

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 9, 2025
8:30 a.m./1:30 p.m.

1. MERCEDES DAVIS V. SHATIZ MELONSON

24FL0236

On June 25, 2025, the parties appeared in Department 8 on a request for Domestic Violence Restraining Order (DVRO). The request was denied, and the parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on July 25, 2025. A review hearing was set for the present date.

Only Respondent attended CCRC as scheduled, therefore, the CCRC counselor was unable to make any recommendations. A report without recommendations was mailed to the parties on July 30, 2025.

After reviewing the filings as outlined above, the court finds it to be in the best interests of the minor to maintain all current orders.

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

TENTATIVE RULING #1: ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE THE FINDINGS AND ORDERS AFTER HEARING.

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

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2. DUSTIN L. HANSEN V. LAUREN N. SPARKS

22FL0142

On February 18, 2025, the parties appeared before the court for a long cause trial on the issues of property division, attorney's fees, support and debt division. The parties reached some agreements however they requested all remaining issues be placed on the law and motion calendar. The request was granted, and a hearing was set for May 1st.

The parties appeared at the May 1st hearing at which time the parties presented the court with a written stipulation. The stipulation was adopted as the order of the court and the matter was continued to July 24, 2025. The July 24th hearing was continued to August 28th and then continued again to the present date by stipulation of the parties.

With the exception of a Substitution of Attorney, there have been no filings since the August 28th hearing. As such, this matter is dropped from calendar.

TENTATIVE RULING #2: THIS MATTER IS DROPPED FROM CALENDAR.

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

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3. DANIELLE MARIE HASAN V. TALIB HASAN

23FL0370

On April 2, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders and orders regarding counseling.

The matter came before the court for hearing on July 3, 2025, at which time the court maintained the custody and visitation orders, ordered conjoint therapy between Respondent and the minors, and denied Respondent's remaining requests. A review hearing was set for the present date, and parties were ordered to file Supplemental Declarations no later than 10 days prior to the hearing.

Respondent's Supplemental Declaration was filed and served on September 25, 2025. Petitioner's Supplemental Declaration Regarding Family Code Section 3044 and Child Custody and Visitation was filed and served on September 29th. Respondent filed an additional Declaration on September 30th.

Respondent now requests a finding that he has rebutted the Section 3044 presumption. Alternatively, he requests visits with the children be expanded.

Petitioner asks the court to find that the Section 3044 presumption has not been rebutted and as such, she asks that all current orders remain in force. She notes a variety of frivolous RFOs, and petitions filed by Respondent, as well as his numerous failures to comply with court orders.

Section 3044 gives rise to a rebuttable presumption that an award of sole or joint physical or legal custody to an individual who has perpetrated domestic violence is not in the best interest of the child. *Id.* "This presumption may only be rebutted by a preponderance of the evidence." *Id.* To overcome the presumption, the perpetrator bears the burden of proving (1) giving sole or joint legal or physical custody to the perpetrator is in the best interest of the child; and (2) a balancing of the factors listed in Section 3044(b)(2) supports the legislative findings in Section 3020. Fam. Code § 3044(b). Among the factors to be considered are the following: Completion of a batterer's treatment program, compliance with terms and conditions of a restraining order, and whether or not further acts of domestic violence have occurred. *Id.* Domestic violence is defined as "abuse perpetrated against" a spouse or former spouse. Fam. Code § 6211. Abuse is further defined to include actions such as stalking, harassing, or disturbing the peace of the other party. Fam. Code. § 6203.

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Here, Respondent has successfully completed a certified 52 Week Child Abusers Treatment Program. That said, completion alone is not sufficient to rebut the 3044 presumption. The court needs to see a real change in Respondent's behavior as evidenced by compliance with the restraining order and a lack of further domestic violence. The court remains concerned with Respondent's incessant use of the litigation process often filing baseless RFOs and Orders to Show Cause. This, coupled with his continued insistence on driving past Petitioner's home and place of work, and the schools of the children, all strongly evidence an intent to stalk, harass, and disturb Petitioner's peace. For the foregoing reasons, the court finds that the Section 3044 presumption has not been rebutted. All prior orders remain in full force and effect.

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

TENTATIVE RULING #3: THE COURT DOES NOT FIND THAT THE SECTION 3044 PRESUMPTION HAS BEEN REBUTTED. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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4. SAMANTHA MAAN V. ARJUN SINGH MAAN

23FL0539

On July 23, 2025, Respondent filed a Request for Order (RFO) seeking to dismiss the present action. The RFO was served on July 31st along with all required documents.

Petitioner filed a Responsive Declaration to Request for Order on September 25th. There is no Proof of Service for this document therefore the court cannot consider it.

