

Tentative Rulings

Law & Motion and Family Law Calendar for April 12, 2021

Department Two – Judge Douglas Prouty

To request a hearing on any matter on this calendar, you must call the Court at 530/283-6305 by 12:00 noon, April 9, 2021, 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. PR21-00007 Estate of Dill, Mary Lucinda

Tentative Ruling: **Appearance required.** Lisa Geline has filed a notice to appear by telephone. The Court will discuss if proper notice has been accomplished. The matter is on for the Petition for Probate filed by Decedent's daughter. The Petitioner can also appear by telephone for this hearing by calling 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.

Case No. PR21-00008 Estate of McClure, Catherine

Tentative Ruling: **No appearance required.** The Court has received the Waivers of Bond and the Court finds notice has been given as required by law. No opposition has been filed. The Court grants the Petition for Probate and Letters shall issue.

Case No. PR21-00005 Estate of Gibson, William

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

Case No. PR17-00057 Guardianship of Clark Sierra

Tentative Ruling: **No appearance required.** The Court has received and reviewed the Confidential Guardianship Status Report. The Court finds it is in the minor's best interests to continue the guardianship. The minor will turn 18 years old on August 1, 2021. The Court will set this matter for a review hearing regarding termination of the guardianship for August 9, 2021, at 9:00 a.m. All prior orders remain in full force and effect. The Guardian can appear by telephone at that time and date by calling 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.

Case No. PR19-00007 Guardianship of Marro, Ariana

Tentative Ruling: **Personal appearance of guardian is required.** This is on calendar for continued annual review. The guardian has not been in Court for the last 2 continued review hearings.

Case No. PR15-00017 Guardianship of Nine-Squire, Katrina, Kassandra, Kristian

Tentative Ruling: **Appearance required.** As to the minor Kristian Nine-Squire, the annual review was continued to this date for Ms. Britton or Tiffany Squire to file the required status review report for Kristian. The Court has not received the Court Investigator's report regarding the living situation for Kristian and whether it's in the child's best interest to continue the guardianship. The Guardian the mother Tiffany Squire are to appear for this hearing by telephone by calling 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. .

Case No. PR11-00015 Conservatorship of Tanner, Myles

Tentative Ruling: **Appearance required.** This hearing is for reimbursement for the cost of the investigator's report. If the cost has been paid, no appearance is required.

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

Case No. CV20-00146 Wing, Toni v Eastern Plumas Health Care

Tentative Ruling: **Appearance required.** This matter is on calendar for a case management conference. The Court will discuss the status of discovery and possible mediation. Counsel can appear telephonically by CourtCall.

FAMILY LAW CALENDAR - 10:30 a.m.

Case No. FL21-00149 Alvarado, Steven v Wyrick, Michaela

Tentative Ruling: **Appearance required.** The Petitioner's Request for Order was continued to this date. The Court will discuss whether the parties have attended mediation or, if mediation was unsuccessful, the Respondent's Request for Order will be set for contested hearing. The Respondent was to file a response to the Request for Order. It does not appear the Respondent's request for restraining orders were served on Petitioner. This matter is also on calendar for the restraining Order hearing at 3 p.m.

Case No. FL21-00048 Brown, Jimmy v Taylor, Lisa

Tentative Ruling: **Appearance required.** The Petitioner's Request for Order and the Temporary Orders entered by this Court have not been served on the Respondent nor have the parties gone to mediation as ordered. This matter will be continued to May 24, 2021, at 10 a.m. for service and mediation.

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

Tentative Ruling: **Appearance required.** The Court will discuss the status of the hearing which has been continued since June 2020.

Case No. FL19-00170 Crews, Mark v Crews, Theresa

Tentative Ruling: **Appearance required.** This case is on calendar for a review of the temporary spousal and child support orders. The parties were ordered to file updated Income and Expense Declaration with proof of income for 3 months.

