

Tentative Rulings

Law & Motion and Family Law Calendar for February 28, 2022

Department Two – Judge Douglas Prouty

To request a hearing on any matter on this calendar, you must call the Court at 530/283-6297 by 12:00 noon, February 25, 2022 (please leave a voice mail if no one answers), and 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 a court reporter in unlimited civil, family law or probate, you must contract with and provide your own court reporter. The Court does not provide an official reporter for these calendars.

PLEASE NOTE –ANY REQUIRED APPEARANCE BY COUNSEL MUST BE DONE BY USING COURT CALL (1-800-882-6878) – UNLESS OTHERWISE STATED IN THESE TENTATIVE RULINGS. ANY REQUIRED APPEARANCE BY A PARTY APPEARING WITHOUT AN ATTORNEY MUST BE DONE BY CALLING THE COURT'S CONFERENCE LINE AT 1-877-336-1829 AND ENTER THE ACCESS CODE 4023142. THE PARTY MUST THEN WAIT ON THE LINE AND MUTE THEIR PHONE UNTIL THE COURT CALLS THEIR CASE.

PROBATE CALENDAR – 9:00 a.m.

Case No. PR22-00006 Estate of Sheffield, Barbara

Tentative Ruling: **No appearance required.** The Court has reviewed the Petition filed in this case. Notice has been given as required by law and no opposition has been filed. The Court grants the Petition and will sign the proposed Order for Probate.

Case No. PR21-00062 Guardianship of Miles, Kaleb

Tentative Ruling: **Appearance required.** The Court has received the DSS Investigative Report. The Court notes there are no recommendations contained in the Report. The Court will discuss if the parties are asking for an evidentiary hearing to decide the Petition.

Case No. PR22-00007 Guardianship of Taylor, Jayden & Taylor, Cameron

Tentative Ruling: **No appearance required.** The Court will continue this case to March 28, 2022, at 9 a.m. for receipt of the investigator's report at her request. All prior orders will remain in full force and effect until that date.

Case No. PR21-00068 Conservatorship of B., L.

Tentative Ruling: **Appearance required.** The Court will discuss the status of this conservatorship.

CIVIL LAW AND MOTION CALENDAR – 9:30 a.m.

Case No. CV22-00006 In Re Petition of J.G. Wentworth Originations, LLC

Tentative Ruling: **Appearance required.** The Court notes that in CV21-00212, on December 27, 2021, this Court recently vacated a another Petition by the same party. The Court will have that file available for discussion of this Petition. Counsel can appear telephonically by CourtCall if requested.

Case No. CV21-00211 Petition of Fomin, Mark

Tentative Ruling: **Appearance required.** This matter was continued for Petitioner to post the Petition pursuant to this Court’s Administrative Order. No proof of posting has been filed. In light of the Petitioner’s failure to post the Petition and the prior continuance with no compliance, this Petition is dismissed.

Case No. LC22-00004 Plumas County Community Development Commission v Underwood, Tyler

Tentative Ruling: **Appearance required.** Defendant has filed a Motion for Summary Judgment pursuant to CCP §437, arguing that summary judgment should be granted for the Defendant because the 10 day Notice attached to the Plaintiff’s unlawful detainer Complaint does not provide for a specific termination date as required by statue, HUD policy, and the lease agreement. Plaintiff has not filed any opposition to the Motion, however there is no proof of service showing the Motion was served on Plaintiff’s counsel. The Court must deny the Motion based upon lack of service as required by CCP §1170.7 and Rule of Court 3.1351. Counsel can appear telephonically by CourtCall if requested.

FAMILY LAW CALENDAR - 10:30 a.m.

Case No. FL22-00014 Arcangeli, MARRISA v Mikesell, Dustin

Tentative Ruling: **Appearance required.** Petitioner has filed a Request for Order re: custody and visitation. The Court will continue the Request to March 28, 2022 at 10:30 a.m. for the parties to attend mediation and discuss visitation until the next Court date.

Case No. FL18-00160 Carmichael, Alicia v Carmichael, James

Tentative Ruling: **Appearance required.** The Court will arraign the Petitioner on the Order to Show Cause re: Contempt.

