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

1. GEORGE BUCHHOLZ V. ANJA BUCHHOLZ 25FL0643

This matter is before the court for a trial setting conference, as requested by the Petitioner on October 07, 2026. Petitioner indicates the issues to be addressed at trial include division of community property, confirmation of separate property, spousal support, and attorney fees and costs.

TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, NOVEMBER 04, 2026, IN DEPARTMENT 12 TO PARTICIPATE IN THE SELECTION OF MANDATORY SETTLEMENT CONFERENCE AND TRIAL DATES.

If an eligible party wishes to appear remotely, instructions for remote appearance can be found on the Court's website at: https://www.eldorado.courts.ca.gov/online-services/remote-appearances.

2. ILEA ALLEN BARSTOW V. TREVOR BARSTOW 22FL0747

This matter is on the court's 8:30 a.m. calendar for hearing of the Request for Order (RFO) filed by the Respondent on October 21, 2026, seeking sole legal and physical custody of the party's child, JB (age 8), professionally supervised visitation for Petitioner, and authorization to enroll the child in a new school. The RFO also included a request for temporary emergency orders. Alternatively, the RFO requested an order shortening time.

The court denied Respondent's request for temporary emergency orders. Nonetheless, pending the hearing on Respondent's RFO, the court ordered Petitioner not to consume alcohol during her periods of custody or in the 12 hours leading up to her periods of custody. The court also granted Respondent's request to shorten time. The court ordered Respondent to serve the RFO upon Petitioner no later than October 26, 2026, and ordered Petitioner to file and serve a Responsive Declaration no later than October 30, 2026.

Separate proofs of service, both filed October 22, 2026, shows the RFO and supporting papers were served upon Petitioner via mail and email that same day.

On October 28, 2026, Petitioner filed a timely Responsive Declaration. To date, however, there is no proof of service for the Responsive Declaration in the court's file. Therefore, the court has not considered it.

Pursuant to the stipulated judgment entered May 06, 2025, the parties share joint legal custody and Petitioner has sole physical custody of the child; Respondent shall have reasonable visitation with the child each weekend from Friday at 5:00 p.m. to Sunday at 5:00 p.m. with exchanges occurring at 93 Fair Lane in Placerville, California.

The court notes that, on October 19, 2026, before Respondent filed the instant RFO, the court granted Petitioner's request for a temporary domestic violence restraining order (DVRO), which substantially limited Respondent's visitation.[1] A hearing on the DVRO is currently set for November 04, 2026, at 1:30 p.m.

Before the court can rule on Respondent's request to modify custody and visitation, the court must conduct an evidentiary hearing to determine if the Respondent committed domestic violence and, if so, whether Respondent can overcome the rebuttable presumption under Family Code section 3044 that an award of sole or physical custody to someone who has been determined to have perpetrated domestic violence is detrimental to the best interest of the child.

Therefore, the court, on its own motion, advances the 1:30 p.m. hearing on the DVRO to November 04, 2026, at 8:30 a.m. to be heard concurrently with Respondent's RFO, at which time, the court intends to set an evidentiary hearing and continue the matter.

TENTATIVE RULING #2: THE COURT, ON ITS OWN MOTION AND IN THE INTEREST OF JUDICIAL ECONOMY, ADVANCES THE HEARING ON PETITIONER'S DVRO

[1] Proof of service filed October 23, 2026, shows the temporary DVRO and supporting documentation were personally served upon Respondent on October 21, 2026.

(CURRENTLY SET FOR 1:30 P.M., NOVEMBER 04, 2026) TO 8:30 A.M., NOVEMBER 04, 2026, TO BE HEARD CONCURRENTLY WITH THE RESPONDENT'S RFO. APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, NOVEMBER 04, 2026, IN DEPARTMENT 12, AT WHICH TIME, THE COURT INTENDS TO SET AN EVIDENTIARY HEARING UNDER FAMILY CODE SECTION 3044.

If an eligible party wishes to appear remotely, instructions for remote appearance can be found on the Court's website at: https://www.eldorado.courts.ca.gov/online-services/remote-appearances.

3. MEGAN DEE V. RYAN DEE **24FL1177**

This matter is before the court for hearing of the Request for Order (RFO) filed by the Petitioner on September 24, 2026, to award guideline child support for the parties' three children, MD (age 5), AD (age 3), and MD (age 3). Petitioner concurrently filed an Income and Expense Declaration (I&E).

Proof of service filed October 21, 2026, shows the RFO and supporting documents were personally served upon Respondent on October 12, 2026.

Also on October 21, 2026, Petitioner filed a supplemental declaration, a copy of which was served upon Respondent via mail that same day per the proof of service, also filed October 21, 2026.

Respondent filed no Responsive Declaration and no I&E.

