

Tentative Rulings

Law & Motion and Family Law Calendar for April 22, 2013

April 18, 2013, 4:00p.m.

Department Two

To request a hearing on any matter on this calendar, you must call the Court at 530/283-6305 by 12:00 noon, April 19th, notice of the intention to appear must also be given to all other parties. If the clerk is not notified of a party's intention to appear, there will be no hearing and the tentative ruling becomes the order of the court.

If you do appear and want the matter reported by an official court reporter in unlimited civil, family law or probate, you must pay the \$30.00 court reporter appearance fee as provided by GC§68086(a)(1)(A) before the hearing begins.

Case No. PR13-00010– Conservatorship of Terry

Tentative Ruling: **Appearance required.** The court has not received the investigator's report.

Case No. PR11-00048 – Conservatorship of Cozart

Tentative Ruling: **Granted.** The court finds that notice has been given as required by law. Petitioner's First and Final Account and Allowance of Fees for Court Investigator, Conservator of Estate and Attorney for Conservator, and to Discharge Conservator are approved.

Case No. PR13-000411 – Conservatorship of Thayer

Tentative Ruling: **Appearance required.** The court has not received the investigator's report.

Case No. PR13-00014 – Estate of Fraser

Tentative Ruling: **Granted.** The court finds that notice has been given as required by law. Petitioner's Spousal Property Petition is granted.

Case No. PR13-00013 – Estate of Fraser

Tentative Ruling: **Granted.** The court finds that notice has been given as required by law. Petitioner's Spousal Property Petition is granted.

Case No. PR07-6356 – Guardianship of Merkley

Tentative Ruling: **Appearance required.** The court has not received the confidential guardianship status report.

Civil – 9:30 a.m.

Case No. LC12-00232 – Denson vs. Gehrman

Tentative Ruling: **Sustained, with leave to amend.** Defendants' demurrer to the complaint is sustained. The complaint fails to set forth facts sufficient to state a valid cause of action against defendants, as it is uncertain. Plaintiff is granted 20 days to file an amended complaint.

Case No. CV13-00040 – Petition of Peck

Tentative Ruling: **Granted.** The court finds that notice has been given as required by law. Petitioner's petition is granted.

Family Law – 10:30 a.m.

Case No. FL09-00139 – Mar. of Artaz

Tentative Ruling: **Appearance required of the respondent.** OSC on failure to pay.

Case No. FL10-00061 – Mar. of Brown

Tentative Ruling: **Denied.** Respondent's motion to vacate and set aside the order, and/or request for reconsideration is denied, based on a review of the respondent's request, the entire file and the circumstances.

Case No. FL13-00052 – Elmore vs. Fleisher

Tentative Ruling: **Appearance required.** The court will order the parties to mediation.

Case No. FL10-00020 – Fleisher vs. Elmore

Tentative Ruling: **Appearance required.** If there is no appearance, this case will be dismissed.

Case No. FL10-00082 – Glover vs. Parsons

Tentative Ruling: **No appearance required.** Petitioner's request for a modification of custody and visitation fails to provide any facts constituting a material and substantial change of circumstances to warrant a hearing on her request. Therefore, petitioner's Request for Order is **denied.** The bench warrant issued by Commissioner Hamlin for petitioner's failure to appear on April 10, is held by this court until May 15, 2013 at 10:00a.m., at which time petitioner is ordered to appear before the Commissioner in Department Three, and petitioner and her counsel may appear telephonically.

Case No. FL13-00068 – Mar. of Gonzales

Tentative Ruling: **Appearance required.** The court notes there is no proof of service in the file on the respondent.

Case No. FL12-00038 – Mar. of Harper

Tentative Ruling: **Appearance required of the petitioner.** OSC on failure to pay.

Case No. FL12-00021 – Mar. of Houston

Tentative Ruling: **No appearance required.** The court has received notice that the parties have settled. Respondent's request for modification of custody, visitation and temporary orders is dismissed, at the request of counsel.

Case No. FL10-00132 – Hudek vs. Owens

Tentative Ruling: **Appearance required.** If there is no appearance, this case will be dismissed.

Case No. FL10-00018 – Joa vs. Sanders

Tentative Ruling: **Appearance required of the petitioner.**

Case No. FL11-00195 – Mar. of Owens

Tentative Ruling: **Appearance required.** If there is no appearance, this case will be dismissed.

Case No. FL12-00127 – Mar. of Smith

Tentative Ruling: **Appearance required.**

Case No. FL12-00019 – Sousa vs. Manjeot

Tentative Ruling: **No appearance required.** The court has reviewed the supplemental report and at the mediator's recommendation, the court will make no further orders at this time.

Case No. FL09-00244 – Mar. of Stokes

Tentative Ruling: **Appearance required.** The court will review the recommendation with the parties.

Case No. FL09-00250 – Mar. of Tande

Tentative Ruling: **Appearance required.** If a judgment is filed prior to the hearing, this matter may be taken off calendar.

CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS

Case No. CV12-00263- People vs. Gauden

Tentative Ruling: **Appearance required.**

Case No. CV12-00179 – Ramoz vs. Willis

Tentative Ruling: **Appearance required.** If a dismissal is filed, this matter may be taken off calendar.

Case No. LC12-00211- Razor Capital II, LLC vs. Valdez

Tentative Ruling: **Appearance required.** If a dismissal is filed, this matter may be taken off calendar.

Case No. LC12-00081 – Target National Bank vs. Williams

Tentative Ruling: **Appearance required.** If a stipulated judgment is filed prior to the conference, this matter may be taken off calendar.

Case No. CV12-00175 – Wilson vs. Coykendall

Tentative Ruling: **Appearance required.** The court notes there is no proof of service in the file, nor is there a request for service by publication.

Case No. FL13-00016 – Mar. of Baty

Tentative Ruling: **Appearance required.** The court has not received the recommendation.

Case No. CV12-00226 – Fire Insurance Exchange vs. Arrowhead Brass Products

Tentative Ruling: **No appearance required.** At the request of counsel, this case management conference is continued to June 10, 2013, at 2:00p.m., to hear the results of mediation.

Case No. CV12-00001 – Lipka vs. Dinneen

Tentative Ruling: **Appearance required.**

Case No. CV09-00209 – McBride vs. Noland

Tentative Ruling: **Appearance required.**

Case No. CV09-00243 – Owens vs. Kerns

Tentative Ruling: **Appearance required of William Holland Jr. and Benjamin Blaisdell.** OSC on failure to pay complex civil litigation fees.

Case No. CV12-00214 – Rose v. Guereque

Tentative Ruling: **Appearance required.** The court will reset the trial in this matter.