

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
September 25, 2025
8:30 a.m./1:30 p.m.

1. OMAR ATEBAR V. MINA ATEBAR

PFL20140638

On July 11, 2025, Petitioner filed a Request for Order (RFO) seeking child custody and visitation orders as well as child support. He filed his Income and Expense Declaration concurrently therewith. All documents were served by mail on July 17th. This is a post-judgment request for modification of custody orders. As such, it was required to be personally served or, if served by mail, Petitioner was required to complete and file a Declaration Regarding Address Verification – Post Judgment Request to Modify a Child Custody, Visitation, or Child Support Order, which he has not done. See Fam. Code § 215.

Despite the defect in service, Respondent filed a Responsive Declaration to Order to Show Cause or Notice of Motion and a Declaration on August 4th. The Proof of Service indicates only the Responsive Declaration was served. There is no Proof of Service for the accompanying Declaration therefore the court cannot consider it. Respondent has not filed an Income and Expense Declaration.

The parties attended Child Custody Recommending Counseling (CCRC) on August 11, 2025. They were unable to reach any agreements therefore a report with recommendations was prepared and mailed to the parties on September 12, 2025.

Petitioner is requesting sole legal and sole physical custody of the minor. He provides a proposed visitation and holiday schedule for the parties to adhere to. He further requests the court reinstate child support and issue a wage assignment for backpay due to Respondent's failure to pay support for approximately 1.5 years.

Respondent is requesting the court maintain the order from October 17, 2019 with some modifications. She further states that she is willing to comply with a fair and accurate support order, but she asks that Petitioner be ordered to disclose complete and truthful financial records including tax returns and asset documents.

After reviewing the filings as outlined above the court finds the recommendations contained in the CCRC report to be in the best interests of the minor. Therefore they are hereby adopted as the orders of the court.

Given the inconsistencies in Petitioner's Income and Expense Declaration, and the complete lack of an Income and Expense Declaration from Respondent, the issue of support is continued to 11/06/2025 at 8:30 AM in department 5. The parties are ordered to file and serve complete Income and Expense Declarations, with the required supporting

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documents, no later than 10 days prior to the next hearing date. The court reserves jurisdiction to award support back to the date of filing the RFO.

Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #1: THE RECOMMENDATIONS CONTAINED IN THE SEPTEMBER 12, 2025 CCRC REPORT ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT. THE ISSUE OF SUPPORT IS CONTINUED TO 11/06/2025 AT 8:30 AM IN DEPARTMENT 5. THE PARTIES ARE ORDERED TO FILE AND SERVE COMPLETE INCOME AND EXPENSE DECLARATIONS, WITH THE REQUIRED SUPPORTING DOCUMENTS, NO LATER THAN 10 DAYS PRIOR TO THE NEXT HEARING DATE. THE COURT RESERVES JURISDICTION TO AWARD SUPPORT BACK TO THE DATE OF FILING THE RFO. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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) 621-6725 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, 1247 (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. ERICA CANTWELL V. TIMOTHY CANTWELL

24FL1191

On April 28, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders, support orders, attorney's fees, and other financial orders. Hearing on the RFO was held on July 24th, at which time all issues were resolved with the exception of the issues of support, the distribution of the net proceeds from the sale of the home, and the *Moore/Marsden* calculation.

Respondent filed and served his Supplemental Declaration and his Income and Expense Declaration on September 10th.

Petitioner filed and served her updated Income and Expense Declaration on September 16th.

Neither party has submitted information regarding the *Moore/Marsden* calculation. As such, the court is once again reserving jurisdiction over the proceeds from the sale of the home and the *Moore/Marsden* calculation until the time of trial.

Regarding support, according to Respondent, Petitioner has passed her Certified Nursing Assistant (CNA) test and is licensed as of August 30th. Nevertheless, it does not appear from Respondent's Income and Expense Declaration that she has obtained full-time employment. The parties are ordered to appear on the issue of support and to address whether Petitioner should be imputed with monthly income commensurate with that of a full-time CNA.

TENTATIVE RULING #2: THE COURT RESERVES JURISDICTION OVER THE PROCEEDS FROM THE SALE OF THE HOME AND THE *MOORE/MARSDEN* CALCULATION UNTIL THE TIME OF TRIAL. THE PARTIES ARE ORDERED TO APPEAR ON THE ISSUE OF SUPPORT AND TO ADDRESS WHETHER PETITIONER SHOULD BE IMPUTED WITH MONTHLY INCOME COMMENSURATE WITH THAT OF A FULL-TIME CNA.

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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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3. ERIN CHRISTENSEN V. MICHAEL CHRISTENSEN

PFL20200065

On February 5, 2025, Respondent filed a Request for Order (RFO) seeking to set aside the default/default judgment. Petitioner did not file a Responsive Declaration to Request for Order. The court granted the RFO on May 22, 2025 and Respondent filed his Response to the Petition on May 30th.

