

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
MARCH 04, 2026
8:30 a.m.

1. BRIAN EDWARD SEAHOLM V. VANESSA RUELLYN SEAHOLM 25FL0271

This matter is before the court on two separate Requests for Orders (RFO), both filed by the Petitioner. The first RFO, filed January 02, 2026, is a request to modify child custody and visitation, and issue a restraining order against Alexander Sysock (Respondent's boyfriend) protecting the parties' minor children. This RFO also includes a request for Temporary Emergency Orders for Petitioner to have sole legal and physical custody of the children pending the hearing, which the court denied.

On January 02, 2026, the court referred the parties to a CCRC session set for January 22, 2026.

The second RFO, filed February 13, 2026, is a separate request to modify custody and visitation, and also includes a request for Temporary Emergency Orders for Petitioner to have temporary sole physical custody of the children pending the hearing. Petitioner concurrently filed two separate declarations, one from himself, and another from his attorney, Julie Bachman. On February 13, 2026, the court granted Petitioner's request for Temporary Emergency Orders, granting Petitioner temporary physical custody of the children but restricting Petitioner from removing either child from the State of California and County of El Dorado. The court also issued an order shortening time. The court ordered Petitioner to serve this RFO, as well as the Temporary Emergency Orders, on or before February 18, 2026; and ordered Respondent to file a Responsive Declaration on or before February 25, 2026.

The court is in receipt of the CCRC report dated January 22, 2026, a copy of which was mailed to both parties on January 26, 2026, per the Clerk's Certificate of Mailing filed that day. The report is a "One-Parent" report because Respondent told the CCRC counsellor she was not properly served with the RFO and therefore not prepared to proceed with the CCRC session as scheduled (the Respondent declined to proceed).

RFO Filed January 02, 2026

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

RFO Filed February 13, 2026

Proof of service filed February 23, 2026, shows this RFO, as well as the Temporary Emergency Orders, were electronically served upon the Respondent on February 17, 2026.

On February 26, 2026, Respondent filed an untimely Responsive Declaration, as well as an untimely declaration from Mr. Sysock. Proof of service, also filed February 26, 2026, shows these documents were electronically served upon the Petitioner on February 25, 2026.

The court does not consider Respondent's untimely declarations. Therefore, the court treats this RFO as unopposed. The evidence in support of this RFO clearly shows that Respondent has been violating the court's orders by allowing Mr. Syssock to be around the children. The court finds it is in the best interest of the children to grant this RFO and therefore grants Petitioner sole legal custody of the children, subject to Respondent's right of supervised visitation (three visits per week for up to two hours per visit, with dates and times to be set by the parties based on their schedules and the children's obligations; visits shall be supervised by a non-professional adult known to the children and selected by the Petitioner).

TENTATIVE RULING #1: PETITIONER'S RFO FILED JANUARY 02, 2026, IS DROPPED FROM THE CALENDAR DUE TO LACK OF SERVICE. PETITIONER'S RFO FILED FEBRUARY 13, 2026, IS GRANTED. THE COURT GRANTS PETITIONER SOLE LEGAL CUSTODY OF THE CHILDREN, SUBJECT TO RESPONDENT'S RIGHT OF SUPERVISED VISITATION (THREE VISITS PER WEEK FOR UP TO TWO HOURS PER VISIT, WITH DATES AND TIMES TO BE SET BY THE PARTIES BASED ON THEIR SCHEDULES AND THE CHILDREN'S OBLIGATIONS; VISITS SHALL BE SUPERVISED BY A NON-PROFESSIONAL ADULT KNOWN TO THE CHILDREN AND SELECTED BY THE PETITIONER).

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. IOVANNY MAGANA V. KETSIA BERNARDINO

24FL0292

This matter is before the court on competing Requests for Orders (RFO) – one filed by the Petitioner on November 25, 2025, to modify child custody and visitation, and oppose a move-away order from Respondent; and another filed by the Respondent on December 08, 2025, to modify visitation and issue a move-away order. Upon the court’s referral, the parties attended CCRC on December 19, 2025. The CCRC report (mailed to both parties December 19, 2025) provides two alternative recommendations.