Respondent is filing his RFO as a special appearance requesting either dismissal or a change of venue to Placer County. He notes that Family Code § 2320(a) requires a dissolution action to be filed in the county where at least one of the parties has been a resident for the three months preceding the filing of the petition. The Petition in this matter was filed on June 11, 2025. He states that neither party lived in El Dorado County for the three months preceding the filing. He requests sanctions in the amount of \$2,500 pursuant to Family Code § 271 due to Petitioner's refusal to voluntarily dismiss the Petition.

California Civil Procedure section 395 governs the proper venue for dissolution proceedings. According to Section 395, the proper venue in a proceeding for dissolution of marriage is the superior court in the county where either the petitioner or the respondent resided for at least three months prior to the commencement of the proceeding. Cal. Civ. Pro. § 395(a); See *also* Cal. Fam. Code § 2320(a).

After reviewing Respondent's declaration, the court finds that El Dorado County is not the proper venue for the present matter. As such, the motion to dismiss is granted.

Respondent has made a request for sanctions pursuant to Family Code Section 271 which 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). Here, Respondent attempted to meet and confer on the issue, but Petitioner failed to agree to a dismissal despite the clear law regarding venue. As such, the request for sanctions is granted but only in part. The court does not find a sanction of \$2,500 to be reasonable under the circumstances. Instead, the court is awarding sanctions in the amount of \$500. Sanctions may be paid in one lump sum or in monthly increments of \$100 commencing on October 15th and continuing on the 15th of each month until paid in full (approximately 5 months).

Respondent shall prepare the Findings and Orders After Hearing.

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TENTATIVE RULING #4: THE REQUEST FOR DISMISSAL IS GRANTED. THE COURT IS AWARDING SANCTIONS IN THE AMOUNT OF \$500. SANCTIONS MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$100 COMMENCING ON OCTOBER 15TH AND CONTINUING ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 5 MONTHS). RESPONDENT SHALL PREPARE THE FINDINGS AND ORDERS AFTER HEARING.

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5. MICHAEL MARQUEZ V. TONYA MARQUEZ

23FL0679

On July 23, 2025, Respondent filed a Request for Order (RFO) seeking orders for child custody, child support, spousal support, domestic violence, attorney's fees, property control, and a variety of other orders. All required documents, with the exception of the Notice of Tentative Ruling, were electronically served on July 29th.

The Department of Child Support Services (DCSS) filed its Responsive Declaration to Request for Order on August 5th. It was served on August 6th.

Respondent filed and served a Declaration on August 21, 2025.

Only Respondent appeared for Child Custody Recommending Counseling (CCRC) on August 21st therefore a single parent report was prepared without recommendations. The report was mailed to the parties the same day. Respondent filed a Notice of Objection and a Declaration in support of her objection on August 27th.

The parties were re-referred to CCRC with a new mediator on October 9th. Both parties appeared, however Petitioner appeared late and did not follow the court's instructions regarding telephonic appearances. Accordingly, another single parent report without recommendations was prepared on September 9th. It was mailed to the parties on September 10th.

Respondent filed two additional Declarations on September 18th and another one on September 24th. There are no Proofs of Service for any of these documents therefore they cannot be considered by the court.

Petitioner filed a Responsive Declaration to Request for Order on September 29th. The court finds this to be late filed pursuant to Civil Procedure section 1005(b) which states all opposition papers are to be filed at least 9 court days before the hearing date. Section 12c states, "[w]here any law requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, *excluding the day of the hearing* as provided by Section 12." Cal. Civ. Pro. § 12c. Section 1005(b) in conjunction with Section 12c would have made September 25, 2025 the last day for filing the Responsive Declaration therefore, it is late filed and cannot be considered by the court.

Petitioner has not filed an Income and Expense Declaration.

The parties are ordered to appear for the hearing.

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TENTATIVE RULING #5: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

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6. DUSTIN MENARD V. AMY SIMONS

25FL0291

On March 27, 2025, Petitioner filed a Request for Order (RFO) and an Income and Expense Declaration. Respondent filed her Income and Expense Declaration and her Responsive Declaration to Request for Order on April 16th. The matter came before the court for a hearing on July 10, 2025, at which time the court made a finding of parentage, ruled on several other requests, ordered Respondent to file an updated Income and Expense Declaration and then referred to the parties to Child Custody Recommending Counseling (CCRC). A review hearing was set for the present date.

The parties attended CCRC on July 31, 2025 and were able to reach agreements on the issues of legal and physical custody. A report containing the agreements was prepared the same day. It was mailed to the parties on August 1st.

Petitioner's Supplemental Declaration was filed and served on September 23rd. Respondent has not filed a Supplemental Declaration or a completed Income and Expense Declaration.