On July 9, 2025, Petitioner filed an RFO requesting the court reconsider its May 22nd ruling. It was personally served on September 4th. The court finds this to be untimely pursuant to Civil Procedure section 1005(b) which states all moving papers are to be filed and served at least sixteen court days before the hearing date. Section 12c states, “[w]here any law requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, *excluding the day of the hearing* as provided by Section 12.” Cal. Civ. Pro. § 12c. Section 1005(b) in conjunction with Section 12c would have made September 3rd the last day to serve the RFO.

Despite the untimely service of the RFO, Respondent filed a Responsive Declaration to Request for Order on September 10, 2025. It was served on September 5th.

Petitioner asks the court to reconsider its May 22, 2025 ruling vacating the Default Judgment which was entered on January 24, 2022. Respondent opposes the motion arguing that Petitioner failed to establish any new facts or circumstances that would warrant reconsideration.

Any party may move for reconsideration of a court’s order where the moving party (1) has been affected by the court’s order; and (2) moves for reconsideration within 10 days of the service upon the moving party written notice of the entry of the order. Cal. Civ. Pro. § 1008. The moving party must establish “...new or different facts, circumstances, or law...” that would warrant reconsideration of the order and such facts, circumstances or law shall be set forth in a written affidavit including “...what application was made before, when and to what judge, [and] what order or decisions were made...” *Id.* The moving party must also provide a satisfactory explanation for its failure to present the new or different facts or law earlier. *Yolo County Dept. of Child Support Services v. Myers*, 248 Cal. App. 4th 42, 50 (2016).

While Petitioner does provide the court with some evidence that was not before it prior to the May 22nd ruling, she does not provide any satisfactory explanation as to why she

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was unable to provide the court with that information at the time of the original hearing. As such, she has failed to meet her burden under Civil Procedure § 1008 and the motion is denied.

Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #3: PETITIONER HAS FAILED TO MEET HER BURDEN UNDER CIVIL PROCEDURE § 1008 AND AS SUCH THE MOTION FOR RECONSIDERATION IS DENIED. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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4. CLETUS COTTON V. ELIZABETH MARIA COTTON

24FL0920

On April 22, 2025, Petitioner filed a Request for Order (RFO) seeking a variety of orders as stated therein. He filed his Income and Expense Declaration concurrently therewith. All required documents were served on April 24th.

The matter came before the court for hearing on July 24, 2025, at which time the court granted Petitioner's requests for sole legal and sole physical custody. Respondent was not granted any visitation. He was ordered to complete a 52-week batterer's intervention program. The court noted the parties had reached agreements for child support and spousal support and were working on a Marital Settlement Agreement (MSA). Those issues were continued to the present date.

There have been no filings since the July 24th hearing.

The parties are ordered to appear for the hearing to update the court on the status of the MSA.

TENTATIVE RULING #4: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING TO UPDATE THE COURT ON THE STATUS OF THE MSA.

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5. FRANCES D'AGOSTINI V. ROBERT D'AGOSTINI

23FL1070

On July 22, 2025, Respondent filed a Request for Order (RFO) seeking to compel Petitioner's deposition. He filed a Declaration of James D. Wigger and a Memorandum of Points and Authorities in support thereof. Because the RFO was originally filed *ex parte*, Petitioner filed her Responsive Declaration to Request for Order and her Memorandum of Points and Authorities on July 21st. The matter was denied *ex parte* and set to be heard on the regular law and motion calendar.

On July 23rd, Petitioner filed an RFO seeking to compel further discovery responses by Respondent. She filed an Income and Expense Declaration concurrently therewith. All required documents were mail served on July 24th.

Petitioner filed another RFO on August 28th seeking joinder of several companies. She filed a Petition for Joinder concurrently therewith. All required documents were served by mail on September 3rd. The court finds this to be untimely pursuant to Civil Procedure section 1005(b) which states that all moving papers are to be filed and served at least sixteen court days before the hearing date. "However, if the notice is served by mail, the required 16-day period of notice before the hearing shall be increased by five calendar days if the place of mailing and the place of address are within the State of California..." *Id.* In accordance with the foregoing, August 29th was the last day to serve the motion by mail.

Respondent filed and served a Responsive Declaration to Request for Order on September 11th in response to each of Petitioner's pending RFOs.

Petitioner filed and served a Reply Declaration and a Supplemental Reply Declaration on September 17th.

As a general rule, discovery is to be completed on the 30th day prior to the trial date, and discovery motions are to be heard on or before the 15th day "before the date *initially set for trial*..." Cal. Civ. Pro. § 2024.020(a)(emphasis added). A continuance or postponement of the trial date by itself, does not automatically reopen discovery proceedings. *Id.* at (b).

Trial in this matter was originally set to commence on August 12, 2025. On August 7th, the parties stipulated to continue the trial date, though they did not stipulate to keep discovery open and calculate discovery cutoff dates based on the continued trial date. As such, July 31st was the last day to hear either of the discovery motions. Accordingly, Respondent's motion to compel Plaintiff's deposition is denied as untimely and Plaintiff's motion to compel further discovery responses of Respondent is denied as untimely.

