

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
OCTOBER 15, 2025
8:30 a.m.

1. ANAHITA CRAWFORD V. SCOTT CRAWFORD

25FL0215

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on September 03, 2025, concerning child support and attorney fees. Respondent filed no responsive declaration.

Proof of service filed September 05, 2025, shows the RFO was served upon the Respondent by mail the same day. It appears, however, that the Respondent was not properly served with the summons on the underlying petition for dissolution.¹ Thus, despite service of the RFO, the court does not have personal jurisdiction over the Respondent at this time.

TENTATIVE RULING #1: PETITIONER'S APPEARANCE IS REQUIRED AT 8:30 A.M., WEDNESDAY, OCTOBER 15, 2025, IN DEPARTMENT 12.

¹ The process server declares he attempted to personally serve the Respondent at a Little League ballgame on May 3, 2025: "As I approached him [Respondent] and was about six feet away from him, I called his name. He turned and looked at me, turned away, started walking fast, and then ran away from me into the parking lot. I yelled at him and informed him that he was evading service and that he had been served. He responded, 'I can't hear you,' as he was running away. I went to the spot where he had first observed me and placed the envelope on the grass. Petitioner had informed me that he [Respondent] was with his family at the game, and they [Petitioner] also observed me speak with him and place the envelope on the grass."

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2. APRIL HERRERA V. DANIEL HERRERA

25FL0477

This case is before the court for hearing of the issues raised by the Request for Order (RFO) filed by the Petitioner on May 23, 2025. The RFO requests orders for Custody/Visitation of the parties' three children, Child Support, Temporary Spousal Support, Possession of the marital residence, and assignment of responsibility for Payment of the mortgage for the home.

The Respondent filed a Responsive Declaration on July 10, 2025. The Respondent, despite being incarcerated, requested Custody of the children, and Child Support and Temporary Spousal Support paid to him.

The parties appeared for the hearing on August 06, 2025 (the Respondent was in custody). The parties were rereferred to CCRC as the Respondent did not attend the prior session due to his incarceration. Arrangements were made for the Respondent to appear remotely for the new CCRC session (September 04, 2025). Additionally, the Petitioner was ordered to file an Income and Expense Declaration as she had not filed one with the RFO.

The parties attended the new CCRC session as scheduled and reached a full agreement. The terms of the agreement are contained in the CCRC report submitted on September 04, 2025. Copies of the report were mailed to the parties on September 10, 2025, according to the Clerk's Certificate of Mailing filed on that same date.

The court finds that the terms of the agreement set forth in the CCRC report are in the children's best interests and so adopts them as the orders of the court.

The Petitioner filed an I&E on October 13, 2025, and a copy was mailed to the Respondent on August 12, 2025, according to the Proof of Service by Mail filed on October 13, 2025.

The evidence shows that the Respondent is still incarcerated and, while the Petitioner has need for Child Support and Spousal Support, there is no evidence that the Respondent has the ability to pay, for which reason her request is denied. The Respondent's request for an order that the Petitioner pay Child Support and Spousal Support to him is, also, denied as he has no custody time with the children and has no need for Spousal Support as he is incarcerated.

The Petitioner's request for Temporary exclusive possession and control of the marital residence at 1529 Ormsby Ave., South Lake Tahoe, CA is granted.

TENTATIVE RULING #2: THE COURT FINDS THAT THE AGREEMENTS SET FORTH IN THE CCRC REPORT DATED SEPTEMBER 04, 2025, ARE IN THE BEST INTERESTS OF THE PARTIES' CHILDREN AND THEREFORE ADOPTS THEM AS THE ORDERS OF THE COURT. THE PETITIONER IS GRANTED TEMPORARY EXCLUSIVE POSSESSION AND CONTROL OF THE MARITAL RESIDENCE. EACH PARTIES' REQUESTS FOR CHILD SUPPORT AND TEMPORARY SPOUSAL SUPPORT ARE DENIED.

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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.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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3. AUDREY REAGAN V. DAVID REAGAN

SFL20200068

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on May 29, 2025, regarding child custody and visitation. This prompted the court to refer the parties to a CCRC session set for July 07, 2025.