Petitioner asks the court to adopt the agreements of the parties as set forth in the CCRC report. He further requests child support be set to zero until such time as either party makes a request and provides the court with the proper forms. He requests the parties equally share in daycare costs for the minor. Finally, he requests a finding that the support needs of the minor are being adequately met at this time.

After reviewing the agreements of the parties as stated in the July 31, 2025 CCRC report the court does find them to be in the best interests of the minor and they are hereby adopted as the orders of the court.

The request for child support is denied as Respondent has not filed a complete Income and Expense Declaration and therefore, the court does not have sufficient information before it to make such an order.

The parties are ordered to equally share in the costs of childcare which are incurred as a result of employment or necessary education for employment. The parties are ordered to follow the procedures set forth in the attached FL-192.

The court declines to make an order that the needs of the minor are being adequately met as there is not sufficient evidence for such a finding at this time.

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

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TENTATIVE RULING #6: AFTER REVIEWING THE AGREEMENTS OF THE PARTIES AS STATED IN THE JULY 31, 2025 CCRC REPORT THE COURT DOES FIND THEM TO BE IN THE BEST INTERESTS OF THE MINOR AND THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT.

THE REQUEST FOR CHILD SUPPORT IS DENIED AS RESPONDENT HAS NOT FILED A COMPLETE INCOME AND EXPENSE DECLARATION AND THEREFORE THE COURT DOES NOT HAVE SUFFICIENT INFORMATION BEFORE IT TO MAKE SUCH AN ORDER.

THE PARTIES ARE ORDERED TO EQUALLY SHARE IN THE COSTS OF CHILDCARE WHICH ARE INCURRED AS A RESULT OF EMPLOYMENT OR NECESSARY EDUCATION FOR EMPLOYMENT. THE PARTIES ARE ORDERED TO FOLLOW THE PROCEDURES AS SET FORTH IN THE ATTACHED FL-192.

THE COURT DECLINES TO MAKE AN ORDER THAT THE NEEDS OF THE MINOR ARE BEING ADEQUATELY MET AS THERE IS NOT SUFFICIENT EVIDENCE FOR SUCH A FINDING AT THIS TIME.

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

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NOTICE OF RIGHTS AND RESPONSIBILITIES REGARDING CHILD SUPPORT

Childcare and Health Care Costs and Reimbursement Procedures

Your child support order may include a provision for payment of childcare or uninsured health care costs. Childcare costs may be included as part of the monthly child support payment or reimbursable as a percentage of the costs. If the childcare costs are included as part of the monthly child support payment, you must pay that amount each month until the court changes (modifies) the child support order. If you need to change your child support order because there has been a change in the cost of childcare, see page 2.

If you have a child support order that includes a provision for the reimbursement of a percentage of childcare costs or 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 childcare costs or health care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 90 days after those costs were given to you.
2. **Proof of full payment.** If you have already paid all of the childcare costs or uninsured health care 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 childcare costs or uninsured health care 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 childcare or 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 a childcare or 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 childcare and 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 requests for payment.** If you dispute a request for payment made by the other parent, you may file a request for the court to resolve the dispute, but only if you pay the requested amount 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.
- c. **Paid charges.** The court will presume that if uninsured health care costs or childcare costs for employment or necessary training for job skills have been paid, those costs were reasonable. If you want to dispute paid charges, you will have to show the court that the costs were unreasonable.
- d. **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.
- e. **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.
8. **Need help?** Contact the [family law facilitator](#) in your county or call your county's bar association and ask for an experienced family lawyer.

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 a parent's earning ability.
- The court considers both parents' tax filing status and may consider hardships, such as the cost of raising the parent's child from another relationship who lives with the 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 on 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: 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 proof of income for the past two months (like your paycheck 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 Attachment*

Need help?

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

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 automatically 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.** The date child support automatically restarts will depend on the parent's release date. If you need to change your child support order, see page 2.

- a. If released before January 1, 2024,** child support automatically restarts the first day of the first full month after the parent is released.
- b. If released after January 1, 2024,** child support will automatically restart the first day of the 10th month after the parent is released.

Employment before the 10-month period ends: If the parent who has to pay support starts working before the date child support is set to automatically restart, the person who is owed support or the local child support agency can request the court restart the child support order early. The court may order a different amount of child support if appropriate.

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

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7. ALEJANDRO MERJIL, SR V. APRIL MERJIL

22FL0429

On April 30, 2025, Petitioner filed a Request for Order (RFO) seeking orders for child custody and visitation, child support, bifurcation, and an order compelling Respondent to complete her financial disclosures.

The parties appeared before the court for hearing on the RFO on July 31st at which time the court made orders on all issues with the exception of attorney's fees. The court reserved on the issue of attorney's fees and set a review hearing for the present date to address that issue and determine whether a step-up plan to a week-on/week-off schedule is warranted.

