

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
AUGUST 20, 2025
8:30 a.m.

1. AMERICA RAMOS V. JOSHUA STROUD

25FL0501

This matter is before the court on the Petitioner's Request for Order (RFO) setting child custody and visitation, and child support, filed June 02, 2025. That same day, the court referred the parties to a CCRC session set for July 10, 2025. To date, Petitioner has not filed the required Income and Expense Declaration (I&E). There is also no proof of service for the RFO in the court's file.

Respondent filed no responsive declaration.

The court received a CCRC report dated July 10, 2025, indicating that only the Petitioner attended the CCRC session, for which reason the CCRC counsellor could not make a recommendation to the court.

**TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, AUGUST 20, 2025, IN DEPARTMENT 12.**

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
AUGUST 20, 2025
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2. AMORITA BUSTOS V. DAVID MARION

SFL20170102

This matter was before the court last on August 13, 2025. The parties, counsel for the Respondent, and counsel for the minor were all present. A Tentative Ruling was filed and posted for that date which sets forth the posture of the RFO, filed by the Petitioner, which caused the hearing to be set.

The hearing was continued to this date to allow the minor's attorney to meet with her client, CM (age 13) and to file and serve a declaration on or before August 18, 2025.

Counsel for the minor filed a declaration on August 18, 2025. There is no Proof of Service filed to show copies have been provided to the parties.

The Petitioner filed a Supplemental Declaration on August 14, 2025, and a Proof of Electronic Service of that Declaration on minor's counsel and Respondent's counsel. The court is not considering that Declaration as no further Declaration by the parties was authorized by the court.

Counsel for the minor did interview her client. CM expressed that she enjoys visits with the Petitioner but wants flexibility in scheduling time so that her school and extracurricular interests are not subject to preset visits.

Minor's counsel agrees with CM's proposal for visits amounting to at least 4 hours a week but to be arranged as opposed to prescheduled will work best.

The court agrees with the analysis of the minor and her counsel and finds that a flexible schedule is in CM's best interests as it will promote the continuing relationship between the Petitioner and her daughter.

Therefore, the court orders that the Petitioner shall have at least 4 hours of visitation per week with CM. The 4-hour minimum may be met by one or more visits in the week and the dates and times are to be arranged between the parties in consultation with the minor to accommodate her schedule and plans.

All prior orders not modified by this ruling shall remain in full force and effect.

TENTATIVE RULING #2: THE PETIONER SHALL HAVE AT LEAST 4 HOURS OF VISITATION WITH THE PARTIES' DAUGHTER EACH WEEK. THE PARTIES SHALL SCHEDULE THE PETITIONER'S VISITS IN CONSULTATION WITH THEIR DAUGHTER TO ACCOMMODATE HER SCHEDULE AND PLANS. ALL PREVIOUS ORDERS NOT MODIFIED BY THIS ORDER SHALL 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) 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

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
AUGUST 20, 2025
8:30 a.m.

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

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
AUGUST 20, 2025
8:30 a.m.

3. CAROLINA L. CUMPA V. KELVIN MONTEZA

25FL0645

This matter is before the court for hearing of the Request for Order (RFO) filed by the Petitioner on July 10, 2025. The RFO seeks Child Support for the parties' minor children BC (age 5) and AC (age 1). The Petitioner filed an Income and Expense Declaration (I&E) on the same date as she filed her RFO. The Petitioner also filed a Petition for Custody and Support of Minor Children (also filed July 10, 2025).

There is no Proof of Service of the RFO.

The Respondent filed a Response to Petition for Custody and Support of Minor Children and an I&E on August 08, 2025. The Petitioner was personally served with the Respondent's filings on August 08, 2025, according to the Proof of Personal Service filed on August 12, 2025. Respondent did not file a Responsive Declaration to the RFO.

The parties, per their respective I&Es, disagree on the Respondent's share of time with the children.

The parties are ordered to appear to determine if a referral to CCRC is appropriate, to confirm the current parenting schedule, and for determination of temporary Child Support.

TENTATIVE RULING #3: THE PARTIES ARE ORDERED TO APPEAR.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
AUGUST 20, 2025
8:30 a.m.

4. JEFFREY STEVEN VANHEE V. ASHLEY NICOLE VANHEE

25FL0526

This matter is before the court for hearing on the Request for Order (RFO) filed by the Respondent on July 01, 2025, raising multiple issues.

There is no Proof of Service showing that the RFO was served on the Petitioner.

There is no Responsive Declaration filed by the Petitioner.

The court notes that most of the issues raised by the RFO were addressed in the competing DVRO actions filed by the parties for which the court announced rulings on August 06, 2025.

Due to lack of service of the RFO, the matter is dropped from calendar.

TENTATIVE RULING #4: THE HEARING IS DROPPED FROM CALENDAR DUE TO LACK OF 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 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
AUGUST 20, 2025
8:30 a.m.

5. JOHN RUDOLPH LABRADO V. KILEIGH ERIN LABRADO

24FL0537

This matter is on calendar for a trial setting conference (the matter was continued from July 16, 2025, because there was no appearance on behalf of the Respondent). The issues to be addressed at trial include: property division, debt allocation, child and spousal support, attorney fees, and *Epstein*¹ credits.

**TENTATIVE RULING #5: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, AUGUST 20, 2025, IN DEPARTMENT 12 TO SELECT TRIAL AND
MANDATORY SETTLEMENT CONFERENCE DATES.**

¹ *In re Marriage of Epstein* (1979) 24 Cal.3d 76.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
AUGUST 20, 2025
8:30 a.m.

