

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

2260 N Street, Merced
627 W. 21st Street, Merced
1159 G Street, Los Banos

Friday, February 27, 2026

Tentative rulings are provided for the following courtrooms and assigned Judicial Officers with scheduled civil matters:

Courtroom 8 – Hon. Stephanie L. Jamieson

Courtroom 9 – Commissioner David Foster

Courtroom 12 – Hon. Jennifer O. Trimble

Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to seek permission and arrange for a remote appearance.

IMPORTANT: Court reporters will NOT be provided; parties must make their own arrangements. Electronic recording is available in certain courtrooms and may only be activated upon request.

The tentative rulings for specific calendars follow:

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Civil Law and Motion Tentative Rulings
Hon. Stephanie L. Jamieson
Courtroom 8

627 W. 21st Street, Merced

Friday, February 27, 2026
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. *Note:* Notifying CourtCall (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

Case No. Title / Description

23CV-04368 Tony Borba, et al. vs County of Merced, et al.

Demurrer to Plaintiffs Tony Borba; et al's Fourth Amended Complaint for Damages

Defendant's demurrer to Plaintiffs' first cause of action is OVERRULED. Plaintiff has alleged facts sufficient to constitute the cause of action.

Defendant's demurrer to Plaintiffs' second cause of action is OVERRULED. Plaintiff has alleged facts sufficient to constitute the cause of action.

Defendant's demurrer to Plaintiffs' third cause of action is OVERRULED. Plaintiff has alleged facts sufficient to constitute the cause of action.

Defendant's demurrer to Plaintiffs' sixth cause of action is OVERRULED. Plaintiff has alleged facts sufficient to constitute the cause of action.

Plaintiffs' request for judicial notice is GRANTED.

A demurrer challenges only the legal sufficiency of the affected pleading, not the truth of the factual allegations in the pleading or the pleader's ability to prove those allegations. (*Cundiff v. GTE Cal., Inc.* (2002) 101 Cal.App.4th 1395, 1404-05.)

For this reason, the court will not decide questions of fact on demurrer. (See *Berryman v. Merit Prop. Mgmt., Inc.* (2007) 152 Cal.App.4th 1544, 1556.)

Further, the court is to give the complaint a reasonable interpretation, reading it as a whole and its parts in their context. (See *Blank v. Kirwan* (1985) 39 Cal.3d 311, 318.)

A reasonable reading of Plaintiffs' complaint as a whole shows Plaintiffs allege the City of Merced is a member of the Merced Streams Group, and that the Merced Streams Group maintains the Merced Channels through a lake and streambed alteration agreement.

Taking the parts in their context, Plaintiffs have alleged facts sufficient to show the City of Merced, in short, owned or controlled the subject waterways.

Plaintiffs further allege facts sufficient to show the California Water Code at issue imposes a mandatory duty.

Accordingly, as a demurrer only challenges the legal sufficiency of the pleadings, and not the truth or the ability to prove those allegations, Defendant's demurrer is overruled.

Demurrer to Plaintiff Maria Perez-Ramirez; et al's Third Amended Complaint for Damages

Defendant's demurrer to Plaintiffs' first cause of action is **OVERRULED**. Plaintiff has alleged facts sufficient to constitute the cause of action.

Defendant's demurrer to Plaintiffs' second cause of action is **OVERRULED**. Plaintiff has alleged facts sufficient to constitute the cause of action.

Defendant's demurrer to Plaintiffs' third cause of action is **OVERRULED**. Plaintiff has alleged facts sufficient to constitute the cause of action.

Defendant's demurrer to Plaintiffs' sixth cause of action is **OVERRULED**. Plaintiff has alleged facts sufficient to constitute the cause of action.

Plaintiffs' request for judicial notice is **GRANTED**.

A demurrer challenges only the legal sufficiency of the affected pleading, not the truth of the factual allegations in the pleading or the pleader's ability to prove those allegations. (*Cundiff v. GTE Cal., Inc.* (2002) 101 Cal.App.4th 1395, 1404-05.)