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TENTATIVE RULING #5: PETITIONER'S AUGUST 28TH RFO IS DENIED DUE TO UNTIMELY SERVICE. RESPONDENT'S MOTION TO COMPEL PLAINTIFF'S DEPOSITION IS DENIED AS UNTIMELY AND PLAINTIFF'S MOTION TO COMPEL FURTHER DISCOVERY RESPONSES OF RESPONDENT IS DENIED AS UNTIMELY.

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6. KRISTA HARDWICK V. CHRISTOPHER HARDWICK

24FL0251

On May 21, 2025, the parties appeared before the court for hearing on a Request for Domestic Violence Restraining Order (DVRO) filed by Petitioner. The DVRO was denied, and the court referred the parties to Child Custody Recommending Counseling (CCRC) with an appointment on June 18, 2025. A review hearing was set for August 7th, though it was continued to the present date by stipulation of the parties.

The parties attended CCRC as scheduled. They were unable to reach any agreements therefore a report with recommendations was prepared on July 24, 2025. It was mailed to the parties on July 25th.

After reviewing the recommendations contained in the July 24, 2025 CCRC report, the court finds them to be in the best interests of the children, and they are hereby adopted as the orders of the court. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #6: AFTER REVIEWING THE RECOMMENDATIONS CONTAINED IN THE JULY 24, 2025 CCRC REPORT, THE COURT FINDS THEM TO BE IN THE BEST INTERESTS OF THE CHILDREN AND THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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) 621-6725 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, 1247 (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. MONIQUE LEMIRE V. JADEN KNIGHT

PFL20210554

On June 3, 2025, the parties appeared before the court for hearing on Petitioner's request to renew the Domestic Violence Restraining Order (DVRO). The request was granted. Thereafter, on June 20, 2025, Petitioner filed a Request for Order (RFO) seeking prevailing party attorney's fees pursuant to Family Code § 6344. She filed her Income and Expense Declaration concurrently therewith. All required documents were served on June 24th.

Respondent has not filed a Responsive Declaration to Request for Order. Where a party fails to timely file opposition papers the court, in its discretion, may treat said failure "as an admission that the motion or other application is meritorious." El Dorado County, Local Rule 7.10.02(C). Here, it appears the RFO was timely and properly served on Respondent. He had notice of the pending requests and chose not to file an opposition to the RFO. As such, the court finds good cause to treat his failure to do so as an admission that the claims made in the RFO are meritorious.

Petitioner is requesting attorney's fees in the amount of \$6,000 for the DVRO trial preparation and appearance.

Family Code section 6344 is the mechanism by which a prevailing party on a DVRO request may recover their attorney's fees and costs. If the prevailing party was the party that filed for the DVRO then, "[a]fter notice and a hearing, a court, upon request *shall issue and order for the payment of attorney's fees and costs.*" Cal. Fam. Code § 6344 (a). However, "[b]efore a court awards attorney's fees and costs pursuant to this section, the court shall first determine pursuant to Section 270 that the party ordered to pay has, or is reasonably likely to have, the ability to pay." *Id.* at (c).

Here, Respondent has not opposed the RFO and therefore he has not provided the court with any information regarding his ability to pay or lack thereof. That said, Petitioner estimates Respondent's monthly income is approximately \$7,500. Almost double that of Petitioner's. As such, the court is awarding the full amount of \$6,000. However, the monthly payment is being set rather low to ensure Respondent's ability to pay.

Respondent is ordered to pay Petitioner's attorney \$6,000 as and for attorney's fees. This amount is to be paid in monthly increments of \$250 commencing on October 15, 2025 and continuing until paid in full (approximately 24 months). If any payment is missed or late, the entire amount shall become immediately due and payable.

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Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #7: RESPONDENT IS ORDERED TO PAY PETITIONER'S ATTORNEY \$6,000 AS AND FOR ATTORNEY'S FEES. THIS AMOUNT IS TO BE PAID IN MONTHLY INCREMENTS OF \$250 COMMENCING ON OCTOBER 15, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 24 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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8. MEGAN A PIERCE V. TYLER L PIERCE

25FL0574

On July 11, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders as well as orders for child support, spousal support, and attorney's fees. She filed her Income and Expense Declaration concurrently therewith. Both were originally filed on an ex parte basis. As such, Respondent filed his Responsive Declaration to Request for Order, his First Amended Responsive Declaration to Request for Order and his Income and Expense Declaration on the same day. There is a Proof of Service for an FL-120, FL-105/hc-120. There is no Proof of Service for any of Respondent's responsive documents therefore the court cannot consider them.

Respondent filed and served an RFO on August 12th seeking orders related to the sale of the marital residence. Petitioner filed and served her Responsive Declaration to Request for Order on September 12th.

Petitioner's Supplemental Declaration was filed and served on September 17th.

The parties attended Child Custody Recommending Counseling (CCRC) on August 8, 2025. They were able to reach agreements regarding custody and visitation. A report with those agreements was prepared the same day. It was mailed to the parties on August 13th.

