

Tentative Rulings

Law & Motion and Family Law Calendar for November 22, 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, November 19, 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. PR20-00044 Conservatorship of B., S.

Tentative Ruling: **Appearance required.** The Court has reviewed the Investigator's Report and the Physician's Declarations and will discuss with counsel whether a hearing is being requested.

Case No. PR20-00029 Conservatorship of Butts, Mary

Tentative Ruling: **Appearance required.** This conservatorship is on calendar for an annual accounting review. An inventory and appraisal has not been filed to date.

Case No. PR11-00031 Conservatorship of Griffith, Nicholas

Tentative Ruling: **Appearance required.** This conservatorship is on calendar for a review hearing and receipt of the Investigator's Report. The Investigator has been unable to meet with the Conservator due to his surgery and hospitalization in Enloe Hospital. The Court will inquire as to who is currently caring for the Conservatee while the Conservator is hospitalized and will be continuing this hearing for the Investigator's report. All prior orders remain in full force and effect to the next hearing date.

Case No. PR21-00032 Conservatorship of Hall, Jacob

Tentative Ruling: **No appearance required.** Based upon the attorney's declaration, the Court finds the conservators do not have the ability to pay for the Investigator's Report.

Case No. PR21-00034 Conservatorship of Hall, Joshua

Tentative Ruling: **No appearance required.** Based upon the attorney's declaration, the Court finds the conservators do not have the ability to pay for the Investigator's Report.

Case No. PR20-00055 Conservatorship of Howard, Faye

Tentative Ruling: **Appearance required.** This conservatorship is on calendar for an annual accounting hearing.

Case No. PR00-05935 Conservatorship of Schager, Kevin

Tentative Ruling: **No appearance required.** This conservatorship is on calendar for a review hearing and receipt of the Investigator's Report. The Investigator has been unable to meet with the Conservator and the Court finds there is good cause to continue this review hearing to December 27, 2022 at 9 a.m. for receipt of the Investigator's report. All prior orders will remain in full force and effect to that hearing date. The Conservator 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. PR21-00043 Conservatorship of Lovins, Jesse

Tentative Ruling: **Appearance required.** The Court has reviewed the Investigator's Report and recommendations therein and will discuss with counsel whether a hearing is being requested.

Case No. PR4382 Conservatorship of P., V.

Tentative Ruling: **Appearance required.** This Conservatorship is on calendar for a review hearing and receipt of the Investigator's Report in this LPS conservatorship. The Court has not received the Report and will discuss a continuance for receipt of the Report. All prior orders will remain in effect to that next hearing date.

Case No. PR19-00014 Conservatorship of R., D.

Tentative Ruling: **Appearance required.** This LPS Conservatorship is on calendar for a review hearing and receipt of the Investigator's Report. The Court has reviewed the two Physician' Declarations. The Court has not received the Report and will discuss the continuance of this matter.

Case No. PR21-00041 Conservatorship of Whitman, Patricia

Tentative Ruling: **Appearance required.** This Petition for Appointment of a Probate Conservator was continued to this date for the Investigator's Report. The Court has not received the Report and will discuss the continuance of this matter. All prior temporary orders remain in full force and effect to that date.

Case No. PR21-00054 Estate of Hubbard, Thomas

Tentative Ruling: **No appearance required.** Notice has been given as required by law and no opposition to the Petition has been filed. The Court grants the Petition for Probate and grants the requested orders. Petitioner's counsel is to submit the proposed Order and the Court will sign it and have it filed in this case.

Case No. PR12-0016 Guardianship of Beltran, Kayla & Kobe

Tentative Ruling: **No appearance required.** The Court has received and reviewed the Confidential Guardianship Status Reports filed for Kayla and Kobe. The Court finds that Kayla is now 18 years old and her guardianship is terminated by law. As to Kobe, it is in the minor's best interests to continue the guardianship and the next annual review hearing is set for November 14, 2022, at 9:00 a.m. All prior orders remain in full force and effect. The clerk of the court is reminded to send notice to the Guardian one month prior to that date, informing the Guardian of the duty to file a confidential status report prior to the review hearing. The Guardian is to 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. PR21-00047 Guardianship of Ralston, Skylar

Tentative Ruling: **Appearance required.** This guardianship is on calendar for receipt of the Investigator's Report and determination of whether a permanent guardianship is appropriate. The Court Investigator has requested a continuance for preparation of her report. The Court will continue this hearing for receipt of the Investigator's report to January 10, 2022 at 9 a.m. All prior orders in this temporary guardianship will remain in full force and effect to the next hearing date.

Case No. PR17-00041 Guardianship of Schmid, Cameron

Tentative Ruling: **No appearance required.** The Court has received and reviewed the Confidential Guardianship Status Report filed by the Guardian. The Court finds it is in the minor's best interests to continue the guardianship and the next annual review hearing is set for November 28, 2022, at 9:00 a.m. when the minor turns 18 years old and the guardianship automatically terminates. All prior orders remain in full force and effect until November 28, 2022, when this guardianship terminates by law.