On January 21, 2026, the parties placed an oral stipulation on the record, resolving all issues except for holiday and vacation schedules. Specifically, the parties stipulated that: (1) Respondent is allowed to move to Gardnerville, Nevada with the minor child; (2) Petitioner shall have parenting time on every first, second, and fourth weekend of the month with the weekend beginning on Thursday at 5:45 p.m. and ending on Sunday at 5:45 p.m. Pick-up on Thursday will be at the maternal grandmother’s home and drop-off will be conducted at the top or bottom of Kingsburgy Grade depending on weather conditions at the time stated; (3) Respondent shall have the third and fifth weekends with the minor child and Petitioner shall have visitation with the minor child from 5:45 p.m. to 8:30 p.m. on the Wednesday leading up to Respondent’s parenting time on these weekends with pick-up at the maternal grandmother’s home and drop-off at Kingsbury Grade, and the Petitioner having Mondays from 5:45 p.m. to 8:30 p.m.; and (4) the parties stipulate to set all remaining issues for review.

The hearing was continued to March 04, 2026. The court ordered the parties to file any supplemental declarations on or before February 25, 2026. All prior orders not conflicting with the January 21, 2026, order remain in full force and effect.

On February 25, 2026, Petitioner filed a supplemental declaration regarding holiday schedule and vacation time, which was electronically served upon Respondent’s counsel that same day according to the proof of service, also filed February 25, 2026.

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Because only the Petitioner filed a timely supplemental declaration, the court will treat it as unopposed. The court had hoped that during the continuance, the parties would resolve the holiday/vacation issue. The court adopts the proposed schedule attached to Petitioner's supplemental declaration as the orders of the court, which will supplement this court's orders issued January 21, 2026.

TENTATIVE RULING #2: THE COURT ADOPTS THE PROPOSED SCHEDULE ATTACHED TO PETITIONER'S SUPPLEMENTAL DECLARATION (FILED FEBRUARY 25, 2026) AS THE ORDERS OF THE COURT, WHICH WILL SUPPLEMENT THIS COURT'S ORDERS ISSUED JANUARY 21, 2026.

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. JORDON PIPER V. LINDSAY PIPER

PFL20210511

This matter is before the court for a five-year dismissal hearing pursuant to Code of Civil Procedure section 583.310. However, the court notes that a status-only judgment was entered on July 21, 2023. Although the parties reserved on some issues, no further judgment is required. Therefore, the matter is dropped from the calendar.

TENTATIVE RULING #3: DUE TO THE ENTRY OF A STATUS-ONLY JUDGMENT ON JULY 21, 2023, MATTER IS DROPPED FROM THE CALENDAR.

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. MICHELLE BETH MCGINNIS V. MICHAEL MCGINNIS

SFL20210030

This matter is before the court for a five-year dismissal hearing pursuant to Code of Civil Procedure section 583.310. The action was filed on March 02, 2021. On July 08, 2021, the Petitioner filed a request for entry of default against the Respondent. However, it does not appear that the court granted or denied said request. The court notes that proof of service of summons on the Respondent was filed on April 13, 2021. Thus, it would appear appropriate to grant the request for default.

To date, there are no Preliminary Declaration of Disclosure in the court's file submitted by the Petitioner. There is also no proposed judgment.

The court, on its own motion, and in the interest of justice, continues the matter to March 18, 2026, at which time, the court intends to ask Petitioner about the status of the proceedings.

TENTATIVE RULING #4: ON THE COURT'S OWN MOTION, MATTER IS CONTINUED TO 8:30 A.M., WEDNESDAY, MARCH 18, 2026, IN DEPARTMENT 12, AT WHICH TIME, THE COURT INTENDS TO ASK THE PETITIONER ABOUT THE STATUS OF THE PROCEEDINGS. THE COURT CLERK IS DIRECTED TO SERVE NOTICE OF THE CONTINUED HEARING ON THE PETITIONER.