A hearing on the RFO was initially set for August 20, 2025. On June 23, 2025, Petitioner filed a request to continue the hearing because she was unable to attend the scheduled CCRC session on July 07, 2025. The court rescheduled CCRC for July 18, 2025, and continued the hearing to September 03, 2025.

Proof of service filed July 07, 2025, shows the RFO was served upon the Respondent that same day by mail. Respondent filed no responsive declaration to the RFO.

The court received a CCRC report dated July 18, 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 said report was mailed to both parties on July 29, 2025, per the Clerk's Certificate of Mailing filed the same day.

On August 11, 2025, the Respondent requested the court to reschedule the CCRC session. On August 12, 2025, the court rescheduled CCRC for September 05, 2025, and continued the hearing to October 15, 2025.

Both parties attended CCRC on September 05, 2025, and reached a full agreement on child custody and visitation. Their agreements are set forth in the CCRC report dated September 05, 2025. The parties were sent copies of the CCRC report on September 10, 2025, per the Clerk's Certificate of Mailing filed the same date. The court finds that the agreements in the CCRC report are in the parties' children's best interests and so adopts them as the orders of the court.

The court notes that, on October 13, 2025, the court denied the Petitioner's ex parte request to reschedule the instant hearing, as the matter was previously continued and the parties reached a full agreement at CCRC.

TENTATIVE RULING #3: THE AGREEMENTS SET FORTH IN THE CCRC REPORT DATED SEPTEMBER 05, 2025, ARE ADOPTED AS THE COURT'S ORDERS. 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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4. BOBBI LYNN HALL V. STEVEN A. HALL

25FL0063

This case is before the court for hearing on the Respondent's Request for Order (RFO) filed on September 04, 2025, in which he seeks to modify the terms of Spousal Support of the Judgment for Dissolution filed on June 03, 2025. The Respondent filed an Income and Expense Declaration (I&E) along with the RFO. The Judgment was based on a Marital Settlement Agreement of the parties which is attached to the Judgment and incorporated as part of the Judgment.

Proof of Personal Service showing service of the RFO on the Respondent on September 09, 2025, was filed on September 16, 2025. The Proof of Personal Service does not show that a copy of the Respondent's I&E was served with the RFO.

The Petitioner filed a Responsive Declaration and her own I&E on September 12, 2025. A copy of each document was served by mail on the Respondent on September 12, 2025, according to the Proof of Service by Mail also filed on September 12, 2025.

The Judgment, as it relates to Spousal Support, orders the Respondent to pay \$8,640 per month to the Petitioner beginning July 19, 2025, until December 27, 2025. The Respondent seeks a reduction in the amount he is to pay each month to \$5,500. The Petitioner opposes the request and, in an attachment to her Responsive Declaration, asserts that the amount of support Respondent was to pay for the entire period was a total of \$49,680. The Petitioner, also, lists the amounts and dates of payments made from July 19, 2025, to the filing of the RFO.

As the Request is for a Post Judgment request to modify Spousal Support, the Parties are ordered to appear to provide further evidence on the issue and for possible setting of an evidentiary hearing on the Family Code section 4320 factors.

TENTATIVE RULING #4: THE PARTIES ARE ORDERED TO APPEAR.

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5. DUSTIN NUNNERY V. SUZANA NUNNERY

25FL0486

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on September 09, 2025, regarding child custody and visitation. Petitioner also requested an order shortening time.

The court granted the request to shorten time, requiring the RFO to be served on the Respondent on or before September 12, 2025; and a responsive declaration to be filed on or before September 29, 2025. The court also referred the parties to a CCRC session set for September 19, 2025.

Proof of service filed September 10, 2025, shows the RFO was served on the Respondent by mail and e-mail the same day.

On September 16, 2025, Respondent filed a responsive declaration, indicating she consents to Petitioner's visitation request but not the child custody request.

A CCRC "One Parent" report was submitted to the court on September 19, 2025, and copies were mailed to the parties that same date per the Clerk's Certificate of Mailing, also filed on September 19, 2025. Due to the "One Parent" appearance, the CCRC counsellor could not make any recommendation.

The court re-refers the parties to a CCRC session set for October 24, 2025, at 9:00 a.m. The parties are directed to submit the required CCRC questionnaire (Local Form F-17a, which can be downloaded from the court's website or obtained from the Clerk's Office) at least five days prior to the new CCRC session.