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

Case No. CV17-00016 **Bennett v Kuneman**

Tentative Ruling: **No appearance required.** The Court has received the appropriate documents and with the filing of the Notice of Entry of the Order, the check has been sent to Plaintiffs' counsel.

Case No. CV21-00149 **Petition of Leal, Shawna**

Tentative Ruling: **Appearance required.** The Court has reviewed the file and it appears notice and posting has been done as required by law. No opposition to the Decree has been filed, however the Petitioner needs to sign and date the Declaration of Posting before the Court can sign the Decree.

Case No. LC21-00062 **U.S. Bank National Association v Maumovnier**

Tentative Ruling: **No appearance required.** The Court has reviewed the pleadings in support of the Plaintiff's Application to Vacate the Sanctions Order entered on September 13, 2021, and based upon the statements therein, that Order for Sanctions is set aside and vacated. The Court will sign and file the proposed Order. The Case Management Conference previously set for January 10, 2022, at 2 p.m. shall remain on calendar for that date. Plaintiff is to file an updated CMC Statement for that date and can appear telephonically by CourtCall if requested.

FAMILY LAW CALENDAR - 10:30 a.m.

Case No. FL83-11747 **Cooks, Geraldine v Cooks, Thomas**

Tentative Ruling: **Appearance required.** Regarding the Petitioner's Request for Order, it appears from the supporting Declaration that good cause exists to amend the Judgment and no opposition has been filed. However, the Court will discuss whether proper notice has been given to Respondent.

Case No. FL21-00100 **Hoenig, Levi v Leathers, Jacob**

Tentative Ruling: **Appearance required.** Petitioner obtained Temporary Emergency Orders suspending visits. No opposition has been filed by Respondent and the Court will discuss the return from mediation.

Case No. FL19-00019 Russell, Amber v Russell, Cary

Tentative Ruling: **Appearance required.** Petitioner has filed a Request for Order with Temporary Emergency Orders and served on Respondent. No opposition has been filed. Petitioner has not appeared for last two hearings and the Request for Order and Temporary Emergency Orders will be vacated unless Petitioner appears on this date.

Case No. FL21-00049 Srouji, Courtney v Srouji, Salim

Tentative Ruling: **Appearance required.** It does not appear the Petitioner has served the Request for Order nor has Respondent filed a response to the Request. The Court will discuss whether Petitioner intends to proceed with the Request. Petitioner has also failed to make monthly payments for the filing fee as ordered and needs to pay \$420 at this time.

CASE MANAGEMENT CONFERENCE/OTHER CASES

1:30 p.m.

Case No. LC21-00101 Capital One Bank (USA) N.A. v Smith, Dennis

Tentative Ruling: **No appearance required.** Case was dismissed by Plaintiff. All court dates should be vacated.

Case No. CV21-00102 Shilling, Marina v Borzoni, Tina

Tentative Ruling: **Appearance required.** This case is set for the initial Case Management Conference. The Court will discuss the status of the case and Counsel can appear telephonically by CourtCall if requested.

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

Case No. LC21-00024 Calvary SPV I, LLC v Stokes, Noella

Tentative Ruling: **Appearance required.** Plaintiff has not served nor obtained order for service by publication per Rule of Court 3.740(e). Plaintiff is to show cause why monetary sanctions should not be imposed. Counsel can appear telephonically by CourtCall if requested.

Case No. CV20-00161 Hill, Adriane v Hat Creek Construction & Materials Inc

Tentative Ruling: **Appearance required.** The Court will discuss the status of mediation session. Counsel can appear telephonically by CourtCall if requested.

Case No. LC21-00069 JP Morgan Chase Bank N.A. v Addington, Randy

Tentative Ruling: **Appearance required.** The Court has received the Declaration of Counsel re: Order to Show Cause re: failure to appear or file CMC Statement. The Court notes that Plaintiff still has not filed a Case Management Statement as required by Notice of First Case Management Conference for this hearing date. Counsel can appear telephonically by CourtCall if requested.

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

Tentative Ruling: **Appearance required.** The Court will discuss the amenability of this case for mediation. Counsel can appear telephonically by CourtCall if requested.

Case No. LC20-00136 Portfolio Recovery Services, LLC v Hawes, Lance

Tentative Ruling: **Appearance required.** The Court will discuss the amenability of this case for mediation or, alternatively setting the matter for a mandatory settlement conference following the discovery motions. Counsel can appear telephonically by CourtCall if requested.

Case No. CV19-00192 Spaulding, Mark v Maybury, Kris

Tentative Ruling: **Appearance required.** The Court will discuss the amenability of this case for mediation. Counsel can appear telephonically by CourtCall if requested.

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

Tentative Ruling: **Appearance required.** The Court will discuss the amenability of this case for mediation. Counsel can appear telephonically by CourtCall if requested.