

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 12  
SEPTEMBER 24, 2025  
8:30 a.m.

**1. ALEXANDER KIRCHNER V. SHELBY WOLFE**

**24FL0330**

This matter is before the court on the Petitioner's Request for Order (RFO) filed June 13, 2025, to extend the deadline for Petitioner to make the required equalization payment<sup>1</sup> by 45 days. Proof of service filed June 13, 2025, shows the RFO was served on Respondent by mail that same day.

There is no responsive declaration from Respondent in the court's file. However, on July 09 and August 04, 2025, Respondent filed separate requests to continue the hearing on this matter due to counsel's unavailability. The court granted both requests.

The court notes that the Marital Settlement Agreement does not include any clear alternative or remedy for the Petitioner's failure to timely pay the equalization payment.

**TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M.,  
WEDNESDAY, SEPTEMBER 24, 2025, IN DEPARTMENT 12.**

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<sup>1</sup> The judgment of dissolution entered April 17, 2025, requires the Petitioner to pay Respondent an equalization payment of \$138,611.94 within 60 days of signing the Marital Settlement Agreement. (See MSA, ¶ 2.14.) The parties executed the Marital Settlement Agreement on April 15, 2025. Therefore, the 60-day deadline for the equalization payment was June 16, 2025.

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**2. AMERICA RAMOS V. JOSHUA STROUD**

**25FL0501**

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on June 02, 2025, to set child custody and child support. This prompted the court to refer the parties to a CCRC session set for July 10, 2025. A hearing on the matter was originally set for August 20, 2025. On that date, the court noted there was no proof of service in the court's file and continued the matter to September 24, 2025.

On August 21, 2025, Petitioner submitted the required Income and Expense Declaration (I&E).

Proof of service filed August 21, 2025, shows Petitioner's I&E was served on the Respondent by mail that same date. An amended proof of service filed August 26, 2025, shows the RFO was personally served on the Respondent on June 21, 2025. The court finds the Respondent has been given proper notice.

Respondent filed no responsive declaration.

The court received a report from the CCRC counsellor dated July 10, 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. A copy of the CCRC report was sent to both parties on July 11, 2025.

The court grants the Petitioner sole legal and physical custody as requested in the RFO.

With respect to child support, the court notes the Respondent did not submit an I&E. The Petitioner's I&E states the Respondent's monthly income is \$3,120. Due to Respondent's failure to present any evidence, the court only has the Petitioner's I&E and uses that information for determining the Respondent's income and timeshare.

Petitioner's I&E shows her monthly income is \$3,645. Petitioner submitted pay stubs through August 10, 2025. Her year-to-date total income is \$27,119. The court divides that amount by 7.33 months to equal \$3,645.

These factors are used in the attached XSpouse calculation which yields guideline support of \$539 payable by the Respondent.

The court orders Respondent to pay \$539 per month as and for child support, beginning July 01, 2025, and the first day of each month thereafter according to law. Arrears created by the retroactive start date of this order shall be paid at the rate of \$52 per month beginning on October 01, 2025, and the first day of each month thereafter until paid in full.

**TENTATIVE RULING #2: THE COURT GRANTS THE PETITIONER SOLE LEGAL AND PHYSICAL CUSTODY. THE COURT FINDS THAT GUIDELINE CHILD SUPPORT IS \$539 PER MONTH AND ORDERS THAT AMOUNT PAID BY THE RESPONDENT TO THE PETITIONER BEGINNING JULY 01, 2025, AND THE FIRST OF EACH MONTH THEREAFTER. THE RESPONDENT IS ORDERED TO PAY ARREARS CREATED BY THE RETROACTIVE START DATE OF THIS ORDER AT THE RATE OF \$52 PER MONTH BEGINNING OCTOBER 01, 2025, AND THE FIRST DAY OF EACH MONTH THEREAFTER UNTIL PAID IN FULL.**

