Whether the respondent shall be ordered to pay attorney's fees and costs for the prevailing petitioner, and what amount shall be paid, shall be determined based upon (1) the respective incomes and needs of the parties, and (2) any factors affecting the parties' respective abilities to pay."

Because Respondent has failed to file an Income and Expense Declaration as ordered by the court, the parties are ordered to appear for the hearing on March 6, 2023 at 8:30 in Department 5.

TENTATIVE RULING: RESPONDENT HAS FAILED TO FILE AN INCOME AND EXPENSE DECLARATION AS ORDERED BY THE COURT. THE COURT ORDERS PARTIES TO APPEAR FOR THE HEARING ON MARCH 6, 2023 AT 8:30 IN DEPARTMENT 5.

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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner seeks an order compelling disclosures and awarding sanctions pursuant to Family Code Section 271. The Request for Order (RFO) was filed on December 14, 2022 and mail served on December 30, 2022. Respondent filed and served her Responsive Declaration to Request for Order on February 8, 2023.

According to Petitioner, the Petition for Dissolution was filed on June 9, 2022 and a request for Respondent's Declaration of Disclosure was sent on August 25, 2022. As of the date of writing the RFO, the preliminary disclosure had not been received. Petitioner is requesting Family Code section 271 sanctions in the amount of \$3,500.

Respondent indicates that she served her preliminary disclosure documents on January 30, 2023. A Declaration Regarding Service of Declaration of Disclosure and Income and Expense Declaration was filed with the court stating as much. Respondent asks that the request for sanctions be denied as she is struggling with health and financial issues and cannot afford to pay sanctions. She maintains that her delay in serving disclosures was not due to any purposeful intention of delaying the proceedings.

Family Code section 2104 mandates the preliminary disclosure by each party of the matters set forth therein. *See* Fam. Code § 2014(c). The party responding to the petition for dissolution "...shall serve the other party with the preliminary declaration of disclosure either concurrently with the response to the petition, or within 60 days of filing the response." *Id.* ag (f). While it is apparent that Respondent's disclosure was not timely, it has since been served on Petitioner and as such Petitioner's request for an order compelling disclosure is moot.

On the issue of sanctions, Family Code section 271(a) vests the court with the authority to award sanctions for attorney's fees and costs based "...on the extent to which the conduct of each party or attorney furthers or frustrates the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation between the parties and attorneys." Fam. Code. § 271(a). In making such an award, the court is to consider the incomes, assets, and liabilities of the parties as well as the conduct and litigation tactics of the parties. *Id.* A Section 271 sanction shall not be imposed if it imposes an unreasonable financial burden on the sanctioned party. Fam. Code § 271(a).

Here, Respondent indicates that her failure to timely server her preliminary disclosure was not with the intention to frustrate the policy of the law to promote settlement or increase the costs of litigation. She states that instead it was due to health issues. Further, she indicates that sanctions would constitute an unreasonable financial burden as she is already struggling with finances. A review of her Income and Expense Declaration filed January 30, 2023 appears to support this contention. In light of the foregoing the court does not feel that sanctions are warranted at this time. Petitioner's request for sanctions is denied. However, Respondent is admonished to timely comply with all future procedural requirements. Failure to do so may result in future sanctions if they are once again requested.

TENTATIVE RULING #10: PETITIONER'S REQUEST FOR AN ORDER COMPELLING DISCLOSURE IS MOOT. PETITIONER'S REQUEST FOR SANCTIONS IS DENIED. RESPONDENT IS ADMONISHED TO TIMELY COMPLY WITH ALL FUTURE PROCEDURAL REQUIREMENTS. FAILURE TO DO SO MAY RESULT IN FUTURE SANCTIONS IF THEY ARE ONCE AGAIN REQUESTED.

Petitioner filed an Order to Show Cause and Affidavit for Contempt on December 20, 2022. Respondent was personally served on January 31, 2023.

The court notes the parties are currently set for a hearing on March 23, 2023 on Petitioner's Request for Order for child and spousal support. For judicial economy, the court continues this matter to join with the Request for Order set on March 23, 2023.

All prior orders remain in full force and effect.

TENTATIVE RULING #11: FOR JUDICIAL ECONOMY, THE COURT CONTINUES THIS MATTER TO JOIN WITH THE REQUEST FOR ORDER SET ON MARCH 23, 2023. 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

On December 15, 2022, the court adopted the recommendations of the December 9, 2022 Child Custody Recommending Counseling (CCRC) report. The court set a further review hearing on the issue of parenting time. Parties were ordered to file and serve Supplemental Declarations at least 10 days prior to the next hearing.