Petitioner filed and served her Income and Expense Declaration on September 29th. Respondent has not done the same and neither party has filed a declaration on the issue of visitation.

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

In reviewing each party's respective Income and Expense Declaration, the court does find there to be a disparity in income such that Petitioner's income is almost double that of Respondent's. That said, the court is concerned that Petitioner does not have the ability to pay for the attorney's fees for both parties. Accordingly, the request for attorney's fees is denied.

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

TENTATIVE RULING #7: THE REQUEST FOR ATTORNEY'S FEES IS DENIED. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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

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

8. AMANDA TESSANDORI V. ERIC TESSANDORI

PFL20200407

On July 24, 2025, Respondent filed a Request for Order (RFO) seeking child support orders and an imputation of income to Petitioner. He filed his Income and Expense Declaration concurrently therewith. He filed a Proof of Service stating that on September 4th a “Notice of Hearing” and an Income and Expense Declaration were personally served on Petitioner. Presumably the “Notice of Hearing” refers to the FL-300. There was no Notice of Tentative Ruling served.

Petitioner filed her Responsive Declaration to Request for Order and her Income and Expense Declaration on September 23rd. Both were served on September 18th.

Respondent has not filed a Reply Declaration.

Respondent requests child support orders based on the fact that he is currently unemployed, and he believes Petitioner has income that she did not previously disclose. He requests Petitioner be imputed with income but does not specify how much income he would like imputed.

Petitioner argues Respondent is being untruthful about his income as he is currently working as an unlicensed contractor/handyman.

After reviewing the filings, the court does not find grounds to impute income to Petitioner. Family Code section 3900 codifies the general obligation of both parties to support their minor children. The court maintains broad discretion in determining the amount of child support based on each party’s earning capacity. See Fam. Code § 4050. In doing so, the court has the ability to impute an unemployed, or under employed party with income commensurate with his or her earning capacity. *State of Oregon v. Vargas*, 70 Cal. App. 4th 1123 (1999). Such imputation is warranted where the parent has the ability and opportunity to work but simply lacks the willingness to do so. *In re Marriage of Regnery*, 214 Cal. App. 3d 1367 (1989).

Petitioner’s Income and Expense Declaration states that she is currently on “disability retirement.” Respondent did not address this in his filings and did not establish that Petitioner has the ability to work. Even if he had done so and the court were to impute Petitioner with income, full-time minimum wage would be less than the disability retirement income Petitioner is already receiving. Accordingly, based on the limited information before the court, the court finds Petitioner’s income to be commensurate with her earning capacity.

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On the other hand, the court does not find the same for Respondent. Petitioner's evidence clearly establishes that Respondent is getting paid for doing handyman work in addition to his unemployment income. This indicates that his earning capacity is above that of the income he is reporting to the court. As such, the court is imputing Respondent with full-time minimum wage income in the amount of \$2,860 per month.

Utilizing the same figures as outlined above, guideline child support is \$480 per month. See attached Xspouse report. The court adopts the attached Xspouse report and orders Respondent to pay Petitioner \$480 per month as and for child support, payable on the 1st of the month until further order of the court or legal termination. This order is effective as of August 1, 2025.

The court finds the above order results in arrears in the amount of \$1,440 through and including October 1, 2025. The court orders Respondent pay Petitioner \$90 on the 15th of each month commencing on October 15, 2025 and continuing until paid in full (approximately 16 months). If any payment is missed or late, the entire amount shall become immediately due and payable with legal interest.

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

TENTATIVE RULING #8: RESPONDENT'S REQUEST TO IMPUTE PETITIONER WITH INCOME IS DENIED. GUIDELINE CHILD SUPPORT IS \$480 PER MONTH. SEE ATTACHED XSPOUSE REPORT. THE COURT ADOPTS THE ATTACHED XSPOUSE REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$480 PER MONTH AS AND FOR CHILD SUPPORT, PAYABLE ON THE 1ST OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THIS ORDER IS EFFECTIVE AS OF AUGUST 1, 2025.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$1,440 THROUGH AND INCLUDING OCTOBER 1, 2025. THE COURT ORDERS RESPONDENT PAY PETITIONER \$90 ON THE 15TH OF EACH MONTH COMMENCING ON OCTOBER 15, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 16 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE WITH LEGAL INTEREST.