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5. ROSE SHAMAS V. BLAKE ANDREW SHAMAS

23FL0565

This matter was continued from February 25, 2026, as the Petitioner's attorney informed the court she was suffering from an illness. Respondent's attorney appeared at the hearing and also asked that the matter be continued on account of counsel's illness. The court indicated it would re-issue its tentative ruling from the February 25, 2026, hearing, included below.

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on December 17, 2025, to modify child custody and visitation. The filing of the RFO prompted the court to refer the parties to a CCRC session set for January 08, 2026. Proof of service filed February 02, 2026, shows the RFO, CCRC referral, and Notice of Tentative Ruling were served upon the Respondent via mail and email on December 18, 2025.

Also on February 02, 2026, the Petitioner filed a subpoena duces tecum directed to the Lake Tahoe Unified School District requiring the production of entire school records for the parties' child, GS (age 5); Petitioner also filed and served the required Notice to Consumer or Employee (Judicial Council form SUBP-025), directed to Respondent.

On February 04, 2026, the Respondent filed a Responsive Declaration. Proof of service filed February 04, 2026, states the Responsive Declaration was personally served upon February 04, 2026; however, the proof of service does not indicate the person who was served.

The court is in receipt of the CCRC report dated February 05, 2026, a copy of which was mailed to both parties, and Petitioner's attorney, on February 06, 2026, per the Clerk's Certificate of Mailing filed that day.

On February 10, 2026, the Respondent filed a supplemental declaration, which was electronically served on Petitioner's attorney that same day, according to the proof of service, also filed February 10, 2026.

The court has read and considered the above-referenced documents. The court agrees with the assessment of the CCRC counsellor that it is concerning that the parties have not resolved their conflicts such as to be able to manage coparenting issues on their own. Similarly, the court agrees that there is no basis for a modification of the existing parenting plan requested by either parent.

However, the court finds no evidence in the CCRC report or in either party's declarations that would justify putting their child GS (age 5) in therapy. It, also, was not requested by either parent.

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The court finds that the Agreements of the parties and the Recommendations of the CCRC counsellor set forth in the CCRC Report of February 05, 2026, excepting the Recommendation that the parties refer GS to therapy, are in GS's best interests and therefore adopts them as the orders of the court.

TENTATIVE RULING #5: THE COURT FINDS THAT THE AGREEMENTS OF THE PARTIES AND THE RECOMMENDATIONS OF THE CCRC COUNSELLOR SET FORTH IN THE CCRC REPORT OF FEBRUARY 05, 2026, EXCEPTING THE RECOMMENDATION THAT THE PARTIES REFER THEIR CHILD, GS, TO THERAPY, ARE IN GS'S BEST INTEREST AND THEREFORE ADOPTS THEM AS THE ORDERS OF THE COURT.

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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8:30 a.m.

6. WENDY STEPHENS V. JON STEPHENS

SFL20110189

This matter is before the court on two separate Requests for Orders (RFO), both filed by the Respondent. The first RFO, filed January 23, 2026, requests an order compelling Petitioner to provide an accounting¹ and produce certain documents identified in the declaration attached to the RFO.

The second RFO, filed January 27, 2026, requests the court to enforce the Judgment of Dissolution (entered May 24, 2013), specifically, that the court enter the proposed Qualified Domestic Relations Order (QDRO) relating to the Petitioner's CalPERS and CalSTRS retirement benefits.

RFO Filed January 23, 2026

Proof of service filed January 27, 2026,² shows the RFO and supporting documents were served upon the Petitioner via mail. On January 27, 2026, the Petitioner filed a Responsive Declaration, which was served upon the Respondent that same day via mail, according to the proof of service, also filed January 27, 2026.