Respondent filed a Supplemental Declaration on February 15, 2023. Petitioner was served by mail on February 15, 2023. Respondent sets forth in her Declaration that Petitioner has not complied with the court's directive for parties to meet and confer on a parenting plan schedule. Respondent asserts the minor has been coming to her home twice a week after school and had a stay over on Saturday February 11, 2023 and has plans to stay over March 3, 2023. The minor intends to join Petitioner on a family vacation to Hawaii in April and Turkey in July. Petitioner is requesting the order for supervised parenting time be lifted and the minor have parenting time with Respondent every other weekend and twice a week after school, with no overnights until the end of the school year. Respondent requests the parties return to joint physical custody as of June 1, 2023 with a 2-2-3 schedule. Respondent requests the court order Petitioner to file the Findings and Orders After Hearing from the December 15, 2022 hearing within 10 days of the hearing.

Petitioner has not filed a Supplemental Declaration.

The court has not received information about court ordered counseling for the minor and conjoint counseling between Respondent and the minor. Additional information is necessary prior to any modification of the current orders. Therefore, the court continues the hearing to April 13, 2023 at 8:30 in Department 5. Parties are to file and serve Supplemental Declarations at least 10 days prior which include updated information as to the counseling services for the minor and conjoint counseling services for the minor and Respondent.

All prior orders remain in full force and effect. Petitioner is directed to file the Findings and Orders After Hearing.

TENTATIVE RULING #12: THE COURT CONTINUES THE HEARING TO APRIL 13, 2023 AT 8:30 IN DEPARTMENT 5. PARTIES ARE TO FILE AND SERVE SUPPLEMENTAL DECLARATIONS AT LEAST 10 DAYS PRIOR WHICH INCLUDE UPDATED INFORMATION AS TO THE COUNSELING SERVICES FOR THE MINOR AND CONJOINT COUNSELING SERVICES FOR THE MINOR AND RESPONDENT. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER IS DIRECTED TO 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

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All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed an ex parte application for emergency orders for modification of parenting time on December 8, 2022. Respondent filed a Responsive Declaration on December 8, 2022. On December 9, 2022, the court denied the ex parte application, ordering all prior orders to remain in full force and effect. The court additionally ordered no one shall transport the minors with any measurable amount of alcohol in their system. The court further ordered Respondent to take steps to ensure the minors are not exposed to secondhand smoke while in his home.

Petitioner filed a Request for Order (RFO) on December 9, 2022, making the same requests as set forth in the ex parte application. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on January 12, 2023 and a review hearing on March 2, 2023. Respondent was served by mail on December 9, 2022.

Both parties appeared for CCRC on January 12, 2023, however, they were unable to reach any agreements. A report was filed on February 21, 2023. A copy was mailed to the parties on February 22, 2023.

The court has read and considered the filings as set forth above. The court finds the recommendations as set forth in the February 21, 2023 CCRC report to be in the best interests of the minors. The court adopts the recommendations as its orders. All prior orders remain in full force and effect. No one shall expose the minors to secondhand smoke. No one shall smoke cigarettes inside the home while the children are present.

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

TENTATIVE RULING #13: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE FEBRUARY 21, 2023 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS. THE COURT ADOPTS THE RECOMMENDATIONS AS ITS ORDERS. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. NO ONE SHALL EXPOSE THE MINORS TO SECONDHAND SMOKE. NO ONE SHALL SMOKE CIGARETTES INSIDE THE HOME WHILE THE CHILDREN ARE PRESENT. 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

On December 13, 2022, Respondent failed to appear for the evidentiary hearing on her request for a Domestic Violence Restraining Order. Petitioner, as the prevailing party requested the court order attorney's fees pursuant to Family Code section 6344. The court continued the request to March 2, 2023, and ordered parties to file Income and Expense Declarations no later than 10 days prior to the hearing. Respondent was mailed a copy of the minute order from the December 13, 2022 hearing to the address on file, as she was not present at the hearing.

Petitioner filed a Supplemental Declaration and updated Income and Expense Declaration on February 16, 2023. Respondent was served by mail and electronically on February 16, 2023. Petitioner is requesting \$4,500 in attorney's fees as the prevailing party on the contested Domestic Violence Restraining Order hearing. Petitioner asserts Respondent's request for a Domestic Violence Restraining order was not only frivolous, but Respondent failed to appear for the hearing. Petitioner requests the court order attorney fees pursuant to Family Code section 271, as a sanction for filing a frivolous motion as well as for her failure to appear for the contested hearing.

Respondent has not filed an Income and Expense Declaration as ordered.

Family Code section 6344 allows the court the ability to award attorney's fees based on the prevailing party's need and the ability of the other party to pay. Because Respondent has failed to file, the court is unable to determine her ability to pay. Therefore, the court denies the request for attorney fees under Family Code section 6344.