TENTATIVE RULING #5: THE COURT RE-REFERS THE PARTIES TO A CCRC SESSION SET FOR OCTOBER 24, 2025, AT 9:00 A.M. THE PARTIES ARE DIRECTED TO SUBMIT THE REQUIRED CCRC QUESTIONNAIRE (LOCAL FORM F-17a, WHICH CAN BE DOWNLOADED FROM THE COURT'S WEBSITE OR OBTAINED FROM THE CLERK'S OFFICE) AT LEAST FIVE DAYS PRIOR TO THE NEW CCRC SESSION. THE HEARING ON THE INSTANT REQUEST FOR ORDER IS CONTINUED TO 8:30 A.M., WEDNESDAY, DECEMBER 10, 2025, IN DEPARTMENT 12.

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6. JARED ALLAN COLLINS V. STEFANI KERN

SFL20180059

This case is before the court for hearing of the Petitioner's Request for Order (RFO) filed October 02, 2025. The Petitioner was granted an Order Shortening Time for Hearing and Service, with service of the RFO ordered by October 06, 2025, and any Responsive Declaration to be filed by October 10, 2025.

Proof of Personal Service was filed by the Petitioner on October 06, 2025, and shows service of the RFO on the Respondent that same date.

The Respondent filed a Responsive Declaration on October 10, 2025. A copy of the Responsive Declaration was personally served on the Petitioner on that same date according to the Proof of Personal Service filed by the Respondent on October 10, 2025.

The RFO seeks modification of an order by stipulation filed on September 06, 2025. That stipulation was reached in CCRC and caused the court to drop a pending hearing.

On September 29, 2025, the court signed an OSC RE: Contempt submitted by the Petitioner which alleges contempt of the September 06, 2025, order based on the same facts underlying the RFO on for hearing this date. The contempt hearing is set for November 05, 2025, at 8:30 a.m. in Dept. 12.

In short, the Petitioner alleges that the parties' 11-year-old son reported that Respondent had alcohol at her home during a visit and that the Respondent's spouse was drinking alcohol. The Respondent denies the accusation.

The court notes that the Petitioner refers to photographs of cans of alcohol that the parties' son texted to Petitioner's wife. However, no such photos were attached to the RFO.

The court continues the hearing of this matter to November 05, 2025, at 8:30 a.m. to trail the contempt proceeding.

TENTATIVE RULING #6: THIS MATTER IS CONTINUED FOR HEARING TO NOVEMBER 05, 2025, AT 8:30 A.M. TO TRAIL THE CONTEMPT PROCEEDING.

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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7. JEFFREY O'NEIL V. MELISSA PEREIRA

SFL20170221

This matter is before the court for hearing of the Petitioner's RFO filed July 17, 2025, in which he seeks a change in Custody/Visitation orders for the parties' 9-year-old daughter, JP. The Respondent's Responsive Declaration filed July 25, 2025, sets forth her adamant opposition to the Petitioner's request.

At the hearing on July 30, 2025, the court appointed counsel for JP, referred the parties back to CCRC, and continued the hearing (including the issue of payment of fees for JP's attorney) to September 24, 2025.

The parties attended CCRC as scheduled and a Report and Recommendation of the CCRC counsellor was submitted to the court on September 02, 2025. Copies of the Report were sent to the parties (but not to JP's Attorney) on September 03, 2025.

The hearing on September 24, 2025, was continued to this date to allow JP's attorney to provide a written report to the court and to allow the parties to file supplemental declarations in response to the report of JP's attorney. The court set October 03, 2025, as the date for submission of the report of minor's counsel and October 13, 2025, for any supplemental declaration by the parties.

The Report of JP's attorney was filed on October 03, 2025, and copies were emailed to the parties that same date per the Proof of Electronic Service also filed on October 03, 2025.

No Supplemental Declarations were filed by the parties.

On September 24, 2025, the Petitioner filed a new RFO (and a new Income and Expense Declaration), seeking an award of Attorney's fees, Sanctions, and Reallocation of Supervision Costs. That RFO has been set for hearing on November 05, 2025.

The court continues the issue of allocation of fees for services of JP's attorney to the November 05, 2025, hearing date.