Petitioner originally requested joint legal and physical custody of the minors with Respondent to have visits alternating weekends from Thursday evening to Sunday afternoon until school begins. During the school year she proposed Respondent's visits to occur Fridays after school to Sunday afternoon. However, as of the date of her Supplemental Declaration, Petitioner is requesting sole legal and sole physical custody of Jace and joint legal and physical custody of Elias. She asks that the court order reunification counseling between Respondent and Jace as well as several additional modifications to the CCRC report. She requests guideline child support in the amount of \$3,601 (this is based on a 14% timeshare) and spousal support in the amount of \$1,860. Attached to her Supplemental Declaration she provides the court with a proposed Xspouse report. Finally, she requests attorney's fees in the amount of \$10,000 pursuant to Family Code § 2030 and 2032.

Respondent requests the court order the sale of the community property residence located on Bird Haven Loop in Cool, CA. He asks that both parties be ordered to cooperate in the prompt listing, marketing, and sale of the property or, alternatively, for Respondent to be assigned all duties associated therewith. He expects there to be negative equity in the

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home of at least \$52,000, and he asks that the parties be ordered to pay off the negative equity. He requests the court reserve jurisdiction over the characterization of any new loan taken out to do so. Finally, he requests orders allocating the payments of the mortgage, property taxes, HELOC, and solar loan, and any additional orders as the court deems necessary.

Petitioner agrees to sell the marital residence and fully cooperate in the sale. Alternatively, she agrees to sign a Quitclaim deed to provide Respondent with the ability to sell the home without her involvement. If Respondent obtains a loan to pay off any shortfall on the home, Petitioner does not agree to be jointly liable for that loan, however she does agree that Respondent may be credited with payment of the joint debt in the final division at trial. She asks that Respondent be ordered to pay the mortgage, property taxes, HELOC, and solar loan until the sale. She agrees that he may request reimbursement for these expenses. Likewise, she will be requesting reimbursement for expenses she has incurred in preparing the home for sale.

After reviewing the filings as outlined above, the court finds the agreements contained in the CCRC report to be in the best interests of the minors with the following modifications. For Thanksgiving break, Respondent shall have parenting time the Friday after Thanksgiving to the following Friday. Regarding the co-parenting classes, the parties are not obligated to take the classes together. Respondent may join the classes that Petitioner has already committed to, or he may choose to take co-parenting classes separately. Petitioner's request for visitation to occur every other weekend is denied. The agreed upon parenting plan does allow for Petitioner to have parenting time on the second weekend of each month. Her request for splitting Christmas break is likewise denied as it does not ensure that each party would have parenting time on Christmas day as they agreed to at CCRC.

Regarding support, Petitioner's requests are granted. Utilizing the same figures as outlined in the Xspouse report attached as Exhibit A to Petitioner's Supplemental Declaration, the court finds that spousal support per the Alameda formula is \$1,860 per month and child support is \$3,601 per month. The court adopts the Xspouse report attached as Exhibit A to Petitioner's September 17th Supplemental Declaration and orders Respondent to pay Petitioner \$5,461 per month as and for child support and temporary spousal support, payable on the 15th of the month until further order of the court or legal termination. This order is effective as of July 15, 2025.

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The court finds the above order results in arrears in the amount of \$16,383 through and including September 15, 2025. The court orders Respondent pay Petitioner \$682.63 on the 1st of each month commencing on October 1, 2025 and continuing until paid in full (approximately 24 months). If any payment is missed or late, the entire amount shall become immediately due and payable with legal interest.

The parties are ordered to sell the residence located on Bird Haven Loop in Cool, CA forthwith. Both parties are ordered to fully cooperate in the preparation, listing, and sale of the home without unreasonable delay. Until the home is sold, Respondent shall be responsible for payment of the mortgage, property taxes, HELOC, and solar loan. The court reserves jurisdiction over Respondent's receipt of a credit for any payments made. The parties are to equally share in the payment of any shortfall on the home equity. If a loan is obtained to pay off the shortfall, the court reserves jurisdiction over the characterization of that loan until the final division of property.

Regarding attorney's fees, the public policy of Family Code section 2030 is to provide "at the outset of litigation, consistent with the financial circumstances of the parties, parity between spouses in their ability to obtain effective legal representation." In *Re Marriage of Keech*, 75 Cal. App. 4th 860, 866 (1999). In keeping with that policy, where a request for such fees is made, the court is to make findings on "whether there is a disparity in access to funds to retain counsel, and whether one party is able to pay for legal representation of both parties." Fam. Code § 2030(a)(2).

Here, while there is a disparity in income, that disparity is significantly decreased after the support payments begin. Additionally, the support orders coupled with the orders for Respondent to take over payments on the home, the court is concerned with Respondent's ability to pay his own living expenses as well as the attorney's fees for himself and Petitioner. As such, the request for attorney's fees is denied at this time.

Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #8: THE COURT FINDS THE AGREEMENTS CONTAINED IN THE CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS WITH THE FOLLOWING MODIFICATIONS. REGARDING THANKSGIVING, RESPONDENT SHALL HAVE PARENTING TIME THE FRIDAY AFTER THANKSGIVING TO THE FOLLOWING FRIDAY. REGARDING THE CO-PARENTING CLASSES, THE PARTIES ARE NOT OBLIGATED TO TAKE THE CLASSES TOGETHER. RESPONDENT MAY JOIN THE CLASSES THAT PETITIONER HAS ALREADY COMMITTED TO OR HE MAY CHOOSE TO TAKE CO-

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PARENTING CLASSES SEPARATELY. PETITIONER'S REQUEST FOR VISITATION TO OCCUR EVERY OTHER WEEKEND IS DENIED. THE AGREED UPON PARENTING PLAN DOES ALLOW FOR PETITIONER TO HAVE PARENTING TIME ON THE SECOND WEEKEND OF EACH MONTH. HER REQUEST FOR SPLITTING CHRISTMAS BREAK IS LIKEWISE DENIED AS IT DOES NOT ENSURE THAT EACH PARTY WOULD HAVE PARENTING TIME ON CHRISTMAS DAY AS THEY AGREED TO AT CCRC.

REGARDING SUPPORT, PETITIONER'S REQUESTS ARE GRANTED. UTILIZING THE SAME FIGURES AS OUTLINED IN THE XSPOUSE REPORT ATTACHED AS EXHIBIT A TO PETITIONER'S SUPPLEMENTAL DECLARATION, THE COURT FINDS THAT SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$1,860 PER MONTH AND CHILD SUPPORT IS \$3,601 PER MONTH. THE COURT ADOPTS THE XSPOUSE REPORT ATTACHED AS EXHIBIT A TO PETITIONER'S SEPTEMBER 17TH SUPPLEMENTAL DECLARATION AND ORDERS RESPONDENT TO PAY PETITIONER \$5,461 PER MONTH AS AND FOR CHILD SUPPORT AND TEMPORARY SPOUSAL SUPPORT, PAYABLE ON THE 15TH OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THIS ORDER IS EFFECTIVE AS OF JULY 15, 2025.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$16,383 THROUGH AND INCLUDING SEPTEMBER 15, 2025. THE COURT ORDERS RESPONDENT PAY PETITIONER \$682.63 ON THE 1ST OF EACH MONTH COMMENCING ON OCTOBER 1, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 24 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE WITH LEGAL INTEREST.

THE PARTIES ARE ORDERED TO SELL THE RESIDENCE LOCATED ON BIRD HAVEN LOOP IN COOL, CA FORTHWITH. BOTH PARTIES ARE ORDERED TO FULLY COOPERATE IN THE PREPARATION, LISTING, AND SALE OF THE HOME WITHOUT UNREASONABLE DELAY. UNTIL THE HOME IS SOLD, RESPONDENT SHALL BE RESPONSIBLE FOR PAYMENT OF THE MORTGAGE, PROPERTY TAXES, HELOC, AND SOLAR LOAN. THE COURT RESERVES JURISDICTION OVER RESPONDENT'S RECEIPT OF A CREDIT FOR ANY PAYMENTS MADE. THE PARTIES ARE TO EQUALLY SHARE IN THE PAYMENT OF ANY SHORTFALL ON THE HOME EQUITY. IF A LOAN IS OBTAINED TO PAY OFF THE SHORTFALL, THE COURT RESERVES JURISDICTION OVER THE CHARACTERIZATION OF THAT LOAN UNTIL THE FINAL DIVISION OF PROPERTY.

THE REQUEST FOR ATTORNEY'S FEES IS DENIED AT THIS TIME.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
September 25, 2025
8:30 a.m./1:30 p.m.

PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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) 621-6725 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, 1247 (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 5
September 25, 2025
8:30 a.m./1:30 p.m.

9. JAMES VERANDES V. ALLISON VERANDES

PFL20170788

On April 30, 2025, the parties reached a stipulation regarding Respondent's request for a Domestic Violence Restraining Order and participation in a Family Code section 3111 evaluation. The court accepted the parties' stipulation and set a review hearing for July 31, 2025.

On July 10, 2025, the parties submitted a stipulation to continue the review hearing to allow additional time to complete the evaluation. The matter was continued to September 11, 2025 at 8:30 AM in Department 5.

On September 3, 2025, the matter was again continued by stipulation of the parties, as the Family Code section 3111 report was not complete. The hearing was rescheduled for September 25, 2025.

Petitioner filed a Declaration with proof of completion of a Parent Education and Family Stabilization course as well as anger management training. Parties were served electronically on September 11th.

Upon review of the court file, at the time of the writing, the court has not received the Family Code section 3111 report. As such, the court finds good cause to continue the matter to 10/23/2025 at 8:30 AM in Department 5.

All prior orders remain in full force and effect.

TENTATIVE RULING #9: THE COURT FINDS GOOD CAUSE TO CONTINUE THE MATTER TO 10/23/2025 AT 8:30 AM IN DEPARTMENT 5. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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) 621-6725 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, 1247 (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 5
September 25, 2025
8:30 a.m./1:30 p.m.