6. JOSHUA DAVIDSON V. DANIELLE DAVIDSON

SFL20200154

This matter is before the court on the Respondent's Request for Order (RFO) filed June 09, 2025, to modify visitation. The court referred the parties to a CCRC session set for July 11, 2025. To date, there is no proof of service for the RFO in the court's file.

The Petitioner filed no responsive declaration.

The court received a CCRC report dated July 11, 2025, indicating that only the Petitioner attended the CCRC session, for which reason the CCRC counsellor could not make a recommendation to the court.

**TENTATIVE RULING #6: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, AUGUST 20, 2025, IN DEPARTMENT 12.**

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
AUGUST 20, 2025
8:30 a.m.

7. JULIANA KIRKLAND V. ANDREW KIRKLAND

SFL20180046

This matter is before the court on the Petitioner's Request for Order (RFO) to modify child custody and visitation, and child support, filed May 08, 2025. That same day, Petitioner filed an updated Income and Expense Declaration (I&E), as required. The court referred the parties to a CCRC session set for June 06, 2025. To date, there is no proof of service for the Petitioner's RFO or I&E in the court's file.

Respondent filed no responsive declaration and no I&E.

Both parties appeared for the CCRC session. The court is in receipt of a CCRC report dated June 06, 2025. A copy of the report was sent to both parties on June 09, 2025, according to the Clerk's Certificate of Mailing filed the same date (the report was returned from the Petitioner as "undeliverable"). The court finds that the agreements and recommendations in the CCRC report are in the best interest of the parties' minor children (SK, age 13; and IK, age 8) and so adopts them as the orders of the court.

With respect to child support, the court notes there is no updated I&E from the Respondent; and there is no proof of service for the Petitioner's I&E in the court's file. Also, the Petitioner's I&E does not state the Respondent's current income. The court continues the matter to September 17, 2025, and orders both parties to file and serve their current I&E at least 10 days prior to the continued hearing date.

TENTATIVE RULING #7: THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS CONTAINED WITHIN THE CCRC REPORT DATED JUNE 06, 2025, AS THE ORDERS OF THE COURT. WITH RESPECT TO CHILD SUPPORT, THE COURT CONTINUES THE MATTER TO 8:30 A.M., WEDNESDAY, SEPTEMBER 17, 2025, IN DEPARTMENT 12 AND ORDERS BOTH PARTIES TO FILE AND SERVE THEIR RESPECTIVE UPDATED INCOME AND EXPENSE DECLARATION AT LEAST 10 DAYS PRIOR TO THE CONTINUED HEARING DATE.

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
AUGUST 20, 2025
8:30 a.m.

8. VICTORIA HEMENES V. KOLBY FAIR

SFL20170027

This matter is on calendar for hearing of the Request for Order (RFO) filed by the Petitioner on June 11, 2025, seeking permission of the court to relocate the parties' son, KF, (age 10) to Arkansas.

The RFO was personally served on the Respondent on June 21, 2025 according to the Proof of Personal Service filed on June 26, 2025.

The Respondent did not file a Responsive Declaration.

The parties were referred to CCRC with a session scheduled for July 11, 2025. Both parents attended the CCRC and reached Agreements on some issues. The CCRC counsellor provided a "Move Away" analysis under the *LaMusga (Marriage of LaMusga)* (2004) 32 Cal.4th 1072) criteria and provided Recommendations to the court for issues upon which the parties could not agree. This includes a recommendation to allow the move.

The underlying Petition for this case (and thus the custody orders) is a DV Petition filed by the Petitioner on February 22, 2017, so no "Judgment" has ever been entered, though a Restraining Order after Hearing was entered on May 23, 2017. Custody orders (form DV-140) attached to that order grant the parties joint legal custody of KF and sole legal custody to Petitioner. On December 17, 2017, at the hearing of a RFO filed by Petitioner on November 06, 2017, the Petitioner was granted sole legal custody of KF.

Though Petitioner has sole legal and sole physical custody of KF, the court cannot find that she has a presumptive right to move per Family Code section 7501(a) because the court cannot find that there has been a "final judicial custody determination" (*F.T. v. L.J.* (2011) 194 Cal.App.4th 1, 19-20.)

However, because the Respondent did not file a Responsive Declaration, it is not certain that he opposes the requested move, nor does the CCRC directly convey opposition.

The parties are ordered to appear for hearing to determine if Respondent is opposed to the requested move and, if so, to set an evidentiary hearing, and to determine interim orders pending the hearing.

TENTATIVE RULING #8: THE PARTIES ARE ORDERED TO APPEAR.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
AUGUST 20, 2025
10:00 a.m.

9. JEOVANNY GUZMAN PEREZ V. LINDA MEDINA LOPEZ

SFL20150167

This matter is before the court on the Petitioner's Request for Order (RFO), filed July 22, 2025, to enforce the existing custody and visitation order issued by this court on December 12, 2022. The Petitioner also requested an order shortening time.

On July 22, 2025, the court granted an order shortening time. Specifically, the court ordered Petitioner to serve the RFO on or before July 25, 2025; and the Respondent to file a responsive declaration on or before August 08, 2025. Additionally, the court referred the parties to a CCRC session set for July 29, 2025.

To date, there is no proof of service for the RFO in the court's file.

Respondent filed no responsive declaration.

The court received a report from the CCRC counsellor dated July 29, 2025, which states that only the Petitioner attended the CCRC session, for which reason the CCRC counsellor could not make a recommendation to the court.

**TENTATIVE RULING #9: APPEARANCES ARE REQUIRED AT 10:00 A.M.,
WEDNESDAY, AUGUST 20, 2025, IN DEPARTMENT 12.**