

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
JUNE 25, 2025
8:30 a.m.

1. ANGEL VAZQUEZ V. MONICA FAUSTO

SFL20190109

This matter is before the court on the Petition to Declare the parties' child free from the Parental Control of the Respondent filed by the Petitioner on February 05, 2025. That same day, the court signed an order allowing service on the Respondent by posting.

The matter was continued from April 02, 2025, because, although there was Proof of Service showing that the Citation was posted at the Courthouse in South Lake Tahoe from February 13, 2025, through March 24, 2025, there was no proof of service showing the Petitioner mailed the Citation to the Respondent's last known address, as required by the court's Posting order. The court issued a new Citation for the Respondent to Appear on June 25, 2025.

Also on April 02, 2025, the Petitioner filed Proof of Service by mail to the Respondent's last known address.

The Investigation Report was filed on March 28, 2025.

**TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, JUNE 25, 2025, IN DEPARTMENT 12.**

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
JUNE 25, 2025
8:30 a.m.

2. AURORA STARCHILD V. PETER LEIGHTON

SFL20210090

This matter is before the court on the Petitioner's Request for Order (RFO) filed May 27, 2025, requesting modification of Custody/Visitation and Child Support for the parties' child (ZL, age 7). Although the RFO raises Custody/Visitation as an issue, the Court did not refer the parties to CCRC as their last CCRC session was less than six months ago. The Petitioner did not file an Income and Expense Declaration (I&E) as required by California Rules of Court, Rule 5.360(a) along with her RFO.

The RFO was personally served on the Respondent on June 03, 2025, per the Proof of Service filed by the Petitioner on June 05, 2025. The service on the Respondent was not timely per Code of Civil Procedure section 1005(b) (at least 16 court days prior to the hearing). The Proof of Service also shows that the Department of Child Support Services (DCSS), which is a party in the case for the Child Support issue, was not served.

The Respondent filed a Responsive Declaration to the RFO on June 05, 2025. A copy of the Respondent's Responsive Declaration was served on the Petitioner by mail on June 05, 2025, per the Proof of Service by Mail filed that same date.

The Respondent's Responsive Declaration objects to the untimely service of the RFO but also raised substantive objections to the Petitioner's request.

Because the Petitioner's RFO was not timely served, did not serve the DCSS, and was not accompanied by an I&E, it is dismissed without prejudice.

TENTATIVE RULING #2: THE PETITIONER'S RFO IS DENIED WITHOUT PREJUDICE DUE TO UNTIMELY SERVICE, LACK OF NOTICE TO THE DCSS AND LACK OF THE REQUIRED INCOME AND EXPENSE DECLARATION.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 573-3042 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 (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 12
JUNE 25, 2025
8:30 a.m.

3. CHRIS BRACKETT V. JENNIFER BRACKETT

SFL20170168

On May 14, 2025, the court appointed the public defender to represent Petitioner for the contempt proceedings. The court also ordered the Petitioner to file and serve an updated Income and Expense Declaration (I&E) by June 15, 2025. To date, Petitioner's updated I&E is not in the court's file.

**TENTATIVE RULING #3: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, JUNE 25, 2025, IN DEPARTMENT 12 FOR ARRAIGNMENT AND
APPEARANCE OF COUNSEL.**

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
JUNE 25, 2025
8:30 a.m.

4. COLLEEN SIDEY V. BRYAN YERIAN

22FL0437

This matter is before the court on contempt proceedings against the Respondent. At the last hearing on June 04, 2025, Respondent informed the court he needed time to retain an attorney.

TENTATIVE RULING #4: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, JUNE 25, 2025, IN DEPARTMENT 12 FOR ARRAIGNMENT AND APPEARANCE OF COUNSEL.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
JUNE 25, 2025
8:30 a.m.

5. ERNESTO MAZAR KINDELAN V. KARI GILSON

24FL0826

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on April 25, 2025, seeking modification of the parties' visitation of their children (OM-G, age 6 and MM-G, age 5). The parties were referred to CCRC with an appointment set for May 12, 2025.

A copy of the RFO was served by mail on the Respondent on April 06, 2025, according to the Proof of Service by Mail filed May 05, 2025.

The Respondent filed a Responsive Declaration on May 19, 2025, and a copy was served by mail on the Petitioner on June 14, 2025, according to the Proof of Service by Mail filed on June 16, 2025.

The parties attended the CCRC session as scheduled and a CCRC report was submitted to the court on May 19, 2025, and copies of the report were sent to the parties that date according to the Certificate of Mailing, also filed May 19, 2025.

The CCRC report contains numerous agreements reached by the parties and provides Recommendations to the court for the issues on which the parties did not reach agreement.

The court has read and considered the filings set forth above.

The court finds that the agreements reached by the parties as set forth in the CCRC report are in the children's best interests. The court also finds that the Recommendations of the CCRC report are also in the children's best interests.

Therefore, the court adopts the agreements and recommendations of the CCRC as the orders of the court.

