

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Thursday, September 14, 2023

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 scheduled civil matters:

Courtroom 8 – Hon. Brian L. McCabe

Courtroom 9 – Hon. David Hood

Courtroom 10 – Hon. Donald J. Proietti

Courtroom 12 – Hon. Jennifer O. Trimble

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. Electronic recording is available in certain courtrooms and will only be activated upon request.

The specific tentative rulings for specific calendars follow:

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Thursday, September 14, 2023
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. **Parties who contest the tentative ruling or wish to appear remotely 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 must make their own arrangements.

Case No.	Title / Description
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19CV-04832	1 st Source Bank v. Angel Transportation Service, LLC, et al.
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Order of Examination

Personal appearance required. Matter will be DROPPED FROM CALENDAR unless proof of service is filed by the time of the hearing showing service of the Order to Appear for Examination on the Judgment Debtor.

20CV-01463	Rafael Dominguez v. Miguel Orozco Farm Labor Contractor Inc., et al.
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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.

21CV-03369

Veronica Padron v. Bhavesh Patel, et al.

Motion to be Relieved as Counsel

The Unopposed Motion by Ana Vasquez, Esq. of the Law Firm of Chassman & Seelig LLP to be Relieved as counsel for Defendant Golden State Hospitality, LLC is GRANTED effective upon service of the order granting such relief on Defendant Golden State Hospitality, LLC. The Court will sign the proposed order lodged with the court on August 15, 2023. A status conference concerning the retention of new counsel by Defendant Golden State Hospitality, LLC is set for October 19, 2023 at 8:15 in Courtroom 8 and Ana Vasquez, Esq. of the Law Firm of Chassman & Seelig LLP is ordered to provide notice of such status conference to all parties including Defendant Golden State Hospitality, LLC and file proof of service of such notice with this court.

22CV-01049

Jeremy Curtiss v. Kevin Campbell, 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.

22CV-01305

Maria Garcia v. Manuel Faria

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.

22CV-03432

Wendy Shaw v. Juan Prado

Order to Show Cause Re: Restraining Order Renewal

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. The Court notes that proof of service by Law Enforcement was filed showing that respondent was served with the Notice of Hearing of the Request to Renew Restraining Order on September 8, 2023.

The Court notes a Spanish language interpreter has been scheduled. If the requesting party fails to appear, the Court may assess on the party and/or attorney all or part of the financial expense of scheduling an interpreter pursuant to Standing Order #2017-02. If counsel intends to appear on behalf of the party who requires an interpreter, please notify the court immediately if an interpreter is not required.

23CV-00538

City of Merced v. Viraaj Investments LLC, et al.

Motion to be Relieved as Counsel

The Unopposed Motion by Ana Vasquez, Esq. of the Law Firm of Chassman & Seelig LLP to be Relieved as counsel for Defendant Golden State Hospitality, LLC is GRANTED effective upon service of the order granting such relief on Defendant Golden State Hospitality, LLC. The Court will sign the proposed order lodged with the court on August 15, 2023. A status conference concerning the retention of new counsel by Defendant Golden State Hospitality, LLC is set for October 19, 2023 at 8:15 in Courtroom 8 and Ana Vasquez, Esq. of the Law Firm of Chassman & Seelig LLP is ordered to provide notice of such status conference to all parties including Defendant Golden State Hospitality, LLC and file proof of service of such notice with this court.

23CV-00842

Ray Reyna, Sr. v. Sutter Tracy Community Hospital, et al.

Order to Show Cause Re: Sanctions

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 that Plaintiff did not file a Case Management Conference Statement, failed to appear for CMC on August 14, 2023, and has not filed any response to the OSC re sanctions.

23CV-02783

In the Matter of Sierra Smith

Petition for Relief from Firearms Prohibitions (In-Camera)

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.

23CV-02874

Blanca Morales v. Darla Romero

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 proof of personal service by Law Enforcement was filed August 30, 2023 indicating Respondent was personally served with notice of hearing on August 29, 2023 and that Respondent has appeared in this action by filing a Response indicating that Respondent does not agree to the restraining orders requested.

The Court notes a Spanish language interpreter has been scheduled. If the requesting party notifies the court of their intent to appear, and fails to appear, the Court may assess on the party and/or attorney all or part of the financial expense of scheduling an interpreter pursuant to Standing Order #2017-02. If counsel intends to appear on behalf of the party who requires an interpreter, please notify the court immediately if an interpreter is not required.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Civil Law and Motion
Hon. Donald J. Proietti
Courtroom 10
627 W. 21st Street, Merced

Thursday, September 14, 2023
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. **Parties who contest the tentative ruling or wish to appear remotely 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 must make their own arrangements.

Case No.	Title / Description
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CU106522	Theresa Lynn Morlock, et al. v. Frank Gasper, et al.
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Fourteenth and Final Account and Report; Petition for Settlement, for Payment of Attorney's Compensation, Trustee's Compensation, and Reimbursement of Costs Advanced, and for Approval of Final Distributions

See the Probate Notes prepared by the Probate Examiner in connection with this matter.

The Matter is Continued to September 21, 2023 at 8:15 A.M. in Courtroom 10.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Mandatory Settlement Conferences
Hon. Brian L. McCabe
Courtroom 8
627 W. 21st Street, Merced

Thursday, September 14, 2023
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:

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

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Case No.	Title / Description
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There are no Mandatory Settlement Conferences Scheduled

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Calendar
Hon. David Hood
Courtroom 9
627 W. 21st Street, Merced

Thursday, September 14, 2023
10:00 a.m.

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Case No.	Title / Description
23CV-02122	[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.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Restraining Orders
Hon. Jennifer O. Trimble
Courtroom 12
1159 G Street, Los Banos

Thursday, September 14, 2023
11:00 a.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. **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.**

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

Case No.	Title / Description
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There are no Restraining Order matters scheduled.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Thursday, September 14, 2023
1:15 p.m.

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

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

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. David Hood
Courtroom 9
627 W. 21st Street, Merced

Thursday, September 14, 2023
1:15 p.m.

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

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

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. Jennifer O. Trimble
Courtroom 12
1159 G Street, Los Banos

Thursday, September 14, 2023
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Case No.	Title / Description
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There are no Ex Parte matters scheduled.