The primary issue in dispute is whether Petitioner's visits with JP should be expanded and whether those visits should continue to be supervised. The Report and Recommendation of the CCRC counsellor and the Report of JP's attorney agree on the first point (expansion of Petitioner's visits) but disagree on the second point (continued supervision).

The CCRC report is more adamant than usual that the child's welfare is at stake. The CCRC report recommends that the limits on Petitioner's visits be lifted and that the step-up plan first described in the CCRC report of October 03, 2024, be implemented. The first step of that plan calls for Petitioner's visits to be unsupervised.

The Report of JP's counsel is more measured. The recommendation is for the visits to be extended (adding a weekend visit) but for them to continue to be supervised and for a review to be set in about three months.

The court has two specific concerns. One is that there is no specific metric for when visits will not need to be supervised or what Petitioner will need to do to show that supervision is no longer needed. The second concern is that the requirement of having a

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supervisor means that visits cannot be certain as supervisors are not always available or willing to serve in that capacity as visits are extended in length or made more frequent.

The information from JP does not reveal any specific objection on her part to not having a supervisor present during her visits. She expresses comfort with the current circumstances which is understandable. However, there is no clear indication that she is opposed to unsupervised visits.

The court finds that the therapeutic efforts in place will continue to be necessary to assist the minor as her relationship with her father develops, but that it is in her best interests to allow that relationship to develop without a supervisor for her visits. Therefore, the court orders as follows:

- 1. The Parties shall have Joint legal custody of JP.**
- 2. Petitioner shall have unsupervised visits on each Wednesday for two hours and every other Saturday for four hours. The first unsupervised Wednesday visit shall be on October 29, 2025, and the first unsupervised Saturday visit shall be on November 08, 2025. The current schedule shall be followed until the October 29, 2025, visit.**
- 3. Petitioner shall continue to have Facetime visits on Mondays and Thursdays.**
- 4. The minor will continue therapy with Kristina Greenberg.**
- 5. All previous orders not in conflict with these orders shall remain in full force and effect.**
- 6. A review hearing is set for March 25, 2026, at 8:30 a.m. in Dept. 12. The review will focus on expanding Petitioner's weekend visits and setting up Summer visits.**
- 7. A report from Minor's counsel is to be filed and served no later than March 11, 2025, and Supplemental Declarations from the parties are to be filed and served no later than March 18, 2025.**

TENTATIVE RULING #7: THE ISSUE OF ALLOCATION OF FEES FOR MINOR'S COUNSEL IS CONTINUED FOR HEARING TO NOVEMBER 05, 2025. THE COURT ORDERS THE ABOVE LISTED CHANGES TO THE CUSTODY AND VISITATION ORDERS AS BEING IN THE MINOR'S BEST INTERESTS.

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.**

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8. RYAN C. SMITH V. ALYSSA McMARTIN

23FL1045

This action was filed on October 19, 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 April 24, 2025, the court mailed the Petitioner notice of this status conference or dismissal. However, it appears that said notice did not identify the hearing date (it merely states, "October 2025"). The court notes that the notice was returned undeliverable.

The court, on its own motion, continues the matter to December 10, 2025, and directs the clerk to provide notice of the continued hearing date.

Assuming no proof of service has been filed by December 10, 2025, and there is no request made for the matter not to be dismissed, the court intends to dismiss the action without prejudice on that date.

TENTATIVE RULING #8: THE COURT, ON ITS OWN MOTION, CONTINUES THE MATTER TO 8:30 A.M., WEDNESDAY, DECEMBER 10, 2025, IN DEPARTMENT 12 AND DIRECTS THE COURT CLERK TO PROVIDE NOTICE OF THE CONTINUED HEARING DATE.

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9. SARAH KUPIEC V. BLASE DILLINGHAM

22FL0351

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on September 11, 2025, to transfer venue to Sutter County, as Petitioner declares both parties have been living in Sutter County for more than six months. Proof of service filed on October 10, 2025, shows the RFO was personally served on the Respondent on September 15, 2025.

Respondent filed no responsive declaration.

TENTATIVE RULING #9: THE REQUEST FOR ORDER TO TRANSFER THE CASE TO SUTTER COUNTY IS GRANTED. 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.