

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

627 W. 21<sup>st</sup> Street, Merced  
1159 G Street, Los Banos

Monday, November 28, 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 wanting a hearing transcript must make their own arrangements. Electronic recording is available in certain courtrooms and will only be activated upon request.**

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

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Monday, November 28, 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) 725-4111 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 encourages remote hearings. Parties who contest the tentative ruling or wish to appear at a hearing must contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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

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Case No.	Title / Description
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17CV-01824	Jerry Tiu, et al. v. Valentino Verona, et al.
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Status Conference

**Appearance required. Remote appearances are strongly encouraged. To arrange a remote appearance, contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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19CV-02862	Transguard Insurance Company of America v. Snack Natural LLC
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Trial Setting Conference

**Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. Please be prepared to set dates for a mandatory settlement conference, and potential trial dates.**

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20CV-00062                      Lawrence McKenry v. Avalon Care Center – Merced Hy-Lond, LLC, et al.

Trial Setting Conference

**Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. Please be prepared to set dates for a mandatory settlement conference, and potential trial dates.**

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20CV-00749                      Jacqueline Davis v. Ron Drennen, et al.

Status Conference

**Appearance required. Remote appearances are strongly encouraged. To arrange a remote appearance, contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. Appear to update the Court on the status of mediation.**

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20CV-02200                      Christopher Heffington, et al. v. B & H Custom Homes, LLC, et al.

Order to Show Cause

**Appearance required. Remote appearances are strongly encouraged. To arrange a remote appearance, contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. The Court notes counsel did not file a Case Management Conference Statements, appear at the 10/24/2022 CMC, nor have they filed any response to the OSC.**

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20CV-03466                      Margarita Fernandez v. Erika Navarro

Order to Show Cause Re: Dismissal

**Appearance required. Remote appearances are strongly encouraged. To arrange a remote appearance, contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. The Court notes counsel did not file a Case Management Conference Statements, appear at the 9/19/2022 CMC, nor have they filed any response to the OSC re dismissal.**

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21CV-03294                      Javier Juarez, et al. v. Hona Motor Company, Ltd., et al.

Case Management Conference

**Appearance Required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. Appear to update the Court on the status of case.**

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22CV-00656

Knowland Crevette Harris, Jr. v. FCA US LLC

Plaintiff Knowland Crevette Harris Jrs's Motion to Compel Further Responses to Plaintiff's Requests for Production of Documents, Set One

**The matter is CONTINUED ON THE COURT'S OWN MOTION to Friday, December 9, 2022, at 8:15 a.m. in Courtroom 8.**

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22CV-03145

Petition of Ana Edith Castrejon Alcala, et al.

Order to Show Cause Re: Name Change

**This petition by both parents to change the last name of their minor child will be GRANTED upon the filing of Proof of Publication. When Proof of Publication is filed, the Court will sign the Decree Changing Name lodged on October 3, 2022. In the event that Publication has not yet occurred, Petitioners are ordered to contact the clerk of the court to arrange a new hearing date so that publication can occur.**

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22CV-03293

Petition of Maria Romo

Order to Show Cause Re: Name Change

**This petition by one parent to change the last names of her minor children is CONTINUED ON THE COURT'S OWN MOTION to Monday, January 9, 2023, at 8:15 a.m. in Courtroom 8 so that that publication can occur and service of the petition on the minors' father may be accomplished. Petitioner will need to submit a new Order to Show Cause, serve a copy of the Order to Show Cause and the Petition on the minors' father, and file a proof of service showing that both the Order to Show Cause and the Petition have been served on the minors' father and was published for four consecutive weeks.**

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22CV-03474

Armando Diaz v. Gerardo Badillo

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 attempts to serve respondent have been unsuccessful. 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-03484

Misty Blurton v. Shannon Kuykendall

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 personal service was filed on November 9, 2022, indicating respondent was personally served with notice of hearing on November 8, 2022, and that a response was filed on November 9, 2022, although service on petitioner was unsuccessful.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Mandatory Settlement Conference  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Monday, November 28, 2022  
9:00 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) 725-4111 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 encourages remote hearings. Parties who contest the tentative ruling or wish to appear at a hearing must contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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

<b>Case No.</b>	<b>Title / Description</b>
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There are not Mandatory Settlement Conferences scheduled.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Case Management Conferences  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Monday, November 28, 2022  
10:00 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) 725-4111 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 encourages remote hearings. Parties who contest the tentative ruling or wish to appear at a hearing must contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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

Case No.	Title / Description
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**Appearance required on all matters. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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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  
Monday, November 28, 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) 725-4111 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 encourages remote hearings. Parties who contest the tentative ruling or wish to appear at a hearing must contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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

<b>Case No.</b>	<b>Title / Description</b>
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There are no ex parte matters scheduled for hearing.

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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

Monday, November 28, 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) 725-4111 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 encourages remote hearings by telephone or video. Parties who contest the tentative ruling or wish to appear remotely must contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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

<b>Case No.</b>	<b>Title / Description</b>
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There are no ex parte matters scheduled for hearing.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. David A. Moranda  
Courtroom 12  
1159 G Street, Merced  
Monday, November 28, 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) 725-4111 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 encourages remote hearings. Parties who contest the tentative ruling or wish to appear at a hearing must contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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

**Case No. Title / Description**

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There are no ex parte matters scheduled for hearing.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Short Cause Court Trials  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Monday, November 28, 2022  
1:30 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) 725-4111 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 encourages remote hearings. Parties who contest the tentative ruling or wish to appear at a hearing must contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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

<b>Case No.</b>	<b>Title / Description</b>
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There are no Short Cause Court Trials scheduled.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Monday, November 28, 2022  
1:30 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) 725-4111 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 encourages remote hearings by telephone or video. Parties who contest the tentative ruling or wish to appear remotely must contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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

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Case No.	Title / Description
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21CV-03796	Discover Bank v. Soledad Vang
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Motion for Summary Judgment

**This matter is CONTINUED ON THE COURT'S OWN MOTION to Monday, December 5, 2022, at 1:30 p.m. in Courtroom 9.**

Case Management Conference

**This matter is CONTINUED ON THE COURT'S OWN MOTION to Monday, December 5, 2022, at 1:30 p.m. in Courtroom 9.**

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22CV-01048	PNC Bank, N.A. v. Nancy Vitato
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Motion to Vacate and Set Aside Default and Default Judgment

**This matter is CONTINUED ON THE COURT'S OWN MOTION to Monday, December 5, 2022, at 1:30 p.m. in Courtroom 9.**

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22CV-01436 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Unlawful Detainer Court Trial

**Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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22CV-02413 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Unlawful Detainer Court Trial

**Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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22CV-03140 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Unlawful Detainer Court Trial

**Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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22CV-03516 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Application to Prevent Forfeiture Due to COVID-19 Rental Debt

**Appearance required. Remote appearances are encouraged. Parties wishing to appear remotely must contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.**

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