10. THOMAS WALBOLT V. MONICA WALBOLT

24FL0499

11. MONICA WALBOLT V. THOMAS WALBOLT

24FL0517

On July 17, 2025, the parties entered into a stipulation to dismiss the mutual requests for Domestic Violence Restraining Orders. The parties stipulated to set a hearing on September 25, 2025, for a return from Private Mediation.

The private Child Custody Recommending Counseling (CCRC) report was filed with the court on September 5, 2025 in case number 24FL0499. The court takes judicial notice of the report for case 24FL0517.

Petitioner in 24FL0517, filed a Declaration on August 22, 2025. It was served on Respondent the same day.

Both parties participated in private CCRC and reached a full agreement. The parties' agreement is codified in the September 5th report.

The court has read and considered the filings as outlined above including the September 5th private CCRC report. The court finds the parties' agreements to be in the best interest of the minors. The court adopts the agreements as its orders.

Petitioners in each respective case shall prepare and file the Findings and Orders After Hearing. All prior orders not in conflict with these orders remain in full force and effect.

TENTATIVE RULING #10 & 11: THE COURT FINDS THE PARTIES' AGREEMENTS AS STATED IN THE SEPTEMBER 5, 2025 PRIVATE MEDIATION REPORT TO BE IN THE BEST INTEREST OF THE MINORS. THE COURT ADOPTS THE AGREEMENTS AS ITS ORDERS. PETITIONERS IN EACH RESPECTIVE CASE SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING. ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE ORDERS REMAIN IN FULL FORCE AND EFFECT.

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) 621-6725 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, 1247 (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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

September 25, 2025

8:30 a.m./1:30 p.m.

**THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE
8.05.07.**

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
September 25, 2025
8:30 a.m./1:30 p.m.

12. COUNTY OF SACRAMENTO V. MICHAEL BURNS (OTHER PARENT: ASHELY MAYER)
PFS20150203

Other Parent filed an ex parte application for emergency custody orders on July 8, 2025. On July 9, 2025, the court denied the request and referred the parties to Child Custody Recommending Counseling (CCRC). Other Parent filed a Request for Order (RFO) on July 9, 2025, making the same requests as set forth in the ex parte application. Upon review of the court file, there is no Proof of Service showing Petitioner or Respondent were properly served.

Both parties and the minors participated in the CCRC appointment on August 6, 2025. The parties were unable to reach any agreements. A report with recommendations was filed with the court on August 29, 2025. Copies were mailed to the parties on September 3, 2025.

Neither Petitioner nor Respondent has filed a Responsive Declaration.

The court finds good cause to proceed, despite the lack of proper service, as Respondent participated in the CCRC appointment and is aware of the requested orders. The court has read and considered the August 29th CRCC report and finds portions of the recommendations to be in the best interest of the minors. The court is adopting recommendations #3 and #4 only. The court is not adopting recommendations #1 or #2. As to #1, the court does not find that Respondent having temporary physical custody would be in the minor's best interests. Further, the court does not find a professional home inspection is warranted. As to recommendation #2, the court cannot order Sacramento County Child Protective services to conduct an investigation, as they are not a party to this action, and therefore, the court does not have jurisdiction over them. The court is maintaining all current orders.

All prior orders not in conflict with this order remain in full force and effect. Other Parent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #12: THE COURT FINDS GOOD CAUSE TO PROCEED, DESPITE THE LACK OF PROPER SERVICE, AS RESPONDENT PARTICIPATED IN THE CCRC APPOINTMENT AND IS AWARE OF THE REQUESTED ORDERS. THE COURT HAS READ AND CONSIDERED THE AUGUST 29TH CRCC REPORT AND FINDS PORTIONS OF THE RECOMMENDATIONS TO BE IN THE BEST INTEREST OF THE MINORS. THE COURT IS ADOPTING RECOMMENDATIONS #3 AND #4 ONLY. THE COURT IS NOT ADOPTING

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**RECOMMENDATIONS #1 OR #2. THE COURT IS MAINTAINING ALL CURRENT ORDERS.
ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND**

**EFFECT. OTHER PARENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER
HEARING.**

**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) 621-6725 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, 1247 (1999). NOTICE TO ALL PARTIES OF
A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS
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THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE
8.05.07.**

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
September 25, 2025
8:30 a.m./1:30 p.m.

13. TAMMY EVANS V. CODY EVANS

23FL0016

On May 19, 2025, the court granted requests for a Domestic Violence Restraining Order made by both Petitioner and Respondent. Therefore, the court found the 3044 presumption applied to both parties. The court granted Petitioner temporary sole legal and physical custody and referred the parties to Child Custody Recommending Counseling (CCRC). A review hearing was set for July 24, 2025. The court reserved on the request for child support and spousal support.

Petitioner appeared on August 21, 2025, and requested the court continue the request for spousal support, despite her failure to file an Income and Expense Declaration. The court adopted its tentative ruling as to the custody and parenting plan orders, as well as the request to modify child support, as child support is being handled through the Department of Child Support Services. The court granted Petitioner's request to continue the spousal support request and continued the matter to September 25, 2025. The court ordered both parties to file an updated Income and Expense Declaration.