Case No. FL20-000072 Hatfield, Michael v Gilpin, Aya

Tentative Ruling: **No appearance required.** Petitioner has filed a request for an order for possession of a German Shepherd dog and costs for caring for that dog pursuant to "AB2274". The bill AB2274 is now Family Code §2605 which provides that in an action for "dissolution of marriage or for legal separation of the parties", a court can consider an order regarding the possession and care of a dog. This action is an action for custody and support of the two minor children and also involves DVPA restraining orders pursuant to Family Code §§6200 et seq. Since this action is not a marital dissolution or legal separation, this Court summarily denies Petitioner's Request on the grounds there is no statutory or legal basis to grant this Request in this action.

Regarding the Petitioner's Order to Show Cause re: Contempt, there has been no personal service of the Order to Show Cause on the Petitioner and that is also summarily denied.

Case No. FL14-00193 Kelley, Shawna v Kelley, Aaron

Tentative Ruling: **Appearance required.** The Court will discuss the status of mediation and where Noah is living at this time.

Case No. FL21-00014

Overholt, Deniece v Munch, Christopher

Tentative Ruling: **Appearance required.** Respondent has not filed a response to Petitioner's Request for Order as ordered. The Court will discuss the results of mediation.

Case No. FL21-00020

Riddle, Monica v Baca, Steven

Tentative Ruling: **Appearance required.** Neither party appeared at the last hearing on 3/22/21. It does not appear that the Petitioner has served her Request for Order on Respondent. Notice was given to Petitioner's counsel of the continued date. The Court will discuss if Petitioner intends to proceed with service or the matter is to be taken off calendar.

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CASE MANAGEMENT CONFERENCE/OTHER CASES

1:30 p.m.

Case No. LC20-00145

ABSOLUTE MUSIC, LLC v Crews, Jayme

Tentative Ruling: **Appearance required.** This matter is on calendar for the initial Case Management Conference. The court will discuss the status of the case and possible mediation. Counsel can appear telephonically.

Case No. CV20-00155

Kemp, Evalyn v Plumas Unified School District

Tentative Ruling: **No appearance required.** Plaintiff has filed the Notice of Settlement. The Court will continue the Case Management Conference to August 9, 2021, at 2:00 p.m. regarding the conditional settlement. If Plaintiff has dismissed the case before that date, no appearance is required.

Case No. LC20-00141

Rocky Top Rentals, LLC v Barber, Carolyn

Tentative Ruling: **Appearance required.** This matter is on calendar for the initial Case Management Conference. The court will discuss the status of the case and possible mediation. Counsel can appear telephonically.

Case No. LC20-00153

Second Round Sub, LLC v Weyer, Tammy

Tentative Ruling: **Appearance required.** This matter is on calendar for the initial Case Management Conference. The court will discuss the status of the case. Counsel can appear telephonically.

Case No. LC20-00150

Velocity Investments, LLC v Smalley, Stella

Tentative Ruling: **Appearance required.** This matter is on calendar for the initial Case Management Conference. The court will discuss the status of the case. Counsel can appear telephonically.

CASE MANAGEMENT CONFERENCE/OTHER CASES
2:00 P.M.

Case No. LC20-00051 Discover Bank v Grant, Stephen

Tentative Ruling: **Appearance required.** The Court will discuss the status of the case and possible mediation. Counsel can appear telephonically.

Case No. CV20-00061 Durkee, Timothy v Duree, Tobin

Tentative Ruling: **Appearance required.** The Court will discuss the status of the case and possible mediation. Counsel can appear telephonically.

Case No. CV19-000138 Eckmeyer, Pamela v Girdner, James

Tentative Ruling: **Appearance required.** This matter is on calendar for a Order to Show Cause why reasonable monetary sanctions should not be imposed for Defendant's failure to file a Case Management Statement and appear at the Case Management Conference heard on March 22, 2021. The Court will also discuss possible mediation. Counsel can appear telephonically.

Case No. CV20-00072 Mainburg, Robert v Stanton, Carol

Tentative Ruling: **Appearance required.** The Court will discuss the status of the case and possible mediation. Counsel can appear telephonically.

Case No. LC19-00075 Petersen-Dean, Inc v Poole, Marni

Tentative Ruling: **Appearance required.** This case has been stayed based upon the filing of the bankruptcy case. The Case is continued to August 16, 2021, at 2:00 p.m. for status on the bankruptcy stay. Counsel is to file an updated Case Management Statement for that hearing.