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

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DEPARTMENT 5

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

BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

Fixed Shares	Father	Mother	Monthly figures	Cash Flow	Guideline	Proposed
#of children	0	2	2025			
% time with NCP	25.00 %	0.00 %				
Filing status	SINGLE	HH/MLA	GUIDELINE	Comb. net spendable	5791	6150
# exemptions	1 *	3 *	Nets(adjusted)	Percent change	0%	6%
Wages+salary	2860	0	Father	Father		
Self-employed income	0	0	Mother	Payment cost/benefit	-480	-256
Other taxable income	0	0	Total	Net spendable income	1928	2152
TANF+CS received	0	0	Support	Change from guideline	0	224
Other nontaxable income	0	4413	Addons	% of combined spendable	33%	35%
New spouse income	0	0	Guideln CS	% of saving over guideline	0%	62%
401(k) employee contrib	0	0	Alameda SS	Total taxes	452	93
Adjustments to income	0	0	Total	Dep. exemption value	0	0
SS paid prev marriage	0	0	CS range: -404--480	# withholding allowances	0	0
CS paid prev marriage	0	0	Settings changed	Net wage paycheck	2299	2299
Health insurance	0	1030		Mother		
Other medical expense	0	0		Payment cost/benefit	480	615
Property tax expense	0	0		Net spendable income	3863	3998
Ded interest expense	0	0	Proposed	Change from guideline	0	134
Contribution deduction	0	0	Tactic 9	% of combined spendable	67%	65%
Misc tax deductions	0	0	CS	% of saving over guideline	0%	38%
Qual bus income ded	0	0	SS	Total taxes	0	0
Required union dues	0	0	Total	Dep. exemption value	0	0
Mandatory retirement	0	0		# withholding allowances	0	0
Hardship deduction	0 *	0 *	Saving	Net wage paycheck	0	0
Other GDL deductions	0	0	Releases			
Child care expenses	0	0	Released to Father			

Father pays Guideline CS, Proposed CS

FC 4055 checking: ON

Per Child Information	Timeshare	cce(F)	cce(M)	Addons	Payor	Basic CS	Payor	Pres CS	Payor
All children	25 - 75	0	0	0	Father	480	Father	480	Father
	25 - 75	0	0	0	Father	180	Father	180	Father
	25 - 75	0	0	0	Father	300	Father	300	Father

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

9. KIMBERLY WITTMERS V. BRIAN J. WHITE

24FL1167

On August 1, 2025, Petitioner filed a Request for Order (RFO) seeking an order for child support. She filed her Income and Expense Declaration concurrently therewith. All required documents were mail served on August 19th, and because this is a post-judgment request she filed a Declaration Regarding Address Verification as required by Family Code § 215.

Respondent filed his Responsive Declaration to Request for Order and his Income and Expense Declaration on September 15th. He filed another Income and Expense Declaration on September 16th. There is no Proof of Service for any of these documents therefore the court cannot consider them.

Petitioner filed a Reply to Respondent's Responsive Declaration and a Declaration of Heather Tattershall on September 29th.

Petitioner is requesting guideline child support. She argues the current orders are below guideline because they were not based on Respondent's full income. Support is currently set at \$700 a month, however in June, Respondent voluntarily reduced that to \$500 a month. Petitioner requests an order for arrears for the \$200 per month since June plus 10% interest. She also requests attorney's fees in the amount of \$3,000 though she makes this request only in her declaration and not in the FL-300. Furthermore, she has not included an FL-319 or FL-158.

After reviewing the filings as outlined above, the court is adopting the Xspouse report attached as Exhibit C to the Declaration of Heather Tattershall and the bonus table attached thereto as Exhibit D. Utilizing the same figures as outlined in Petitioner's Exhibit C, the court finds that child support is \$1,172 per month. Respondent is hereby ordered to pay Petitioner \$1,172 per month as and for child support, payable on the 1st of the month until further order of the court or legal termination. Additionally, Respondent is to pay Petitioner a true up payment of any bonus income, in accordance with the bonus table, no later than fourteen days from the date the bonus payment is received. This order is effective as of August 1, 2025.

The court finds the above order results in arrears in the amount of \$3,516 through and including October 1, 2025. The court is further ordering Respondent to pay \$400 in arrears to account for his short support payments for the months of June and July, and \$675.60 for the bonus payment he received on his August 22nd paycheck. This amounts to \$4,591 in total arrears owed. The court orders Respondent pay Petitioner \$382.58 on the

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15th of each month commencing on October 15, 2025 and continuing until paid in full (approximately 12 months). If any payment is missed or late, the entire amount shall become immediately due and payable.

Petitioner's request for attorney's fees is denied for failure to file the requisite paperwork.

Petitioner shall prepare the Findings and Orders After Hearing.

