

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

1. JEFFREY O'NEIL V. MELISSA PEREIRA

SFL20170221

This matter is before the court on the Petitioner's Request for Order (RFO) filed July 17, 2025, which was submitted as an Ex Parte request for emergency orders. The court denied the emergency orders requested but did grant an alternative request for an Order Shortening Time. The court set the hearing for this date, and required service by July 21, 2025, and Responsive pleadings by July 25, 2025. Proof of Electronic Service filed on July 18, 2025, shows service by email on Respondent's counsel on July 18, 2025.

Respondent requested (and was granted) leave to file Declarations in excess of 10 pages on July 24, 2025. Respondent filed a Responsive Declaration (form FL-320), her own declaration, a declaration of her father, Anthony Pereira, a declaration of her attorney, a Memorandum of Points and Authorities, and Exhibits referenced in the various documents all on July 25, 2025. A Proof of Electronic Service was also filed on July 25, 2025, showing email service of the above listed documents on the Petitioner's attorney on July 25, 2025.

The court has read and considered the above-listed documents.

On July 28, 2025, Respondent filed a supplemental declaration in support of her opposition to the RFO, a request for judicial notice, and a notice errata regarding the exhibits to Respondent's declaration. The court has not considered these filings, as they were late under the court's briefing schedule in its Order Shortening Time.

The court is aware of the level of contention between the parties concerning Petitioner's parenting role of their daughter JP (age 9). For an extended period of time, Petitioner has been limited to professionally supervised visits and facetime calls. Petitioner asserts that sufficient progress has been made in his relationship with JP such that supervision should no longer be required. The instant request is precipitated by the closure of the agency which has been providing supervision.

Respondent is adamantly opposed to the end of supervision and offers alternatives to replace the current supervision agency (along with requesting coparent counselling for the parents, and an award of attorney's fees as a sanction).

Much of the difficulty stems from Petitioner's disbelief of the assertion by Respondent that JP is reporting to her that she does not wish to have unsupervised visits with Petitioner. Petitioner is disinclined to believe Respondent's assertions as to what JP is saying, either because he doesn't believe JP is saying it, or because he believes JP is merely telling Respondent what she believes Respondent wants to hear regarding Petitioner.

The court set this hearing as a placeholder to find a stop-gap alternative for continued professionally supervised visitation pending the receipt of independent information.

The parties are referred to CCRC with Ms. Murphy on August 14, 2025, at 1:00 pm. The court exercises its authority under Family Code section 3150(a) and appoints Kelly Bentley to represent the minor. The parties are ordered to cooperate with the minor's attorney in coordinating access to her client.

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Hearing in this matter is continued to September 24, 2025, at 8:30 am.

Pending the hearing, the current orders shall remain in full force and effect except that Petitioner shall choose between Hope Backman of Lady in the White Dress and Echelon as a service to provide supervision of his in-person visits between now and the September 24, 2025, hearing date.

The request for an award of fees and for an order of co-parent counselling are deferred to time of hearing.

The parties are ordered to equally share the cost of Counsel for their daughter without prejudice to reallocation at time of hearing.

Income and Expense Declarations and any supplemental Declarations shall be filed and served no later than September 19, 2025.

A report from minor's counsel shall be filed and served no later than September 19, 2025.

TENTATIVE RULING #1: THE PARTIES ARE REFERRED TO CCRC ON AUGUST 14, 2025, AT 1:00 PM. HEARING ON PETITIONER'S RFO IS SET FOR SEPTEMBER 24, 2025, AT 8:30 AM. KELLY BENTLEY IS APPOINTED TO REPRESENT THE PARTIES' DAUGHTER. THE PARTIES ARE ORDERED TO COORDINATE ACCESS FOR MINOR'S COUNSEL TO MEET WITH HER CLIENT. THE CURRENT ORDERS SHALL REMAIN IN FULL FORCE AND EFFECT EXCEPT THAT PETITIONER IS TO CHOOSE BETWEEN HOPE BACKMAN AND ECHELON AS A NEW VISITATION SUPERVISOR PENDING THE HEARING. REFERRAL OF THE PARTIES TO COPARENT COUNSELLING, AWARD OF ATTORNEY'S FEES, AND ALLOCATION OF FEES FOR MINOR'S COUNSEL ARE ALL CONTINUED TO THE NEXT 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) 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.

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2. MELISSA ROSE PETTY V. CHRISTIAN RAMOS GOMEZ

SFL20190128

This matter is before the court for hearing on the Petitioner's Request for Order (RFO) filed March 12, 2025. A copy of the RFO was personally served on the Respondent on April 22, 2025, per the Proof of Service filed on that same date. As the RFO requests changes in visitation of the parties' child DG (age 7), the parties were referred to CCRC. Only the Petitioner appeared at CCRC.

At the prior hearing of this matter on May 14, 2025, at which both parties appeared, they were re-referred to CCRC and this court date was set.

Both parties attended the new CCRC session on June 30, 2025. A CCRC report was submitted on July 02, 2025, and sets forth several agreements reached by the parties and provides recommendations on the subjects on which no agreements were reached. A copy of the CCRC report was sent to each party on July 03, 2025, according to the Certificate of Mailing filed that date. The copy sent to the Petitioner was returned to the court as undeliverable.

Though ordered by the court to file and serve a Responsive Declaration by June 20, 2025, none was filed.

The Court has read the CCRC report and finds that the parties' agreements and most of the recommendations of the CCRC counsellor are in DG's best interests and so adopts them as the orders of the court. However, the court modifies the CCRC recommendations to allow the Respondent one visit per week on either Saturday or Sunday. The visit shall be for up to 2 hours and shall be supervised by a responsible adult of the Petitioner's choosing. The first visit shall be on the weekend of August 2nd and 3rd. The parties shall arrange the specific date and time of the visit in advance.

Additionally, the Respondent shall have telephone calls with DG on Monday, Wednesday, and Friday evenings at 6:00 pm for up to 15 minutes per call.

Respondent shall not consume alcohol or marijuana during the eight hours before or during visits and phone calls.

TENTATIVE RULING #2: THE COURT ADOPTS THE AGREEMENTS SET FORTH IN THE CCRC REPORT DATED JULY 02, 2025, AND THE RECOMMENDATIONS OF THE REPORT AS AMENDED ABOVE.

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

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**THE DAY THE TENTATIVE RULING IS ISSUED. CAL.RULE CT. 3.1308; LOCAL RULE
8.05.07.**