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**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.4<sup>TH</sup> 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.**

| Fixed Shares            | Father | Mother | Monthly figures     |      | CASH FLOW              |        |
|-------------------------|--------|--------|---------------------|------|------------------------|--------|
| #of children            | 0      | 1      | 2025                |      |                        |        |
| % time with NCP         | 0.00 % | 0.00 % |                     |      | Combined net spendable | 5994   |
| Filing status           | SINGLE | HH/MLA | Nets(adjusted)      |      |                        |        |
| # exemptions            | 1 *    | 2 *    | Father              | 2599 | Father                 |        |
| Wages+salary            | 3120   | 3645   | Mother              | 3394 | Payment Cost/Benefit   | -543   |
| Self-employed income    | 0      | 0      | Total               | 5994 | Net spendable income   | 2061   |
| Other taxable income    | 0      | 0      | Support             |      | Federal income tax     | 205    |
| TANF+CS received        | 0      | 0      | Addons              | 0    | Federal employment tax | 239    |
| Other nontaxable income | 0      | 0      | Guideln CS          | -651 | State income tax       | 40     |
| New spouse income       | 0      | 0      | Alameda SS          | 112  | State employment tax   | 37     |
| 401(k) employee contrib | 0      | 0      | Total               | -539 | Total taxes            | 521    |
| Adjustments to income   | 0      | 0      | CS range: -593--651 |      | Federal filing status  | SINGLE |
| SS paid prev marriage   | 0      | 0      |                     |      | State filing status    | SINGLE |
| CS paid prev marriage   | 0      | 0      |                     |      |                        |        |
| Health insurance        | 0      | 0      |                     |      | Mother                 |        |
| Other medical expense   | 0      | 0      |                     |      | Payment Cost/Benefit   | 539    |
| Property tax expense    | 0      | 0      |                     |      | Net spendable income   | 3933   |
| Ded interest expense    | 0      | 0      |                     |      | Federal income tax     | -72    |
| Contribution deduction  | 0      | 0      |                     |      | Federal employment tax | 279    |
| Misc tax deductions     | 0      | 0      |                     |      | State income tax       | 0      |
| Qual bus income ded     | 0      | 0      |                     |      | State employment tax   | 44     |
| Required union dues     | 0      | 0      |                     |      | Total taxes            | 251    |
| Mandatory retirement    | 0      | 0      |                     |      | Federal filing status  | HH/MLA |
| Hardship deduction      | 0 *    | 0 *    |                     |      | State filing status    | HH/MLA |
| Other GDL deductions    | 0      | 0      |                     |      |                        |        |
| Child care expenses     | 0      | 0      |                     |      |                        |        |

Father pays child support

Mother pays spousal support

FC 4055 checking: ON

| Per Child Information |           |        |        |        |        |          |        |         |        |
|-----------------------|-----------|--------|--------|--------|--------|----------|--------|---------|--------|
|                       | Timeshare | cce(F) | cce(M) | Addons | Payor  | Basic CS | Payor  | Pres CS | Payor  |
| All children          | 0 - 100   | 0      | 0      | 0      | Father | 651      | Father | 651     | Father |
|                       | 0 - 100   | 0      | 0      | 0      | Father | 651      | Father | 651     | Father |

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**3. CAROLINA L. CUMPA V. KELVIN MONTEZA**

**25FL0645**

This matter is before the court for hearing of the Petitioner's Request for Order (RFO) filed on July 10, 2025. The matter was previously heard on August 20, 2025, but was continued to this date to afford the Petitioner additional time to have the Respondent served with her RFO.

Proof of Service of Summons was filed on September 04, 2025, showing personal service on the Respondent on July 14, 2025, of the RFO, Petitioner's Income and Expense Declaration (I&E) (filed July 10, 2025) and The Tentative Ruling Notice. A Proof of Service by Mail was filed on September 04, 2025, showing service by mail on the Respondent of the of the Minute Order for the August 20, 2025, hearing, with service having occurred on September 04, 2025.

Although the Respondent has filed a Response to the underlying Petition for Custody/Visitation, he has not filed a Responsive Declaration to the Petitioner's RFO. Respondent filed an I&E on August 08, 2025, which was personally served on the Petitioner according to the Proof Personal Service filed August 12, 2025.

The parties are ordered to appear for hearing for referral to CCRC, setting of a future hearing date for return from CCRC and determination of interim custody/visitation and child support orders. Each party is ordered to bring their most recent paystub with them.

**TENTATIVE RULING #3: THE PARTIES ARE ORDERED TO APPEAR. EACH PARTY IS ORDERED TO BRING THEIR MOST RECENT PAYSTUB WITH THEM.**

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**4. JACOB HENSON V. CASSIE MOORE**

**SFL20210006**

This matter is back before the court after a previous hearing on July 23, 2025. The matter was continued to this date from July 23, 2025, to refer the parties to CCRC. Both parties appeared at the July 23, 2025, hearing and the court did refer the parties to CCRC with a session set for August 07, 2025. The parties were also permitted to file any supplemental declarations following CCRC with a deadline for filing and service set as September 15, 2025.