For this reason, the court will not decide questions of fact on demurrer. (See *Berryman v. Merit Prop. Mgmt., Inc.* (2007) 152 Cal.App.4th 1544, 1556.)

Further, the court is to give the complaint a reasonable interpretation, reading it as a whole and its parts in their context. (See *Blank v. Kirwan* (1985) 39 Cal.3d 311, 318.)

A reasonable reading of Plaintiffs' complaint as a whole shows Plaintiffs allege the City of Merced is a member of the Merced Streams Group, and that the Merced Streams Group maintains the Merced Channels through a lake and streambed alteration agreement.

Taking the parts in their context, Plaintiffs have alleged facts sufficient to show the City of Merced, in short, owned or controlled the subject waterways.

Plaintiffs further allege facts sufficient to show the California Water Code at issue imposes a mandatory duty.

Accordingly, as a demurrer only challenges the legal sufficiency of the pleadings, and not the truth or the ability to prove those allegations, Defendant's demurrer is overruled.

Demurrer to Plaintiffs Cortney Glenn; et al's Third Amended Complaint for Damages

Defendant's demurrer to Plaintiffs' first cause of action is OVERRULED. Plaintiff has alleged facts sufficient to constitute the cause of action.

Defendant's demurrer to Plaintiffs' second cause of action is OVERRULED. Plaintiff has alleged facts sufficient to constitute the cause of action.

Defendant's demurrer to Plaintiffs' third cause of action is OVERRULED. Plaintiff has alleged facts sufficient to constitute the cause of action.

Defendant's demurrer to Plaintiffs' sixth cause of action is OVERRULED. Plaintiff has alleged facts sufficient to constitute the cause of action.

Plaintiffs' request for judicial notice is GRANTED.

A demurrer challenges only the legal sufficiency of the affected pleading, not the truth of the factual allegations in the pleading or the pleader's ability to prove those allegations. (*Cundiff v. GTE Cal., Inc.* (2002) 101 Cal.App.4th 1395, 1404-05.)

For this reason, the court will not decide questions of fact on demurrer. (See *Berryman v. Merit Prop. Mgmt., Inc.* (2007) 152 Cal.App.4th 1544, 1556.)

Further, the court is to give the complaint a reasonable interpretation, reading it as a whole and its parts in their context. (See *Blank v. Kirwan* (1985) 39 Cal.3d 311, 318.)

A reasonable reading of Plaintiffs' complaint as a whole shows Plaintiffs allege the City of Merced is a member of the Merced Streams Group, and that the Merced Streams Group maintains the Merced Channels through a lake and streambed alteration agreement.

Taking the parts in their context, Plaintiffs have alleged facts sufficient to show the City of Merced, in short, owned or controlled the subject waterways.

Plaintiffs further allege facts sufficient to show the California Water Code at issue imposes a mandatory duty.

Accordingly, as a demurrer only challenges the legal sufficiency of the pleadings, and not the truth or the ability to prove those allegations, Defendant's demurrer is overruled.

25CV-00859

Julie Saefong vs Anberry Transitional Care LLC, et al.

Motion to Compel Further Responses to Form Interrogatories – General (Set One) & Form Interrogatories – Employment Law (Set One) From Defendant Anberry Transitional Care LLC

Plaintiff's motion to compel further responses is GRANTED IN PART AND DENIED IN PART.

Plaintiff's motion to compel further responses to Form Interrogatories (General and Employment) is DENIED.

Defendant served further verified responses on February 12, 2026.

If, after meeting and conferring, Plaintiff contends the further responses are inadequate or the objections are without merit then they are able to bring a new motion to compel further responses. (See Code. Civ. Proc. § 2030.300.)

Although the motion is denied due to Defendant serving further responses, Plaintiff was justified in filing the instant motion.

Accordingly, the request for sanction is GRANTED. (See Cal. Rules of Ct. rule 3.1348).