Petitioner filed an Income and Expense Declaration on September 10, 2025. Upon review of the court file, there is no Proof of Service for this document, therefore, the court cannot consider it.

Respondent has not filed an updated Income and Expense Declaration.

The court drops the request for spousal support from calendar due to the failure to file updated Income and Expense Declarations.

All prior orders remain in full force and effect.

TENTATIVE RULING #13: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE FAILURE TO FILE AND SERVE UPDATED INCOME AND EXPENSE DECLARATIONS. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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) 621-6725 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, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

September 25, 2025

8:30 a.m./1:30 p.m.

BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
September 25, 2025
8:30 a.m./1:30 p.m.

14. STEPHEN FABRIS V. JESSICA FAUCI

PFL20200741

Respondent filed a Request for Order (RFO) on July 8, 2025, requesting a modification of child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on August 7, 2025 and a review hearing on September 25th. Upon review of the court file, there is no Proof of Service showing Petitioner was properly served.

Only Petitioner appeared at the CCRC appointment on August 7, 2025. As such, a single parent report was filed on August 7, 2025. Copies were mailed to the parties on August 7th.

Respondent filed a Declaration on August 29, 2025. There is no Proof of Service for this document, therefore, the court cannot consider it.

The court drops the matter from calendar due to the lack of proper service and for the moving party's failure to appear at CCRC.

All prior orders remain in full force and effect.

TENTATIVE RULING #14: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE AND FOR THE MOVING PARTY'S FAILURE TO APPEAR AT CCRC. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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) 621-6725 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, 1247 (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
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September 25, 2025
8:30 a.m./1:30 p.m.

15. BREANDEN KIMBRIEL V. CHELSEA CISCOE

24FL1124

On June 3, 2025, Respondent filed a Request for Order (RFO) seeking a variety of custody and visitation orders. Hearing on this RFO was set for August 21, 2025. The RFO was served on June 19th.

Respondent filed another RFO for custody and visitation orders on July 7th. That RFO was filed on an ex parte basis and as a result, Respondent was granted temporary sole physical custody of the minors, Petitioner was ordered to have professionally supervised visits, and the parties were referred to an emergency set Child Custody Recommending Counseling (CCRC) appointment. A review hearing was set for the present date.

Petitioner filed and served a Responsive Declaration to Request for Order on July 9th.

The parties attended CCRC on July 15th. They were unable to reach an agreement, therefore a report with recommendations was prepared on August 5th and mailed to the parties on August 6th.

In her June 3rd RFO, Respondent makes the following requests: (1) The children not to be left along in the care of parental grandmother, Janeen Kimbriel; (2) Appointment of Minor's Counsel at the shared cost of both parties; (3) All communications to be held through Talking Parents and messages to be responded to within 48 hours; (4) No tracking of the children on phones, or other electronic devices; (5) Petitioner to have visits every 2nd and 4th weekend from Thursday after school or 3:00pm if there is no school to Monday at drop off at school or 8:00am if there is no school; (6) Petitioner to take an age appropriate parenting class; (7) A holiday schedule; and (8) If any corporal punishment is reported by the children, then all visitation with Petitioner to be professionally supervised at Petitioner's cost. As of her July 7th RFO, Respondent changed her requests to sole legal and sole physical custody of the children. She proposes Petitioner have professionally supervised visits, at his sole cost, twice per week for up to two hours per visit. She asks for a stay away order between the children and the paternal grandmother Ms. Kimbriel.

Petitioner opposes the requests. He states that the tracking feature on his phone is disabled, though he does not reference the tracking of the minors on their devices. He further states that he has already enrolled in a parenting class. He too requests the appointment of Minor's Counsel. He asks the court to order a week-on/week-off schedule and to order the children to be enrolled in a school equidistant between the parties. He

LAW & MOTION TENTATIVE RULINGS
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also asks for a stay away order from the maternal grandfather. He proposes the parties each claim one child on taxes until Bentley reaches the age of majority, then they will

alternate claiming Bella annually. Finally, he requests oral argument on the issue of custody and visitation.

Parties appeared for the hearing on August 14, 2025. The court adopted the recommendations of the CCRC report and maintained the current orders pending the outcome of the investigation of the Roseville Police Department. The court appointed Minors' Counsel, Aaron Dosh to represent the minors. The court continued the matter for a further review hearing on the present date. Parties were ordered to file Supplemental Declarations at least 10 days prior to the review hearing.

Respondent filed a Supplemental Declaration on September 15, 2025. Petitioner and Minors' Counsel were served the same day. It does not appear there has been any progress as to the investigation by the Roseville Police Department.

Petitioner filed a Supplemental Declaration on September 15, 2025. Respondent was served the same day. However, there is no Proof of Service showing Minors' Counsel was served. As such, the court cannot consider this document.

Minors' Counsel has not filed a Statement of Issues and Contentions.

The court finds in needs input from Minors' Counsel. The parties are ordered to appear for the hearing.