The parties' Marital Settlement Agreement (attached to the Judgment of Dissolution entered February 03, 2026) provides that Petitioner shall have primary physical custody of the children and Respondent shall have "fair and generous parenting time." Additionally, Petitioner shall pay Respondent $500 child support on the first of each month until the parties' eldest child reaches the age of majority.

Petitioner's RFO alleges Respondent "makes little effort to exercise his parenting time" and Petitioner has custody of the children 98 percent of the time.

Petitioner's I&E claims her gross monthly earnings is $11,700.00. The supporting documentation attached to Petitioner's I&E, however, shows an annual salary of $109,141.00 (which would result in an average of $9,095.08 gross monthly earnings) and a year-to-date total gross earnings of $72,659.02 through August 22, 2026 (which would result in an average of $9,423.99 gross monthly earnings - $72,659.02 / 7.71 months = $9,423.99). Based on Petitioner's paystub issued September 03, 2026, the court finds that Petitioner's earns $9,424.00 monthly (rounded up from $9,423.99 to the nearest dollar amount). Additionally, Petitioner is entitled to the following deductions: (1) $586.00 for mandatory retirement payments; (2) $840.00 for health insurance premiums; and (3) $1,000 for real property taxes.

The only evidence of Respondent's current income before the court is the alleged estimate of $8,000.00 (self-employed income) in Petitioner's I&E. Petitioner's estimate is based upon historical knowledge of Respondent's construction business over the years during the parties' marriage. In the absence of other evidence, the court will use this figure for purposes of calculating child support.

As shown in the attached XSpouse calculation printout, Respondent is ordered to pay Child Support to the Petitioner in the amount of $2,489.00 beginning October 01, 2026, and the first of each month thereafter until further order of the court. The court orders Respondent to pay Petitioner $672.03 Child Support for the month of September 2026 (27 percent of the monthly support amount).

This results in a Child Support arrears balance of $5,650.03, including September through November 2026, inclusive. The court orders Respondent to pay Petitioner $550.00

as and for arrears beginning December 01, 2026. Further arrears payments are due on the first day of each month until paid in full (approximately 10 months). If there is any missed or late payment, the full amount is due and owing.

The court also grants Petitioner's request that Respondent pay for half the costs of the children's daycare. The court will not set a payment amount. Instead, Petitioner shall provide Respondent copies of childcare invoices/billing within a reasonable time after issuance and either: (1) give Respondent proof that Petitioner has paid the full amount and ask Respondent for reimbursement of half the amount; or (2) provide Respondent proof of Petitioner's partial payment and ask Respondent to pay his share of the costs directly to the childcare provider. (See, Judicial Council form FL-192 ["Notice of Rights and Responsibilities Regarding Child Support"].)

TENTATIVE RULING #3: AS SHOWN IN THE ATTACHED XSPOUSE CALCULATION PRINTOUT, RESPONDENT IS ORDERED TO PAY CHILD SUPPORT TO THE PETITIONER IN THE AMOUNT OF $2,489.00 BEGINNING OCTOBER 01, 2026, AND THE FIRST OF EACH MONTH THEREAFTER UNTIL FURTHER ORDER OF THE COURT. THE COURT ORDERS RESPONDENT TO PAY PETITIONER $672.03 CHILD SUPPORT FOR THE MONTH OF SEPTEMBER 2026 (27 PERCENT OF THE MONTHLY SUPPORT AMOUNT). THIS RESULTS IN A CHILD SUPPORT ARREARS BALANCE OF $5,650.03, INCLUDING SEPTEMBER THROUGH NOVEMBER 2026, INCLUSIVE. THE COURT ORDERS RESPONDENT TO PAY PETITIONER $550.00 AS AND FOR ARREARS BEGINNING DECEMBER 01, 2026. FURTHER ARREARS PAYMENTS ARE DUE ON THE FIRST DAY OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 10 MONTHS). IF THERE IS ANY MISSED OR LATE PAYMENT, THE FULL AMOUNT IS DUE AND OWING.

ADDITIONALLY, THE COURT ORDERS RESPONDENT TO PAY HALF OF THE CHILDREN'S CHILDCARE COSTS. PETITIONER SHALL PROVIDE RESPONDENT COPIES OF CHILDCARE INVOICES/BILLING WITHIN A REASONABLE TIME AFTER ISSUANCE AND EITHER: (1) GIVE RESPONDENT PROOF THAT PETITIONER HAS PAID THE FULL AMOUNT AND ASK RESPONDENT FOR REIMBURSEMENT OF HALF THE AMOUNT; OR (2) PROVIDE RESPONDENT PROOF OF PETITIONER'S PARTIAL PAYMENT AND ASK RESPONDENT TO PAY HIS SHARE OF THE COSTS DIRECTLY TO THE CHILDCARE PROVIDER. (SEE, JUDICIAL COUNCIL FORM FL-192 ["NOTICE OF RIGHTS AND RESPONSIBILITIES REGARDING CHILD SUPPORT"].)