The parties attended the CCRC session as scheduled and reached some agreements which are recorded in the CCRC report received by the court on August 13, 2025. The report also contains Recommendations to the court on issue upon which the parties could not agree. A copy of the CCRC report was sent to each party on August 13, 2025, according to the Clerk's Certificate of Mailing filed on that same date.

Neither party chose to file a supplemental declaration.

The court has read and considered the CCRC report and finds that the Agreements reached and Recommendations given are in the best interests of the parties' child, LH (Age 9), and therefore adopts them as the orders of the court.

The court deviates from the Recommendation portion of the CCRC report and, instead of inviting the parties to file a further motion if desired, sets a review hearing for June of 2026 – after the current school year. The court sets review on June 17, 2026, at 8:30 a.m. in Department 12 of the court. Each party is required to file and serve a supplemental declaration to advise the court on how visitation is going and what changes, if any, they propose to be made. These declarations are to be filed and served by June 07, 2026.

If neither party files a timely supplemental declaration, the matter will be dropped from the court's calendar.

**TENTATIVE RULING #4: THE COURT FINDS THAT THE AGREEMENTS AND RECOMMENDATIONS SET FORTH IN THE CCRC REPORT SUBMITTED ON AUGUST 13, 2025, ARE IN THE PARTIES' CHILD'S BEST INTEREST AND SO ADOPTS THEM AS THE ORDERS OF THE COURT. A REVIEW HEARING IS SET FOR WEDNESDAY, JUNE 17, 2026, AT 8:30 A.M. IN DEPT. 12 OF THE COURT. EACH PARTY IS ORDERED TO FILE AND SERVE A SUPPLEMENTAL DECLARATION REGARDING VISITATION AND PROPOSALS FOR CHANGES, IF ANY. SUPPLEMENTAL DECLARATIONS ARE TO BE FILED AND SERVED BY JUNE 07, 2026. IF NO SUPPLEMENTAL DECLARATIONS ARE TIMELY FILED, THE MATTER WILL BE DROPPED FROM THE JUNE 17, 2026, CALENDAR.**

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**LEWIS V. SUPERIOR COURT, 19 CAL.4<sup>TH</sup> 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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**5. JEFFREY O'NEIL V. MELISSA PEREIRA**

**SFL20170221**

This matter was before the court previously (on Petitioner's RFO for modification of visitation) on July 30, 2025, at which time the court referred the parties to CCRC (session set for August 14, 2025) and appointed Kelly Bentley to be attorney for the parties' daughter, JP (age 9).

The court also ordered Income and Expense Declarations and invited Supplemental Declarations and a report from counsel for the minor to be filed and served by September 19, 2025.

The parties attended CCRC as scheduled and a CCRC Report was filed by the CCRC counsellor on September 02, 2025. Copies of the report were sent to the parties (though no copy was sent to Ms. Bentley) on September 03, 2025, according to the Clerk's Certificate of mailing filed on that same date.

The Respondent filed and served a Supplemental Declaration on September 12, 2025. The Petitioner did not file a Supplemental Declaration and neither party filed an Income and Expense Declaration.

The court did not receive a report from minor's counsel.

The court has read and considered the CCRC report and the Respondent's Supplemental Declaration.

The court needs to hear from counsel for the minor.

The parties are ordered to appear for an oral report of minor's counsel (if possible), argument and/or further setting.

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

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**6. JOSEFINA ENRIQUEZ V. RUSSELL WILLIAMS**

**25FL0582**

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on June 20, 2025, concerning child custody and visitation. That same day, the court referred the parties to a CCRC session set for July 14, 2025. There is no proof of service for the RFO in the court's file and no responsive declaration from the Respondent.

The court received a CCRC report dated July 14, 2025, stating that neither party appeared for the CCRC session. On July 24, 2025, the court re-referred the parties to CCRC on August 11, 2025, and continued the hearing on the RFO to September 24, 2025.

On August 13, 2025, the court received a CCRC report stating that neither party appeared at this CCRC session, either.

The matter is dropped from the calendar due to lack of proper service.

**TENTATIVE RULING #6: MATTER IS DROPPED FROM THE CALENDAR DUE TO LACK OF PROPER SERVICE. NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY 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.4<sup>TH</sup> 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.**