

## **TENTATIVE RULINGS**

**FOR: March 6, 2018**

The Court may exercise its discretion to **disregard** a late filed paper in law and motion matters. (Cal. Rules of Court, rule 3.1300(d).)

**Unlawful Detainer Cases** – Pursuant to the restrictions in Code of Civil Procedure section 1161.2, no tentative rulings are posted for unlawful detainer cases and appearances are required.

**Court Reporting Services** – The Court does not provide official court reporters in proceedings for which such services are not legally mandated. These proceedings include civil law and motion hearings. If counsel want their civil law and motion hearing reported, they must arrange for a private court reporter to be present. Go to <http://napacountybar.org/court-reporting-services/> for information about local private court reporters. Attorneys or parties must confer with each other to avoid having more than one court reporter present for the same hearing.

### **PROBATE CALENDAR – Hon. Diane Price, Dept. C (Historic Courthouse)**

**Conservatorship of Gregory Militante, Jr.**

**16PR000176**

AMENDED PETITION FOR APPROVAL OF ACCOUNT AND REPORT OF CONSERVATOR AND PETITION FOR ALLOWANCE OF FEES TO ATTORNEYS FOR CONSERVATOR, AND FOR ORDER FINDING THAT CONSERVATEE IS NOT ABLE TO VOTE

**APPEARANCE REQUIRED.** The Court required in its February 6, 2018 Minute Order that the conservator file a declaration as to whether the bond is sufficient or should be increased in light of the value of the estate. Conservator did not file a declaration.

### **CIVIL LAW & MOTION CALENDAR – Hon. Diane Price, Dept. C (Historic Courthouse)**

**In the Matter of Rosa Asuncion**

**17CV001204**

PETITION FOR CHANGE OF NAME

**TENTATIVE RULING:** Pursuant to Code of Civil Procedure section 1277, the non-petitioning parent must be personally served with the petition for name change and given 30 days' notice of the hearing. The court file contains no proof of service on the minor's father or a name. There also is no Proof of Publication in the court file. The Court previously continued this matter to allow petitioner to file these materials. If a proper proof of service and Proof of Publication are filed before the hearing, the petition will be granted. Otherwise, the matter will be denied.

**PROBATE CALENDAR – Hon. Rodney Stone, Dept. I (Criminal Courts Bldg.-1111 Third St.)**

**Estate of Penelope A. Johnson**

**17PR000039**

FIRST AND FINAL ACCOUNT AND REPORT OF ADMINISTRATOR AND PETITION FOR ITS SETTLEMENT; FOR ALLOWANCE OF COMPENSATION TO ADMINISTRATOR AND HIS ATTORNEY FOR STATUTORY AND EXTRAORDINARY SERVICES; FOR REIMBURSEMENT OF ADVANCES; AND FOR FINAL DISTRIBUTION

**TENTATIVE RULING:** GRANT petition, including fees as prayed.

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**Conservatorship of Arnold J. Koenig**

**26-58619**

1) PETITION FOR SETTLEMENT OF ACCOUNT AND APPROVAL OF TRUSTEE, ATTORNEY AND BOND FEES

**APPEARANCE REQUIRED**

2) FOURTH ACCOUNTING AND REPORT OF CONSERVATOR

**APPEARANCE REQUIRED**

**CIVIL LAW & MOTION CALENDAR – Hon. Rodney Stone, Dept. I (Criminal Courts Bldg.-1111 Third St.)**

**Farmers Insurance Exchange v. Denise Marie Azevedo, et al.**

**26-43829**

MOTION TO ISSUE EARNINGS WITHHOLDING ORDER AGAINST SPOUSE OF JUDGMENT DEBTOR

**TENTATIVE RULING:** The matter is dropped from calendar in light of the satisfaction of judgment filed on March 5, 2018. The clerk is directed to set the case for an OSC re: dismissal on April 10, 2018.