TENTATIVE RULING #9: THE COURT IS ADOPTING THE XSPOUSE REPORT ATTACHED AS EXHIBIT C TO THE DECLARATION OF HEATHER TATTERSHALL AND THE BONUS TABLE ATTACHED THERETO AS EXHIBIT D. UTILIZING THE SAME FIGURES AS OUTLINED IN PETITIONER'S EXHIBIT C, THE COURT FINDS THAT CHILD SUPPORT IS \$1,172 PER MONTH. RESPONDENT IS HEREBY ORDERED TO PAY PETITIONER \$1,172 PER MONTH AS AND FOR CHILD SUPPORT, PAYABLE ON THE 1ST OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. ADDITIONALLY, RESPONDENT IS TO PAY PETITIONER A TRUE UP PAYMENT OF ANY BONUS INCOME, IN ACCORDANCE WITH THE BONUS TABLE, NO LATER THAN FOURTEEN DAYS FROM THE DATE THE BONUS PAYMENT IS RECEIVED. THIS ORDER IS EFFECTIVE AS OF AUGUST 1, 2025.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$3,516 THROUGH AND INCLUDING OCTOBER 1, 2025. THE COURT IS FURTHER ORDERING RESPONDENT TO PAY \$400 IN ARREARS TO ACCOUNT FOR HIS SHORT SUPPORT PAYMENTS FOR THE MONTHS OF JUNE AND JULY, AND \$675.60 FOR THE BONUS PAYMENT HE RECEIVED ON HIS AUGUST 22ND PAYCHECK. THIS AMOUNTS TO \$4,591 IN TOTAL ARREARS OWED. THE COURT ORDERS RESPONDENT PAY PETITIONER \$382.58 ON THE 15TH OF EACH MONTH COMMENCING ON OCTOBER 15, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.

PETITIONER'S REQUEST FOR ATTORNEY'S FEES IS DENIED FOR FAILURE TO FILE THE REQUISITE PAPERWORK.

PETITIONER SHALL PREPARE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE

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TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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

9A. DANE SIMS V. LISA SMITH

25FL0666

Petitioner filed a Petition to Establish a Parental Relationship on July 18, 2025. A Summons was issued the same day. Petitioner concurrently filed a Request for Order (RFO) requesting the court make child custody and parenting plan orders. Respondent was personally served with the Petition, Summons, and RFO with the other necessary papers on August 3, 2025.

Respondent has not filed a Responsive or a Responsive Declaration.

Parties are ordered to appear for the hearing.

TENTATIVE RULING #9A: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

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October 9, 2025
8:30 a.m./1:30 p.m.

10. EDC DCSS V. BENJAMIN WOOD (OTHER PARENT: SYDNEY GANN) 23FL1216

Other Parent filed an ex parte application for emergency orders on July 22, 2025. On July 23, 2025, the court granted the request in part and denied the request in part. The court referred the parties to Child Custody Recommending Counseling (CCRC) with an appointment on August 20, 2025, and a review hearing on October 9, 2025. Other Parent filed a Request for Order (RFO) on July 23, 2025, making the same requests as set forth in the ex parte application. Upon review of the file, there is no Proof of Service showing Respondent or Petitioner were properly served.

Both Parties appeared at the CCRC appointment and reached a full agreement. A report containing the parties' agreement was filed with the court on September 25, 2025. Copies were mailed to the parties the same day.

The court finds good cause to proceed, despite the lack of proper service, as the parties have agreed to maintain the current custody arrangements. The court adopts the agreements of the parties as set forth in the September 25th CCRC report.

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

TENTATIVE RULING #10: THE COURT FINDS GOOD CAUSE TO PROCEED, DESPITE THE LACK OF PROPER SERVICE, AS THE PARTIES HAVE AGREED TO MAINTAIN THE CURRENT CUSTODY ARRANGEMENTS. THE COURT ADOPTS THE AGREEMENTS OF THE PARTIES AS SET FORTH IN THE SEPTEMBER 25TH CCRC REPORT AS THEY ARE IN THE BEST INTEREST OF THE MINOR. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. OTHER PARENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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October 9, 2025
8:30 a.m./1:30 p.m.

11. RYAN CORTEZ V. SHERI CORTEZ

25FL0142

Respondent filed a Request for Order (RFO) on May 15, 2025, seeking temporary guideline spousal support. Respondent concurrently filed an Income and Expense Declaration. Proof of Service shows Petitioner was properly served on May 23, 2025.

Petitioner filed a Responsive Declaration or an Income and Expense Declaration, on July 31, 2025. Neither document was served on Respondent. As such, the court cannot consider either document.

In reviewing the moving papers, Respondent failed to complete the portion of her Income and Expense Declaration regarding her monthly expenses. Because the moving party in a support request is required to file a completed Income and Expense Declaration, the court could not grant Respondent's request with her Income and Expense Declaration as-is. The court continued the matter to October 9, 2025 and ordered both parties to file and serve full and complete Income and Expense Declarations, along with the required supporting documents, no later than 10 days prior to the next hearing date. The court reserved jurisdiction to award support back to the date of filing the RFO.