Petitioner declares that the La Jolla Bank accounts were both closed around 2007; and that the La Jolla Bank ceased operations in 2010. Petitioner further declares that no records were available during the dissolution proceedings, and neither party can obtain records from the bank now. One account contained the Petitioner's separate property; the other account held community property that was fully expended prior to dissolution for joint purposes, including the purchase of a family vehicle and the Stockton residence in 2008. Lastly, the Petitioner declares that issues regarding the La Jolla Bank accounts were resolved under the 2013 Judgment of Dissolution. Based on the above, the court finds Respondent's request for an accounting is moot and therefore, the court denies this portion of the RFO.

The second portion of the RFO includes a request to compel the Petitioner to produce various documents. However, this request is an improper use of the RFO; discovery requests are governed by the Civil Discovery Act. Accordingly, the court denies the RFO requesting document production.

¹ Respondent requests an accounting of all bank, savings, credit union, or similar financial account in which Petitioner held any interest during the marriage and/or after the parties' separation, including but not limited to two La Jolla Savings Bank accounts, and any successor, renamed, beneficiary-designated, or ITF accounts.

² Petitioner previously filed a proof of service on January 26, 2026; however, it did not show proof of service of the court's Notice of Tentative Ruling. It also showed proof of personal service upon Tony Marquez (the Petitioner's current spouse), not the Petitioner.

RFO Filed January 27, 2026

To date, there is no proof of service for this RFO in the court's file. However, it appears that, on January 30, 2026, the Respondent filed a "Supplemental Declaration of Wendy Marquez." The title of this document suggests that it is a supplemental declaration in opposition to the RFO filed January 23, 2026; however the content of said declaration relates to the request for a QDRO. Therefore, the court deems the January 30, 2026, declaration to be a Responsive Declaration to the RFO filed January 27, 2026. Proof of service filed January 30, 2026, shows the declaration was served upon the Respondent by mail that same day.

On February 06, 2026, the Petitioner filed an "Amended Supplemental Declaration of Wendy Marquez," also relating to the requested QDRO. The proof of service filed February 06, 2026, indicates that only Exhibit 2 of Petitioner's Amended Supplemental Declaration was served upon the Respondent (but not the Amended Supplemental Declaration, itself).

The Petitioner declares that the proposed QDROs submitted by the Respondent have not been pre-approved by CalPERS or CalSTRS. Accordingly, the RFO is denied without prejudice.

TENTATIVE RULING #6: THE RFO FILED JANUARY 23, 2026, IS DENIED. THE RFO FILED JANUARY 27, 2026, IS DENIED WITHOUT PREJUDICE.

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
MARCH 04, 2026
10:00 a.m.

7. CAROLINA L. CUMPA V. KELVIN MONTEZA

25FL0645

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on January 22, 2026, to modify child support retroactive to the date of filing the RFO. Petitioner concurrently submitted a current Income and Expense Declaration (I&E). However, the court notes that Petitioner's I&E is not signed under the penalty of perjury, as required. Proof of service filed January 27, 2026, shows the RFO and supporting documents were personally served upon the Respondent on January 26, 2026.

To date, the Respondent has filed no Responsive Declaration or I&E.

Because Petitioner's I&E is not signed, the court is unable to consider it. The court, on its own motion, and in the interest of justice, continues the matter to March 25, 2026, to allow Petitioner additional time to submit a signed I&E; and thereafter, allow Respondent an opportunity to respond. Petitioner shall file and serve the signed I&E on or before March 11, 2026; and Respondent shall file and serve a Responsive Declaration and I&E on or before March 20, 2026.

TENTATIVE RULING #7: MATTER IS HEREBY CONTINUED TO 8:30 A.M., WEDNESDAY, MARCH 25, 2026, IN DEPARTMENT 12. PETITIONER SHALL FILE AND SERVE THE SIGNED INCOME AND EXPENSE DECLARATION ON OR BEFORE MARCH 11, 2026; AND RESPONDENT SHALL FILE AND SERVE A RESPONSIVE DECLARATION, AS WELL AS HIS INCOME AND EXPENSE DECLARATION, ON OR BEFORE MARCH 20, 2026.

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.