

Tentative Rulings

Law & Motion and Family Law Calendar for June 28, 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, June 25, 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. PR21-00024 Conservatorship of Humphrey, Carol

Tentative Ruling: **Appearance required.** The Court will discuss the status of the investigative report.

Case No. PR20-00017 Conservatorship of P., C.

Tentative Ruling: **Appearance required.** The Court has reviewed the Confidential Report and will discuss how the party intends to proceed.

Case No. PR21-00030 Estate of Hidde, Michael

Tentative Ruling: **Appearance required.** From the Declaration of Counsel it is unclear when the Notices were posted for at least 3 consecutive weeks per this Court's Administrative Order.

Case No. PR21-00026 Estate of Sunn, Katherine

Tentative ruling: **Appearance required.** From the Declaration of Counsel it is unclear when the Notices were posted for at least 3 consecutive weeks per this Court's Administrative Order.

Case No. PR21-00011 Guardianship of Brown, Bret

Tentative ruling: **Appearance required.** The Court has not received the investigator's report for this case.

Case No. PR19-00007 Guardianship of Marro, Ariana

Tentative ruling: **Appearance required.** An Order to Show Cause for the personal appearances of Stephanie Mohawk and Edward Marro for this date. The Guardians may be in custody.

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

Case No. CV21-00097 Petition of Presser, Nancy & Bell, Brian

Tentative Ruling: **Appearance required.** If no opposition to the Petition has been filed, the Court will grant the requested order.

FAMILY LAW CALENDAR - 10:30 a.m.

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

Tentative Ruling: **No appearance required.** Petitioner's Order to Show Cause re: Contempt was continued to this date for personal service on Respondent. No proof of service has been filed as of this date. If the OSC has not been served, it will be taken off-calendar.

Case No. FL19-00110 Elzea, Ethan v Henderson, Lillian

Tentative Ruling: **Appearance required.** Respondent has filed an Order to Show Cause re: Contempt which has been personally served. The Court will proceed with the arraignment on the OSC.

Case No. FL10-00164 Guthrie-Atkins, Celeste v Atkins, Edward

Tentative Ruling: **Appearance required.** Petitioner has filed a Request for Order regarding CALPERS retirement. No proof of service has been filed as of this date.

Case No. FL20-00156 Harrison, Kathryn v Harrison, Hal

Tentative Ruling: **Appearance required.** This case is on calendar for a status review re: visitation.

Case No. FL14-00193

Kelley, Shawna v Kelley, Aaron

Tentative Ruling: **Appearance required.** This case is on calendar for a status review re: visitation.

Case No. FL15-00064

Lawson, Anna v Lawson, Jesse

Tentative Ruling: **Appearance required.** Petitioner has filed Request for Order to relocate with the minor and a modification of custody and support. The Court will discuss whether the parties have gone to mediation.

Case No. FL19-00050

Olsen, Kimberly v Olsen, Caleb

Tentative Ruling: **Appearance required.** Petitioner's Request to modify spousal support is on calendar for this date. Her request for Temporary Emergency Orders was denied. No proof of service of the Request on Respondent has been filed and Petitioner has not filed an income and expense declaration in support of her Request to modify spousal support. Therefore, her Request re: spousal support modification is summarily denied.

Case No. FL21-00086

Rael, Tyson v Rael, Danielle

Tentative Ruling: **No appearance required.** Petitioner has been unable to serve the Respondent with the Temporary Emergency Orders and Request for Order and at Petitioner's request the hearing is continued to July 12, 2021, at 10:30 a.m. for service. Petitioner is to serve all pleadings with the Order for Continuance by July 3, 2021.

Case No. FL21-00020

Riddle, Monica v Baca, Steven

Tentative Ruling: **Appearance required.** This case is on calendar for Petitioner's Request for Order regarding custody and visitation. No opposition to that Request has been filed by Respondent. Since the last hearing, this Judge has had UCCJEA telephone calls with the Pershing County Judge in Nevada and the Family Law Commissioner in Snohomish County in Washington where Respondent had filed paperwork for custody. The Judge and Commissioner each declined to assert jurisdiction and agreed that any custody and visitation matter in this case should be heard in this county where the mother and child residence.

Case No. FL19-00210

Smith, Jeremiah v Smith, Brandy

Tentative Ruling: **Appearance required.** The Court will discuss the results of mediation. The Court notes that Petitioner has not filed any opposition to Respondent's Request.

CASE MANAGEMENT CONFERENCE/OTHER CASES

1:30 p.m.

Case No. LC20-00175 Capital One Bank (USA) N.A. v Seifert, Kathleen

Tentative Ruling: **Appearance required.** This matter is on calendar for the initial Case Management Conference. The case was filed on December 23, 2020. Plaintiff has failed to file a case management statement in violation of Rule of Court 3.725 and failed to timely serve any defendant in violation of Rule of Court 3.740(e). Plaintiff is order to show cause why monetary or termination sanctions should not be imposed.

CASE MANAGEMENT CONFERENCE/OTHER CASES

2:00 P.M.

Case No. LC20-00165 Cavalry SPV I, LLC v Downey, Jo

Tentative Ruling: **Appearance required.** At the first Case Management Conference on 5/25/21, neither party appeared nor filed a CMC Statement as required by the Rules of Court and the parties were ordered to show cause why monetary or terminating sanctions should not be imposed for their failure to do so.

Case No. CV20-00078 Copley, Lane v Souders, William

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

Case No. CV20-00060 Everhart, Patricia v. Plumas District Hospital

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

Case No. CV20-00066 Kingsley, Sara v Kingsley, Patricia

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

Case No. CV19-00219 Mercer, David v Portola Junior/Senior High School

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

Case No. LC20-00153

Second Round Sub, LLC v Weyer, Tammy

Tentative Ruling: **Appearance required.** At the last Case Management Conference on 5/24/21, neither party appeared nor filed a CMC Statement as required by the Rules of Court and the parties were ordered to show cause why monetary or terminating sanctions should not be imposed for their failure to do so.

Case No. CV20-00156

Singletary, Lonna v DC Construction

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

Case No. CV16-00146

Turenne, Ronald v Miller, Jeffrey

Tentative Ruling: **Appearance required.** The Court will discuss trial dates in August or September.