Family Code Section 271 states, in pertinent part, "...the court may base an award of attorney's fees and costs on the extent to which the conduct of each party or attorney furthers or frustrates the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation of the parties..." Fam. Code § 271(a).

It appears evident that Respondent's conduct does in fact, frustrate the policy of the law to promote settlement and reduce the costs of litigation. Respondent has failed to comply with the court's order to file and serve an Income and Expense Declaration at least 10 days prior to this hearing. Further, the court finds Respondent's request for a Domestic Violence Restraining Order, which alleged conduct that was not as a matter abusive, and only had scant allegations of abusive conduct, was frivolous. Given Respondent's lack of candor in her filings, as well as failure to appear for hearing which she requested be set to present further evidence to the court in this matter the court finds it appropriate to award Petitioner \$2,500 in sanctions.

Sanctions may be paid in one lump sum or in monthly increments of \$200 due and payable to Petitioner's counsel on the 1st of each month, with payments to begin March 1, 2023. If any payment is missed or late, the entire outstanding amount is due and payable within five days of the date the late or missed payment was originally due with legal interest.

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 AWARDS PETITIONER \$2,500 IN SANCTIONS. SANCTIONS MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$200 DUE AND PAYABLE TO PETITIONER'S COUNSEL ON THE 1ST OF EACH MONTH, WITH PAYMENTS TO BEGIN MARCH 1, 2023. IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE OUTSTANDING AMOUNT IS DUE AND PAYABLE WITHIN FIVE DAYS OF THE DATE THE LATE OR MISSED PAYMENT WAS ORIGINALLY DUE WITH LEGAL INTEREST. 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 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.

All matters where there is a request for oral argument will be heard on the law and motion calendar at 8:30 a.m. on March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Request for Order (RFO) on October 11, 2022, requesting the court order Respondent to sign the parties' Marital Settlement Agreement (MSA) and Qualified Domestic Relations Order (QDRO) or in the alternative, the clerk of the court to act as elisor to sign. Petitioner filed a Supplemental Declaration on December 16, 2022 along with a request to reschedule the hearing on the RFO. The court granted the request to reschedule and set the matter for a hearing on March 2, 2023. Respondent was served by mail on December 16, 2022.

Petitioner filed a Second Supplemental Declaration on January 31, 2023. Petitioner was served by mail on January 30, 2023. Petitioner attached a corrected version of the QDRO which changes the date of separation listed on the QDRO to accurately reflect July 1, 2011.

Respondent filed a Responsive Declaration on February 10, 2023. Petitioner was personally served on February 10, 2023. Respondent requests the court order the parties to sign the MSA and QDRO in their current form, as drafted by Respondent's prior counsel, with the correct date of marriage of January 4, 1995 and date of separation of July 1, 2011.

Respondent filed a Supplemental Declaration on February 14, 2023. Petitioner was personally served on February 14, 2023. Respondent requests the court correct a typographical error.

Parties are ordered to appear on March 6, 2023 at 1:30 pm for a hearing on the RFO.

TENTATIVE RULING #15: PARTIES ARE ORDERED TO APPEAR ON MARCH 6, 2023 AT 1:30 PM FOR A HEARING ON THE RFO.

Petitioner filed a Request for Order (RFO) requesting modification of child custody and parenting plan, as well as child support orders on December 8, 2022. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on January 11, 2023 and a review hearing on February 23, 2023. Petitioner did not file 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 referral to CCRC.

Both parties attended CCRC on January 11, 2023. A report was filed on February 21, 2023. A copy of the report was mailed to the parties on February 21, 2023.

Although the RFO was not properly noticed, the court finds good cause to adopt the recommendation as set forth in the CCRC report that all current court orders remain in full force and effect. The court drops the request to modify child support as Petitioner failed to properly serve Respondent, Petitioner failed to file an Income and Expense Declaration, and the court has not modified the custody orders.

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

TENTATIVE RULING #16: ALTHOUGH THE RFO WAS NOT PROPERLY NOTICED, THE COURT FINDS GOOD CAUSE TO ADOPT THE RECOMMENDATION AS SET FORTH IN THE CCRC REPORT THAT ALL CURRENT COURT ORDERS REMAIN IN FULL FORCE AND EFFECT. THE COURT DROPS THE REQUEST TO MODIFY CHILD SUPPORT AS PETITIONER FAILED TO PROPERLY SERVE RESPONDENT, PETITIONER FAILED TO FILE AN INCOME AND EXPENSE DECLARATION, AND THE COURT HAS NOT MODIFIED THE CUSTODY ORDERS. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. 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.