TENTATIVE RULING #5: THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS OF THE CCRC REPORT OF MAY 19, 2025, AS THE ORDERS OF THE COURT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 573-3042 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 (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 12
JUNE 25, 2025
8:30 a.m.

6. JAMES DANA ZUCCARO V. CHERYL A. ZUCCARO

SFL20200081

This action was filed on June 01, 2020. Code of Civil Procedure section 583.310 provides, “An action shall be brought to trial within five years after the action is commenced against the defendant.” (Code Civ. Proc., § 583.310.) Because the case has not been brought to trial within five years as required under Code of Civil Procedure section 583.310, the court intends to dismiss the action, unless the Petitioner appears and provides sufficient evidence of why it was impossible, impracticable, or futile to bring the action to trial during this time. (Code Civ. Proc., § 583.340, subd. (c).)

**TENTATIVE RULING #6: PURSUANT TO CODE OF CIVIL PROCEDURE
SECTION 583.310, THE COURT DISMISSES THE ACTION.**

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) 573-3042 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 (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 12
JUNE 25, 2025
8:30 a.m.

7. KIMBERLY STOVALL V. DEONTA BROWN

SFL20140098

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on February 24, 2025. As the RFO requests modifications of the visitation schedule for the parties' child (AB, age 14) the parties were referred to CCRC with an appointment on March 17, 2025.

The RFO was originally set for hearing on April 20, 2025. The court previously issued a Tentative Ruling which noted that there was no Proof of Service on file to show that the Respondent had been served with the RFO. Additionally, only the Petitioner attended the CCRC appointment which yielded a "one-parent" report from the CCRC counsellor.

At the request of the Petitioner at the hearing on April 20, 2025, the court continued the hearing to this date to allow the Petitioner to serve the Respondent.

A Proof of Personal Service was filed on June 13, 2025, showing personal service on the Respondent on June 12, 2025. This is not timely service per Code of Civil Procedure section 1005(b).

No Responsive Declaration has been filed by the Respondent.

As service of the RFO was not timely for this court date, the RFO is dismissed without prejudice.

TENTATIVE RULING #7: THE PETITIONER'S RFO IS DISMISSED WITHOUT PREJUDICE DUE TO NOT HAVING BEEN TIMELY SERVED.

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) 573-3042 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 (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 12
JUNE 25, 2025
8:30 a.m.

8. MEGAN DEE V. RYAN DEE

24FL1177

On May 29, 2025, the Petitioner filed a Request for Trial Setting Conference. Notice of the hearing was sent to both parties on May 30, 2025, per the clerk's certificate of mailing filed the same date.

**TENTATIVE RULING #8: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, JUNE 25, 2025, IN DEPARTMENT 12 TO SELECT TRIAL AND MANDATORY
SETTLEMENT CONFERENCE DATES.**

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
JUNE 25, 2025
8:30 a.m.

9. VICTORIA RAMOS LOPEZ V. AUTURO CASTRO PIMENTEL

23FL0594

This action was filed on June 27, 2023. To date, there is no proof of service of summons on the Respondent in the court's file. Under Code of Civil Procedure section 583.420, the court may dismiss an action for delay in prosecution where service is not made within two years after the action is commenced. (Code Civ. Proc., § 583.420, subd. (a)(1).)

On December 18, 2024, the court mailed the Petitioner notice of this two-year dismissal hearing.

The court notes, however, that dismissal based on the two-year rule is still premature. The court, on its own motion, continues the matter to July 09, 2025, and directs the clerk to provide notice of the continued hearing date.

TENTATIVE RULING #9: THE COURT, ON ITS OWN MOTION, CONTINUES THE MATTER TO 8:30 A.M., WEDNESDAY, JULY 09, 2025, IN DEPARTMENT 12 AND DIRECTS THE COURT CLERK TO PROVIDE NOTICE OF THE CONTINUED HEARING DATE.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
JUNE 25, 2025
8:30 a.m.

10. YOLANDA MIRZA VIEDA V. HERNAN FELIPE BARAHONA MEDINA 24FL1182

This matter is before the court on the Petitioner's Request for Order (RFO) filed with the court on April 28, 2025, requesting custody orders and Special Immigrant findings for the parties' daughter (DV, age 15). Along with the RFO, Petitioner filed a Declaration, a Declaration from the minor, a Memorandum of Points and Authorities, a separate Request for Special Immigrant Juvenile Findings and a Proposed Order.

Because the RFO requests Custody orders, the parties were referred to CCRC with an appointment set for May 15, 2025.

Only the Petitioner appeared at the CCRC session which caused the submission of a "one-parent" report.

There is no Proof of Service of the Respondent in the file, which explains his non-appearance at the CCRC.

Petitioner is ordered to appear at the hearing to determine if she wishes the hearing on her RFO continued to allow additional time for service.

TENTATIVE RULING #10: THE PETITIONER IS ORDERED TO APPEAR.