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY <u>PHONE CALL</u> 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 <u>LEWIS V. SUPERIOR COURT</u>, 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.

If a party previously registered to appear remotely for the hearing but does not request oral argument and does not intend to appear at the hearing, the party **must** cancel their remote appearance registration through the online self-registration platform. The Court will not cancel a remote appearance on behalf of a party. If a party fails to cancel their remote appearance registration in accordance with the Court's remote appearance procedures, the party will not be issued a refund. To cancel a remote appearance registration, please visit the self-registration platform at: https://register.eldorado.courtroom.tech/login.

If a party submits a request for oral argument in compliance with Local Rules and wishes to appear remotely for oral argument, instructions for remote appearances can be found on the Court's website: https://www.eldorado.courts.ca.gov/online-services/remote-appearances.

Fixed Shares	Father		Mother	
#of children	0		3	
% time with NCP	2.00 %		0.00 %	
Filing status	SINGLE		SINGLE	
# exemptions	1	*	4	*
Wages+salary	0		9424	
Self-employed income	8000		0	
Other taxable income	0		0	
TANF+CS received	0		0	
Other nontaxble income	0		0	
New spouse income	0		0	
401(k) employee contrib	0		0	
Adjustments to income	0		0	
SS paid prev marriage	0		0	
CS paid prev marriage	0		0	
Health insurance	0		840	
Other medical expense	0		0	
Property tax expense	0		1000	
Ded interest expense	0		0	
Charitable contributions	0		0	
Misc tax deductions	0		0	
Qual bus income ded	0		0	
Required union dues	0		0	
Mandatory retirement	0		586	
Hardship deduction	0	*	0	*
Other GDL deductions	0		0	
Child care expenses	0		0	

Monthly figures

2026

GUIDELINE

Nets(adjusted)

Father	5643
Mother	6276
Total	11919

Support

Addons	0
Guideln CS	-2489
Alameda SS	0
Total	-2489

-

Proposed Tactic 9

CS	-2795
SS	0
Total	-2795
Saving	27
Releases	3

Released to Father

Cash Flow

	Guideline	Proposed
Comb. net spendable	11919	11946
Percent change	0%	0%
Father		
Payment cost/benefit	-2489	-2123
Net spendable income	3154	3521
Change from guideline	0	367
% of combined spendable	26%	29%
% of saving over guideline	0%	1360%
Total taxes	2357	1684
Dep. exemption value	0	0
# withholding allowances	0w	0w
Net wage paycheck	0	0
Mother		
Payment cost/benefit	2489	2150
Net spendable income	8765	8426
Change from guideline	0	-340
% of combined spendable	74%	71%
% of saving over guideline	0%	-1260%
Total taxes	1722	2368
Dep. exemption value	0	0
# withholding allowances	0	0
Net wage paycheck	6496	6496

Father pays Guideline CS, Proposed CS

FC 4055 checking: **ON**

Per Child Information

	Timeshare	cce(F)	cce(M)	Addons	Payor	Basic CS	Payor	Pres CS	Payor
All children	1 - 99	0	0	0	Father	2489	Father	2489	Father
	2 - 98	0	0	0	Father	476	Father	476	Father
	2 - 98	0	0	0	Father	741	Father	741	Father
	2 - 98	0	0	0	Father	1273	Father	1273	Father

4. SANDRA GAIL WIRTH V. ROBERT JON WIRTH SFL20160123

This matter is on calendar for a Readiness Conference in advance of the contested hearing set for November 12, 2026, as well as confirmation that the parties have complied with the court's previous discovery orders.

TENTATIVE RULING #4: APPEARANCES ARE REQUIRED AT 8:30 A.M., NOVEMBER 04, 2026, IN DEPARTMENT 12.

If an eligible party wishes to appear remotely, instructions for remote appearance can be found on the Court's website at: https://www.eldorado.courts.ca.gov/online-services/remote-appearances.

5. SHAN MICHAEL WOOLDRIDGE V. KIMBERLY AGUILAR 24FL1099

This action was filed on October 23, 2024. To date, there is no proof of service on the Respondent in the court's file. Code of Civil Procedure section 583.420 authorizes the court to 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).)

Notice of this two-year dismissal hearing was mailed to the Petitioner at his address on file with the court.

Pursuant to Code of Civil Procedure section 583.420, the court dismisses the action without prejudice.

TENTATIVE RULING #5: PURSUANT TO CODE OF CIVIL PROCEDURE SECTION 583.420, THE COURT DISMISSES THE ACTION 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.

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If a party submits a request for oral argument in compliance with Local Rules and wishes to appear remotely for oral argument, instructions for remote appearances can be found on the Court's website: https://www.eldorado.courts.ca.gov/online-services/remote-appearances.