

Tentative Rulings

Law & Motion and Family Law Calendar for May 22, 2017

May 18, 2017, 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, May 19, 2017. 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 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.

Probate – 9:00 a.m.

Case No. PR17-00016– Estate of Muir

Tentative Ruling: **Granted.** The court finds that notice has been given as required by law. Petitioner's Petition for Administer Estate is granted. Petitioner is to prepare the Order.

Case No. PR15-00038 – Guardianship of McArthur-Settell

Tentative Ruling: **No appearance required.** The court has received and reviewed the confidential guardianship status report. The court finds it is in the minors' best interests to continue guardianship. The court will set the annual review hearing for May 28, 2018 at 9:00a.m. The clerk of the court is reminded to send notice to the guardian one month prior to this date, informing the guardian of the duty to file a confidential status report prior to the review hearing.

Civil – 9:30 a.m.

Case No. CV17-00056 – Catalina Structured Funding, Inc. v. McBeen

Tentative Ruling: **No appearance required.** The court has received a request for dismissal.

Case No. CV17-00054 – In re Allen

Tentative Ruling: **Granted.** The court finds that notice has been given by law. The court grants the Petition for Name Change.

Case No. CV17-00053 – In re Gipe

Tentative Ruling: **Granted.** The court finds that notice has been given by law. The court grants the Petition for Name Change.

Case No. CV15-00137 – Root v. County of Plumas

Tentative Ruling: **Denied.** Defendant's Motion for Summary Judgment based on lack of standing is denied. The court grants plaintiff's request for judicial notice. Plaintiff is the mother of Jason Root, and she is listed on Root's death certificate as his mother. Defendant does not dispute this fact, and does not dispute that she is Root's biological mother. However, defendant claims that plaintiff testified at a deposition that she did not know whether her parental rights were terminated, and therefore defendant concludes that she does not have standing. Plaintiff has established standing to bring this action against the county by means of the undisputed fact that she is, in fact, his mother. There is no requirement that she must prove a negative, that her parental rights were *not* terminated, and defendant has provided no authority requiring said proof. At the very least, a triable issue of material fact exists as to, whether or not plaintiff's parental rights were ever terminated. Therefore, the motion for summary judgment is denied.

Family Law – 10:30 a.m.

Case No. FL15-000192 – Arthur-Sutter vs. Arthur

Tentative Ruling: **Appearance required.** The court will review the custody and visitation orders with the parties.

Case No. FL17-00032 - Bondon vs. Crawford

Tentative Ruling: **Appearance required.**

Case No. FL15-00216 – Mar. of Carranza

Tentative Ruling: **Appearance required.**

Case No. FS17-00047 – County of Plumas vs. Hammons

Tentative Ruling: **Appearance required.** The court will hear the results of mediation.

Case No. FL05-25889 – Mar. of Edwards

Tentative Ruling: **Appearance required.**

Case No. FL16-00165 – Mar. of Kiedrowski

Tentative Ruling: **Appearance required.**

Case No. rl14-00118 – Moore vs. Catterson

Tentative Ruling: **Appearance required.**

Case No. FL14-00138 – Mar. of Newlove

Tentative Ruling: **Appearance required.** The court will review the custody and visitation orders with the parties.

CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS

Case No. LC15-00059 – Almanor Lakefront v. Owens, and related cases

Tentative Ruling: **Appearance required.** The court will review the status of the cases with the parties.

Case No. LC16-00116 – Citibank v. Busselen

Tentative Ruling: **Appearance required.**

Case No. CV16-001500007 – Close v. Paswaters

Tentative Ruling: **Appearance required.** The court will discuss the status of the case with the parties.

Case No. CV16-00177 – Crawford vs. Plumas Unified School District

Tentative Ruling: **Appearance required.** OSC on plaintiff's counsel's failure to appear.

Case No. LC16-00158 – DeLong v. Burgk

Tentative Ruling: **Appearance required.**

Case No. CV16-000079 – Grizzly Ranch Association vx. David, et al.

Tentative Ruling: **Appearance required.**

Case No. CV16-000174 – Taylor v. West Almanor Community Club

Tentative Ruling: **Appearance required.** Plaintiff and defendant have failed to file a timely case management statement. Should there be any further violations of Rule 3.725, this matter will be set for an order to show cause and sanctions may be imposed. The court will discuss the status of the case with the parties.

Case No. LC16-00122 – Bank of America vs. Coons

Tentative Ruling: **Appearance required.**

Case No. FL12-00232 – Butts vs. Kilby

Tentative Ruling: **Appearance required.**

Case No. CV12-00070 – Hessel v. Forderhase

Tentative Ruling: **Appearance required.** The court will discuss the status of the case with the parties.