Case No. FL18-00220 Chipman, Christopher v. Kelly, Nikita

Tentative Ruling: **Appearance required.** The Court will discuss the results of mediation and whether the parties have completed a parenting class. Counsel can appear telephonically by CourtCall if requested.

Case No. FL22-00002 Cunningham, Donald v Cunningham, Anna

Tentative Ruling: **Appearance required.** The Court will discuss the status of service on Respondent.

Case No. FL22-00010 Johnson, Janel v Pratt, Brian

Tentative Ruling: **Appearance required.** In this case, Petitioner has obtained Temporary Emergency Orders in the parentage action and in the Court also issued Temporary Restraining Orders in the Domestic Violence Prevention action. The Court will discuss the status of the TRO and the parties need to attend mediation on the custody and visitation issues.

Case No. FL20-00045 Quiring, Donald v Quiring, Savannah

Tentative Ruling: **Appearance required.** The Court will discuss the results of mediation and if no agreement, will discuss setting a contested hearing. Counsel can appear telephonically by CourtCall if requested.

Case No. FL21-00160 Slack, Joseph v Doninguez, Rikki

Tentative Ruling: **Appearance required.** Petitioner filed a Request to modify custody and support orders and Temporary Emergency Orders were issued. The parties are to attend mediation and discuss the status of visitation until the next Court date on April 11, 2022, at 10:30 a.m.

CASE MANAGEMENT CONFERENCE/OTHER CASES

1:30 p.m.

No. LC21-00163 Discover Bank v Dean, Susan

Tentative Ruling: **Appearance required.** This case is on calendar for the first Case Management conference. Plaintiff has failed to file a case management statement as required by

Rule of Court 3.720. Plaintiff is to show cause why reasonable monetary sanctions should be imposed. Counsel can appear telephonically by CourtCall upon request.

Case No. LC21-00164 Discover Bank v Fregulia, Deanna

Tentative Ruling: **Appearance required.** This case is on calendar for the first Case Management conference. Plaintiff has failed to file a case management statement as required by Rule of Court 3.720. Plaintiff is to show cause why reasonable monetary sanctions should be imposed. Counsel can appear telephonically by CourtCall upon request.

CASE MANAGEMENT CONFERENCE/OTHER CASES
2:00 p.m.

Case No. CV19-00193 American Valley Aviation, Inc v County of Plumas

Tentative Ruling: **Appearance required.** This case has been continued a number of times to finalize the settlement. The Court will discuss why settlement has not been entered.

Case No. LC20-00165 Calvary SPC I, LLC v Downey, Jo A

Tentative Ruling: **Appearance required.** Counsel had discussed a possible settlement may be entered. The Court will discuss when that will be finalized. Counsel can appear telephonically by CourtCall if requested.

Case No. CV19-00138 Eckmeyer, Pamela v Girdner, James

Tentative Ruling: **Appearance required.** The Court will discuss jury trial dates. Trial counsel can appear telephonically by CourtCall if requested.

Case No. CV21-00001 Graham, John v Hudson, Andrew

Tentative Ruling: **Appearance required.** The Court will discuss the status of the case and discovery as well as the amenability of the case for mediation. Trial counsel can appear telephonically by CourtCall if requested.

Case No. CV21-00085 Nielsen, Theresa v Seneca Health Care District

Tentative Ruling: **Appearance required.** The Court will discuss the status of the case and discovery as well as the amenability of the case for mediation. Trial counsel can appear telephonically by CourtCall if requested.

Case No. CV18-00217 Peterson, Richard v Shasta-Siskiyou Transport

Tentative Ruling: Appearance required. The Court will discuss the status of the case and discovery as well as the amenability of the case for mediation. Trial counsel can appear telephonically by CourtCall if requested.

Case No. CV20-00178 Rice, Nathan v Womack Construction & Landscaping, Inc.

Tentative Ruling: Appearance required. The Court will discuss the status of the case and discovery as well as the amenability of the case for mediation. Trial counsel can appear telephonically by CourtCall if requested.