Upon review of the court file, there have been no new filings since the court adopted its tentative ruling on July 31st.

The court drops the matter from calendar due to Respondent's failure to file and serve a complete Income and Expense Declaration.

All prior orders remain in full force and effect.

TENTATIVE RULING #11: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO RESPONDENT'S FAILURE TO FILE AND SERVE A COMPLETE INCOME AND EXPENSE 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 PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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October 9, 2025
8:30 a.m./1:30 p.m.

12. BALI DINES V. JACOB DINES

25FL0867

Petitioner filed a Petition for Dissolution on September 4, 2025. A Summons was issued the same day.

Petitioner subsequently filed a Request for Order (RFO) along with an Order Shortening Time (OST), and Income and Expense Declaration on September 8, 2025. Petitioner is seeking orders as to child custody and parenting time, child and spousal support, as well as to list the community property business for sale and to appoint a receiver. The court granted the OST and set the matter for a hearing on October 9, 2025. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on September 23, 2025.

Proof of Service shows Respondent was served electronically and by overnight mail on September 8, 2025. The court deems this to be improper service. See Cal. Rule Ct. Rule 5.92(f)(1)(B) (requiring personal service of the RFO where the responding party has not yet appeared in the case).

The RFO and other requisite documents were not properly served until October 1st when they were personally served along with the Summons and Petition. The court finds this to be untimely pursuant to Civil Procedure section 1005(b) which states all moving papers shall be served at least 16 court days before the hearing date. Given the untimely service of the moving papers the court drops this matter from calendar.

TENTATIVE RULING #12: THE MATTER IS DROPPED FROM CALENDAR DUE TO UNTIMELY SERVICE OF THE MOVING PAPERS.

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

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October 9, 2025
8:30 a.m./1:30 p.m.

13. KAROLINA KRONENBERG V. SARKIS AGADZHANYAN

25FL0194

Petitioner filed a Petition for Nullity on February 28, 2025. Respondent was served on May 6, 2025. Petitioner filed a request to set an uncontested matter on July 7, 2025. Respondent was served on September 11, 2025.

Parties are ordered to appear for the hearing.

TENTATIVE RULING #13: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS
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October 9, 2025
8:30 a.m./1:30 p.m.

14. DCSS V. ANTWON LILES (OTHER PARENT: CASSANDRA THORP) PFS20170306

Respondent filed a Request for Order (RFO) on July 25, 2025, requesting a modification of child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on August 22, 2025 and a review hearing on October 9th. Proof of Service shows Other Parent was mail served with address verification in compliance with Family Code section 215 on August 1, 2025. There is no Proof of Service showing Petitioner was properly served.

Neither parent appeared at the August 22nd CCRC appointment.

The court drops the matter from calendar due to the lack of proper service and for the moving party's failure to appear at CCRC.

All prior orders remain in full force and effect.

TENTATIVE RULING #14: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE AND FOR THE MOVING PARTY'S 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 PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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DEPARTMENT 5
October 9, 2025
8:30 a.m./1:30 p.m.

15. ALEXANDER MITCHELL V. TONI ANN GAFFIELD

PFL20180377

Petitioner filed a Request for Order (RFO) on July 23, 2025, seeking modification of the child custody orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on August 21, 2025. Proof of Service shows Respondent was personally served on August 8, 2025.

Both parties appeared for the CCRC appointment on August 21st. They were unable to reach any agreements. A report with recommendations was filed with the court on September 30, 2025 and mailed to the parties on October 1, 2025.

Respondent has not filed a Responsive Declaration.

The court has read and considered the filings as outlined above. The court finds the recommendations as set forth in the September 30th CCRC report to be in the minor's best interest with the following modification. The court finds the parenting time recommendations on page six, items #2 and #3 to be inconsistent. The court is striking item #2. Petitioner shall have parenting time the 2nd and 5th weekends of the month, in addition to Monday after school or 2:00 PM to Friday at 8:00 AM. The remainder of the recommendations are adopted as set forth.