Defendant is ordered to pay \$750.00 within thirty (30) days of this court's order.

Motion to Compel Further Responses to Special Interrogatories (Set One) from Defendant Anberry Transitional Care LLC

Plaintiff's motion to compel further responses is GRANTED IN PART AND DENIED IN PART.

Plaintiff's motion to compel further responses to Special Interrogatories is DENIED.

Defendant served further verified responses on February 12, 2026.

If, after meeting and conferring, Plaintiff contends the further responses are inadequate or the objections are without merit then they are able to bring a new motion to compel further responses. (See Code. Civ. Proc. § 2030.300.)

Although the motion is denied due to Defendant serving further responses, Plaintiff was justified in filing the instant motion.

Accordingly, the request for sanction is GRANTED. (See Cal. Rules of Ct. rule 3.1348).

Defendant is ordered to pay \$750.00 within thirty (30) days of this court's order.

Motion to Compel Further Responses to Request for Production (Set One) From Defendant Anberry Transitional Care LLC

Plaintiff's motion to compel further responses is GRANTED IN PART AND DENIED IN PART.

Plaintiff's motion to compel further responses to Requests for Production is DENIED.

Defendant served further verified responses on February 12, 2026.

If, after meeting and conferring, Plaintiff contends the further responses are inadequate or the objections are without merit then they are able to bring a new motion to compel further responses. (See Code. Civ. Proc. § 2031.310.)

Although the motion is denied due to Defendant serving further responses, Plaintiff was justified in filing the instant motion.

Accordingly, the request for sanction is GRANTED. (See Cal. Rules of Ct. rule 3.1348).

Defendant is ordered to pay \$750.00 within thirty (30) days of this court's order.

Motion to Compel Further Responses to Request for Admission (Set One) From Defendant Anberry Transitional Care LLC

Plaintiff's motion to compel further responses is GRANTED IN PART AND DENIED IN PART.

Plaintiff's motion to compel further responses to Requests for Admission is DENIED.

Defendant served further verified responses on February 12, 2026.

If, after meeting and conferring, Plaintiff contends the further responses are inadequate or the objections are without merit then they are able to bring a new motion to compel further responses. (See Code. Civ. Proc. § 2033.290.)

Although the motion is denied due to Defendant serving further responses, Plaintiff was justified in filing the instant motion.

Accordingly, the request for sanction is GRANTED. (See Cal. Rules of Ct. rule 3.1348).

Defendant is ordered to pay \$750.00 within thirty (30) days of this court's order.

25CV-00986

Gabriela Zaragoza Gonzalez, et al. vs State of California, et al.

Motion to Compel Responses to Interrogatories & Monetary Sanctions

Defendant's unopposed motion is GRANTED.

Plaintiff has failed to provide timely responses to Form Interrogatories, Set One, and Special Interrogatories, Set One.

Objections are waived.

Plaintiffs shall serve verified, code compliant, responses without objections, within thirty (30) days of this court's order.

The request for sanctions is GRANTED.

Plaintiffs are ordered to pay \$200.00 within thirty (30) days of this court's order.

Motion to Compel Responses to Requests for Production & Monetary Sanctions

Defendant's unopposed motion is GRANTED.

Plaintiff has failed to provide timely responses to Requests for Production, Set One.

Objections are waived.

Plaintiffs shall serve verified, code compliant, responses without objections, within thirty (30) days of this court's order.

The request for sanctions is GRANTED.

Plaintiffs are ordered to pay \$200.00 within thirty (30) days of this court's order.

25CV-04219 POM of California, LLC, et al. vs California Department of Alcoholic
Beverage Control, et al.

Motion for Return of Seized Property & For Preliminary Injunction

Appearance required.

26CV-00215 Ericka Martinez-Reyes vs Krystal Galvan

Order to Show Cause re: Restraining Order

Appearances required.

26CV-00480 Robert Frank vs Belma Alvarado

Order to Show Cause Re: Restraining Order

Appearances required.