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 March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed an ex parte request for emergency orders as well as a Petition to Establish a Paternal Relationship on December 19, 2022. In the ex parte application, Petitioner requested the court grant her sole legal and physical custody of the minor and that Respondent be ordered to return the minor to the state of California. On December 21, 2022, the court granted the ex parte request and ordered the minor be returned to the state of California. Petitioner filed a Request for Order (RFO) on December 21, 2022, making the same requests as set forth in the ex parte application.

Upon review of the court file, there is no Proof of Service of the Summons on the Petition to Establish a Paternal Relationship, nor is there a Poof of Service of the ex parte orders after hearing or the RFO. As such, the court cannot proceed on the matter. The court drops the matter from calendar, and all prior orders are hereby vacated.

TENTATIVE RULING #17: THERE IS NO PROOF OF SERVICE OF THE SUMMONS ON THE PETITION TO ESTABLISH A PATERNAL RELATIONSHIP, NOR IS THERE A POOF OF SERVICE OF THE EX PARTE ORDERS AFTER HEARING OR THE RFO. AS SUCH, THE COURT CANNOT PROCEED ON THE MATTER. THE COURT DROPS THE MATTER FROM CALENDAR, AND ALL PRIOR ORDERS ARE HEREBY VACATED.

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.

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 March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Request for Order (RFO) on December 20, 2022, requesting the court modify the terms of the Judgment, specifically the terms regarding possession of the former marital residence. Respondent was personally served on December 26, 2022. Petitioner asserts in his declaration the parties had agreed for Petitioner to move out of the former family home when the minors turned 18 on June 1, 2023. Petitioner states the minors were held back in school, which means they will not graduate until June of 2024. Petitioner wishes to remain in the home until the minors graduate from high school.

Respondent has not filed a Responsive Declaration.

The court has reviewed the Judgment entered on July 20, 2017. Petitioner was awarded "100% of the residence and associated debt located at 3380 Sly Park Road Pollock Pine, CA 95726" as his separate property. There are no provisions for Petitioner to move or sell the residence set forth in the parties' Judgment. Therefore, the court finds Petitioner's request to be moot.

All prior orders remain in full force and effect.

TENTATIVE RULING #18: THE COURT FINDS PETITIONER WAS AWARDED "100% OF THE RESIDENCE AND ASSOCIATED DEBT LOCATED AT 3380 SLY PARK ROAD POLLOCK PINE, CA 95726" AS HIS SEPARATE PROPERTY. THERE ARE NO PROVISIONS FOR PETITIONER TO MOVE OR SELL THE RESIDENCE SET FORTH IN THE PARTIES' JUDGMENT. THEREFORE, THE COURT FINDS PETITIONER'S REQUEST TO BE MOOT. 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.

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 March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed an ex parte request for emergency orders on December 21, 2022, requesting a modification of child custody and parenting plan orders and for a change in the exchange location. On December 21, 2022, Respondent filed a Responsive Declaration to the ex parte request, asking the court to deny the requested orders. On December 23, 2022, the court denied the request in part and granted the request in part. The court ordered all prior orders as to custody and parenting time remain in full force and effect. The court ordered all custody exchanges to take place at the El Dorado County Sheriff's office in Diamond Springs, CA. The parties were admonished to abide by the Respect Guidelines as previously ordered.

Petitioner filed a Request for Order (RFO) on December 23, 2022, making the same requests as set forth in the ex parte application.

Upon review of the court file, there is no Proof of Service showing Respondent was served with the ex parte orders after hearing or the RFO. Therefore, the court drops the matter from calendar.

All prior orders remain in full force and effect. The custody exchanges shall continue to take place at the El Dorado County Sheriff's Office in Diamond Springs, CA.

TENTATIVE RULING #19: THE MATTER IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. THE CUSTODY EXCHANGES SHALL CONTINUE TO TAKE PLACE AT THE EL DORADO COUNTY SHERIFF'S OFFICE IN DIAMOND SPRINGS, CA.

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.

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 March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Petition to Establish a Paternal Relationship as well as a Request for Order (RFO) requesting the court establish custody and parenting plan orders on December 23, 2022. Upon review of the court file, there is no Proof of Service showing Respondent was served with either the Summons or the RFO. Therefore, the court drops the matter from calendar.

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.

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 March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.

Petitioner filed a Request for Order (RFO) requesting the court change venue to Amador County on December 9, 2022. Upon review of the court file, there is no Proof of Service showing Respondent was served with the RFO. Therefore, the court drops the matter from calendar.

TENTATIVE RULING #21: 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.

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 March 6, 2023 either in person or by zoom appearance unless otherwise notified by the court.