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

TENTATIVE RULING #15: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE SEPTEMBER 30TH CCRC REPORT TO BE IN THE MINOR'S BEST INTEREST WITH THE FOLLOWING MODIFICATION. THE COURT FINDS THE PARENTING TIME RECOMMENDATIONS ON PAGE SIX, ITEMS #2 AND #3 TO BE INCONSISTENT. THE COURT IS STRIKING ITEM #2. PETITIONER SHALL HAVE PARENTING TIME THE 2ND AND 5TH WEEKENDS OF THE MONTH, IN ADDITION TO MONDAY AFTER SCHOOL OR 2:00 PM TO FRIDAY AT 8:00 AM. THE REMAINDER OF THE RECOMMENDATIONS ARE ADOPTED AS SET FORTH. ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE 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 PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO*

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October 9, 2025

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

LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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

16. MICHAEL RADAN V. VICTORIA DOUGLAS

PFL20210052

Petitioner filed an ex parte application for emergency orders regarding the minor's school on July 15, 2025. On July 16, 2025, the court granted the request in part, ordering the minor to remain in his school of origin, or if that was not possible, at a school at the midpoint between the parties' homes. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on August 13, 2025, and a review hearing on October 9, 2025. Petitioner filed a Request for Order (RFO) on July 16th, making the same requests as set forth in the ex parte application. There is no Proof of Service for this document.

Respondent filed a Responsive Declaration on July 25, 2025. There is no Proof of Service for this document, and therefore, it has not been considered.

Both parties appeared for CCRC on August 13th and were unable to reach any agreements. A CCRC report with no recommendations regarding the school issue was filed with the court on September 25, 2025. Copies were mailed to the parties on September 26th.

The court vacates its ex parte orders, as the orders were not properly served. The court drops the RFO from calendar due to the lack of proper service.

All prior orders remain in full force and effect.

TENTATIVE RULING #16: THE COURT VACATES ITS EX PARTE ORDERS, AS THE ORDERS WERE NOT PROPERLY SERVED. THE COURT DROPS THE RFO FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 9, 2025
8:30 a.m./1:30 p.m.

17. DANIEL STEVENSON V. MAUDENA STEVENSON

24FL0166

Respondent filed a Request for Order (RFO) on August 1, 2025, seeking spousal support. Respondent did not concurrently file an Income and Expense Declaration.

Respondent filed an amended RFO on August 13, 2025, seeking spousal support as well as repayment of a loan made by Respondent to Petitioner. Respondent filed an Income and Expense Declaration on August 13th. Petitioner was mail-served on August 14, 2025.

Petitioner has not filed a Responsive Declaration or an Income and Expense Declaration.

Parties are ordered to appear for the hearing.

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

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 9, 2025
8:30 a.m./1:30 p.m.

18. LU SUN V. DARUI JIANG

25FL0340

Respondent filed a Request for Order (RFO) seeking child custody and parenting plan orders, as well as child and spousal support orders on August 1, 2025. Respondent concurrently filed an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on August 22, 2025. A review hearing was set for October 9th. Petitioner was mail-served on August 26, 2025, which was untimely for the CCRC appointment.

Only Respondent appeared at the CCRC appointment, as such, a single parent report was filed with the court on August 22, 2025. Copies were mailed to the parties on August 26th.

Petitioner filed a Responsive Declaration and an Income and Expense Declaration on September 19, 2025. There is no Proof of Service for these documents, therefore, the court cannot consider them.

The parties are ordered to appear for the hearing.

TENTATIVE RULING #18: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 9, 2025
8:30 a.m./1:30 p.m.

19. NATHANIEL TERRAZAS V. ALICIA SMITH

25FL0676

Petitioner filed a Request for Order (RFO) on July 22, 2025, requesting the court make child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on August 20, 2025 and a review hearing on October 9, 2025. Respondent was personally served on August 6, 2025.

Both parties appeared for the CCRC appointment and were unable to reach any agreements. A report with recommendations was filed with the court on September 25, 2025. Copies were mailed to the parties on September 26th.

Respondent filed a Responsive Declaration on September 5, 2025. However, it was not served on Petitioner until September 30th. The court finds this to be untimely, and therefore, it has not been considered by the court.

The court has read and considered the filings as outlined above. The court finds the recommendations as set forth in the September 25th CCRC report to be in the best interest of the minor, with the following exception. The court is modifying the provision on page three to reflect if the parties are unable to reach an agreement on when Respondent's parenting time will occur, it shall be the third Friday of the month through the fourth Sunday of the month. The remainder is adopted as set forth, as the court's orders.

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

TENTATIVE RULING #19: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE SEPTEMBER 25TH CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR, WITH THE FOLLOWING EXCEPTION. THE COURT IS MODIFYING THE PROVISION ON PAGE THREE TO REFLECT IF THE PARTIES ARE UNABLE TO REACH AN AGREEMENT ON WHEN RESPONDENT'S PARENTING TIME WILL OCCUR, IT SHALL BE THE THIRD FRIDAY OF THE MONTH THROUGH THE FOURTH SUNDAY OF THE MONTH. THE REMAINDER IS ADOPTED AS SET FORTH, AS THE COURT'S ORDERS. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

October 9, 2025

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

BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.