TENTATIVE RULING #15: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS
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September 25, 2025
8:30 a.m./1:30 p.m.

16. SARAH LESTER V. JASON LESTER

23FL1169

Respondent filed a Request for Order (RFO) on March 17, 2025, seeking a modification of child custody, parenting plan, child and spousal support, as well as attorney's fees. Respondent concurrently filed an Income and Expense Declaration. Proof of Service shows Petitioner was personally served on March 20, 2025 and Minor's Counsel was served the same day. The matter was originally set to be heard on June 12, 2025, but was continued to join with the pending trial. The court has continued to reserve jurisdiction to retroactively modify support to the date of the filing of the petition.

The court concluded trial on Petitioner's move away request on August 27, 2025. The court made custody and parenting plan orders at the time of its ruling. Therefore, the court finds those issues to be moot. The court reserved on the request to modify child and spousal support, and continued those requests to September 25, 2025. The court found it needed additional information from the parties, including accurate timeshare calculations from the time the RFO was filed as well as for the future timeshares based on the court's ruling. The court ordered parties to file and serve updated Income and Expense Declarations at least 10 days before the review hearing as well as declarations regarding the timeshares. The court encouraged the parties to submit proposed X-spouse calculations based on the actual time share that had been exercised from the time of the filing of the RFO as well as for future timeshares based on the court's ruling.

Neither party has filed updated Income and Expense Declarations. Neither party has filed a Supplemental Declaration. As such, the court drops the request to modify child and spousal support from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #16: AS NEITHER PARTY HAS FILED AN UPDATED INCOME AND EXPENSE DECLARATION NOR A SUPPLEMENTAL DECLARATION, THE COURT DROPS THE REQUEST TO MODIFY CHILD AND SPOUSAL SUPPORT FROM CALENDAR. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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) 621-6725 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, 1247 (1999). NOTICE TO ALL PARTIES OF

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

September 25, 2025

8:30 a.m./1:30 p.m.

**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 5
September 25, 2025
8:30 a.m./1:30 p.m.

17. WILLIAM THOMPSON V. KELLY THOMPSON

PFL20190103

Petitioner filed a Request for Order (RFO), on July 8, 2025, seeking modification of spousal support. Petitioner concurrently filed an Income and Expense Declaration. This is a post-judgment request for modification, and Respondent was served in accordance with Family Code section 215.

Respondent filed a Responsive Declaration as well as an Income and Expense Declaration on September 8, 2025. Petitioner was mail served on September 8, 2025. Respondent opposes the requested modification.

The court finds this to be a post-judgment request for modification of spousal support. As such, the court must take testimony on the Family Code section 4320 factors. Therefore, the parties are ordered to appear to select Mandatory Settlement Conference (MSC) and trial dates.

TENTATIVE RULING #17: PARTIES ARE ORDERED TO APPEAR TO SELECT MANDATORY SETTLEMENT CONFERENCE (MSC) AND TRIAL DATES.

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September 25, 2025
8:30 a.m./1:30 p.m.

18. RAKAYLA VISMAN V. JOE JOHNSON, JR.

25FL0356

Petitioner filed a Petition to Establish a Parental Relationship on April 17, 2025. Petitioner is requesting Joe James Johnson, Jr. be found the father of the three minors. There is a Voluntary Declaration of Parentage as to the youngest minor. Further, Petitioner is seeking a name change for the youngest minor. Respondent was personally served on May 7, 2025.

Petitioner filed a Request for Order (RFO) on April 17, 2025, seeking child custody orders and changing the minor's last name. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on May 19, 2025, and a review hearing on July 17th.

Neither party appeared at CCRC.

Petitioner appeared for the hearing on July 17, 2025, and requested the matter be continued to allow her time to perfect service. The court granted the request to continue and directed Petitioner to properly serve Respondent. Additionally, the court re-referred the parties to CCRC.

Proof of Service shows Respondent was personally served with all the necessary documents on August 14, 2025.

Only Petitioner appeared at the CCRC appointment. As such, a single parent report was filed with the court on September 12, 2025. Copies were mailed to the parties on the same day.

The court orders parties to appear for the hearing.

TENTATIVE RULING #18: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
September 25, 2025
8:30 a.m./1:30 p.m.

19. ESPERANZA WOOLEVER V. CHRISTOPHER WOOLEVER

PFL20180325

On February 19, 2025, Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC). On April 15, 2025, Respondent filed a Declaration regarding his attempts to serve Petitioner. The parties appeared before the court for hearing on the OSC on May 22nd, at which time Petitioner agreed to accept electronic service, and the arraignment was continued to August 7, 2025. The OSC was electronically served on May 15th.

Respondent's Supplemental Declaration was filed and served on July 21, 2025.

Parties appeared for the initial arrangement hearing on August 7th. At that time Petitioner was advised of her rights and requested court appointed counsel. The court appointed the Public Defender's Office and continued the arraignment to September 25, 2025. Time was waived by Petitioner.

The parties are ordered to appear for the hearing.

TENTATIVE RULING #19: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.