

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
OCTOBER 29, 2025
8:30 a.m.

1. CHAYLA STOTTS V. BLAZE MODAR

24FL0744

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on August 08, 2025, to modify child support, terminate Respondent's visitation, and require Respondent to reimburse Petitioner for her rent expenses from April 2024 through January 2025 (Petitioner alleges Respondent stole her rent and "failed to pay up to lease termination"). The RFO also requests attorney fees and includes a request for temporary emergency orders. The court did not issue any temporary emergency orders but referred the parties to a CCRC session set for September 15, 2025.

The court notes that Petitioner did not submit the required Income and Expense declaration (I&E) (see Local Court Rule 8.03.01) and there is no proof of service for the RFO in the court's file.

The court is in receipt of the CCRC report dated September 15, 2025, stating that neither parent attended the CCRC session, for which reason, the CCRC counsellor could not make a recommendation to the Court.

On October 03, 2025, Respondent filed a responsive declaration, which was served upon Petitioner October 03, 2025, via mail, according to the proof of service filed the same day. Respondent claims the RFO was not properly served on him but states he received actual notice when he visited the court. The court notes that Respondent did not submit a current I&E, either.

**TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, OCTOBER 29, 2025, IN DEPARTMENT 12 TO SET NEW DEADLINES FOR
COMPLETING CCRC AND FILING THE REQUIRED INCOME AND EXPENSE
DECLARATIONS.**

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2. ELIETH VASQUEZ MEDINA V. EDGAR IVAN TREJO MENDOZA 25FL0711

This matter is before the court on the Petition to declare minors free from the Respondent filed by the Petitioner on July 23, 2025. A Citation was issued that same day and set a hearing date of October 29, 2025. Proof of service filed September 09, 2025, indicates the Citation was personally served upon “Evelia Mendoza” on September 07, 2025. Because personal service was not made upon the Respondent, however, it appears that service has not been perfected. (Fam. Code, § 7880, subd. (c) [“Service of the citation shall be made in the manner prescribed by law for service of civil process at least 10 days before the time stated in the citation for the appearance.”].)

The court is in receipt of the court investigator’s report submitted on October 23, 2025. (Fam. Code, § 7851, subd. (a).)

TENTATIVE RULING #2: PETITIONER’S APPEARANCE IS REQUIRED AT 8:30 A.M., WEDNESDAY, OCTOBER 29, 2025, IN DEPARTMENT 12 TO ADDRESS THE ISSUE OF SERVICE.

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3. MICHELLE ASHTON V. JUSTIN ASHTON

24FL0644

This matter is before the court on the Request for Order (RFO) filed by the Respondent on August 05, 2025, to modify child custody and visitation, issue a move-away order, and appoint minor's counsel.¹ Also on August 05, 2025, the court referred the parties to a CCRC session set for September 04, 2025. A hearing on the RFO was originally set for October 22, 2025; however, on September 16, 2025, the parties stipulated to continuing the hearing to October 29, 2025.

On October 06, 2025, Petitioner filed a responsive declaration and proof of service, which shows that said document was served on Respondent the same day electronically.

On September 16, 2025, Respondent submitted a proof of service related to his certificate of completion of anger management. On October 27, 2025, Respondent filed proof of service showing that the RFO was electronically served upon the Petitioner on August 07, 2025.

There is currently a domestic violence restraining order ("DVRO") in place, which lists Petitioner as the protected person and Respondent as the restrained person. The DVRO was issued on February 22, 2024, and is set to expire on February 22, 2027.

On March 20, 2024, the Solano County Superior Court granted Petitioner's request for a temporary emergency order granting Petitioner full legal custody of the children. Regarding legal custody, subsequent court orders state, "All Court orders, not in conflict, remain in full force and effect."²

On April 16, 2024, the Solano County Superior Court entered the current visitation schedule. On April 29, 2024, the case was transferred to El Dorado County. The El Dorado County Superior Court referred the parties to a CCRC appointment. On December 11, 2024, the El Dorado County Superior Court adopted the CCRC report dated November 26, 2024 (as amended by the court), to be the orders of the court. The December 11, 2024, order contains the same visitation schedule as the April 16, 2024, order: during the school year, the children will reside primarily with the Petitioner; Respondent shall have visitation on alternating weekends with exchanges to occur at 7:00 p.m. and the delivering parent to provide transportation (the Respondent's parents, mother-in-law and father-in-law can also provide transportation on behalf of the Respondent).

The court is in receipt of a CCRC report dated September 18, 2025. A copy of the report was sent to both parties and their respective counsel that same day, per the Clerk's Certificate of Mailing filed September 18, 2025. The parties were able to reach an agreement on some issues, but not all. The CCRC counsellor provided recommendations

¹ The parties share two minor children, KA (age 13) and GA (age 14). The instant RFO appears to concern KA only. (See RFO at ¶ 2(a).)

² The CCRC report dated September 18, 2025, states the parents currently share joint legal custody of the children and have been exercising joint legal custody of the children.

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to the court for issues upon which the parties could not agree. This includes a recommendation that KA should continue residing with her brother and mother (Petitioner) in South Lake Tahoe, California; and the Respondent should have increased visitation.

Considering the history of the DVRO, subsequent custody and visitation orders, and the content of the mediator's report, appearances are required to address any agreements by the parties and set a contested hearing on any unresolved issues.

**TENTATIVE RULING #3: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, OCTOBER 29, 2025, IN DEPARTMENT 12 TO ADDRESS ANY AGREEMENTS
BY THE PARTIES AND SET A CONTESTED HEARING ON ANY UNRESOLVED ISSUES.**