

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

627 W. 21<sup>st</sup> Street, Merced

Friday, May 13, 2022

**NOTE: Merced Superior Court will no longer be consolidating Courtroom 8 and Courtroom 10.**

**Tentative Rulings are provided for the following Courtrooms and assigned Judicial Officers with regularly scheduled civil calendars:**

**Courtroom 8 – Hon. Brian L. McCabe**

**Courtroom 9 – Hon. Stephanie L. Jamieson**

**Courtroom 12 – Hon. David W. Moranda**

**Courtroom 10 will continue to post separate Probate Notes that are not included in these tentative rulings.**

**IMPORTANT: Court Reporters will NOT be provided; parties must make their own arrangements.**

**The specific tentative rulings for specific calendars follow:**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Law and Motion Tentative Rulings  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Friday, May 13, 2022  
8:15 a.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4240 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **To limit the spread of the COVID-19 virus, the court will only conduct remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

Case No.	Title / Description
18CV-04739	Insurance Commissioner of the State of California v. Merced Property & Casualty Company

Motion to Amend Order Appointing Commissioner as Liquidator & Restraining Orders

**The unopposed Motion to Amend Order Appointing Commissioner as Liquidator & Restraining Orders is GRANTED. Absent cogent objection at the time of the hearing, the Court will sign the proposed order lodged with the Court on April 21, 2022.**

Application for Order (1) Approving Liquidator's Sale of Merced Real Property to Homen Properties LLC.; Releasing Homen from liability and enjoining third-party claims, and (3) Retaining Court's Jurisdiction

**The unopposed Application for Order (1) Approving Liquidator's Sale of Merced Real Property to Homen Properties LLC. ; Releasing Homen Properties LLC. from liability and enjoining third-party claims, and (3) Retaining Court's Jurisdiction is GRANTED. Absent cogent objection at the time of the hearing, the Court will sign the proposed order lodged with the Court on April 21, 2022.**

22CV-01056

Danny Kuesis v. Jasmine Cortez

Order to Show Cause Re: Restraining Order

**Appearance required. Remote appearances are encouraged. The parties are ordered to contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. The Court notes that no proof of service has been filed showing that respondent was served with the Notice of Hearing, the Request for Restraining Order, or the Temporary Restraining Order issued in this action. Absent an appearance by Petitioner and a showing of good cause for the failure to serve Respondent, the Order to Show Cause re Restraining Order shall be VACATED, and the matter DISMISSED WITHOUT PREJUDICE.**

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22CV-01059

Samuel Bartholomew v. Charles Badeker

Order to Show Cause Re: Restraining Order

**Appearance required. Remote appearances are encouraged. The parties are ordered to contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. The Court notes proof of service was filed on April 29, 2022, indicating respondent was personally served with notice of hearing on April 27, 2022.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Limited Civil Collections  
Hon. Stephanie L. Jamieson  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Friday, May 13, 2022  
1:15 p.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4240 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **To limit the spread of the COVID-19 virus, the court strongly encourages remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

<b>Case No.</b>	<b>Title / Description</b>
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There are no Limited Civil Collection matters scheduled.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Friday, May 13, 2022  
1:15 p.m.

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Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **To limit the spread of the COVID-19 virus, the court will only conduct remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

<b>Case No.</b>	<b>Title / Description</b>
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There are no Ex Parte matters scheduled.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. Stephanie L. Jamieson  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Friday, May 13, 2022  
1:15 p.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

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Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **To limit the spread of the COVID-19 virus, the court strongly encourages remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

<b>Case No.</b>	<b>Title / Description</b>
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There are no Ex Parte matters scheduled.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. David W. Moranda  
Courtroom 12  
1159 G Street, Los Banos

Friday, May 13, 2022  
1:15 p.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4240 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **To limit the spread of the COVID-19 virus, the court will only conduct remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4124 to provide their contact information for the remote hearing.**

**Case No.**      **Title / Description**

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There are no Ex Parte matters scheduled.

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