

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Thursday, September 22, 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 – Judge Pro Tem Peter MacLaren

Courtroom 9 – Hon. Stephanie L. Jamieson

Courtroom 12 – Hon. Brian L. McCabe

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
Judge Pro Tem Peter MacLaren
Courtroom 8
627 W. 21st Street, Merced

Thursday, September 22, 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. **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-02000	Amarjit Kandola v. Bhupinder Sahota
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Status 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.

20CV-02849	William Thomas v. Mark Williams, et al.
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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.

21CV-00379

The People of the State of California v. \$300.220.00 U.S. Currency

Status 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-03890

Gregorio Rodriguez v. CAVT, LLC, et al.

Motion for Final Approval of Class and Representative Action Settlement, Attorneys' Fees and Costs, and Class Representative's Enhancement Award

The Unopposed Motion for Final Approval of Class and Representative Action Settlement, Attorneys' Fees and Costs, and Class Representative's Enhancement Award is GRANTED. The Court will sign the Order lodged with the court on August 29, 2022.

Case Management Conference

Dropped from calendar as moot given the above order Granting the Motion for Final Approval of Class Action Settlement.

22CV-01272

Petition of Emily Bernard

Order to Show Cause Re: Name Change / Receipt of Minor's Counsel Report

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.

22CV-01855

Consolacion Urbieta Espina v. Juan Castaneda Corona

Order to Show Cause Re: Restraining Order

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 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.

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.

22CV-02527

Petition of Juanita Meehan

Order to Show Cause Re: Name Change

This petition by an adult to change his/her own last name will be GRANTED upon filing of Proof of Publication. When Proof of Publication is filed, the Court will sign the Decree Changing Name lodged on August 11, 2022. If Publication has not occurred, the Petitioner is ordered to contact the clerk of the court to set a new hearing date so that publication can occur.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Special Set Matter
Hon. John D. Kiriwara, Assigned
Courtroom 2
2260 N Street, Merced

Thursday, September 22, 2022
8:30 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 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.**

Case No.	Title / Description
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20CV-00068	The People of the State of California v. \$18,579.00 U.S. Currency
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Hearing on Claim Opposing Forfeiture

The Court notes this matter is trailing a felony, Merced Superior Court Criminal Case # 21CR-06339.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Calendar
Hon. Stephanie L. Jamieson
Courtroom 9
627 W. 21st Street, Merced

Thursday, September 22, 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) 725-4240 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
22CV-01279	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)] Unlawful Detainer Jury Trial 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. DROPPED FROM CALENDAR-DISMISSAL FILED 9-20-22.
22CV-02350	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)] Unlawful Detainer Court Trial DROPPED FROM CALENDAR-DISMISSAL FILED 9-20-22.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Restraining Orders
Hon. Brian L. McCabe
Courtroom 12
1159 G Street, Los Banos

Thursday, September 22, 2022
11:00 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) 725-4240 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) 725-4124 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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22CV-02719	Stephanie Herrera v. Maria Del Villar Gallegos
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Request for Restraining Order

Appearance required. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4124 to provide their contact information for the remote hearing. The Court notes proof of personal service was filed on September 13, 2022, indicating respondent was personally served with notice of hearing on September 8, 2022.

22CV-02685	Esteban Villalobos v. Joaquin Grijalva
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Request for Restraining Order

Appearance required. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4124 to provide their contact information for the remote hearing. The Court notes that Proof of Unsuccessful Service was filed on September 14, 2022. 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.

22CV-02704

Crystal Ruiz v. David Verderber

Request for Restraining Order

Appearance required. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4124 to provide their contact information for the remote hearing. The Court notes proof of service was filed on September 14, 2022, indicating respondent was personally served with notice of hearing on September 9, 2022.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Judge Pro Tem Peter MacLaren
Courtroom 8
627 W. 21st Street, Merced

Thursday, September 22, 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. **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.**

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. Stephanie L. Jamieson
Courtroom 9
627 W. 21st Street, Merced

Thursday, September 22, 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. **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.**

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. Brian L. McCabe
Courtroom 12
1159 G Street, Los Banos

Thursday, September 22, 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. **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.**

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

Special Set Matter
Hon. Timothy Salter, Assigned
Courtroom 4
2260 N Street, Merced

Thursday, September 22, 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. **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.**

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

Case No.	Title / Description
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21CV-03130	Heliodoro Silva v. Jeanne Schechter, et al.
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Order to Show Cause Re: Dismissal

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 at the previous hearing, the Court ordered the Plaintiff to serve the Respondents with the Summons and Complaint. To date, no proof of service has been filed. Absent a showing of good cause for the failure to serve defendants, the matter will be DISMISSED WITHOUT PREJUDICE.
