

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 07/31/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL1504579

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: LORENA SALAZAR

and

RESPONDENT: FRANCISCO G. MEDINA

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – COMPEL; DISCOVERY
FACILITATOR

RULING

This matter was last called on July 17, 2025. The matter was continued because Husband was not timely served with a motion to compel documents in time for the hearing. The California Code of Civil Procedure §1005(b).

Both parties filed updated declarations on July 25, 2025, to update the court with the status of their meet and confer efforts.

There are multiple Requests for Orders (“RFO”) on calendar. Petitioner Lorena Salazar (“Wife”) filed a December 20, 2024, seeking to remove her name from the mortgage on Husband’s property, which was formerly the couple’s community property. Respondent Francisco Medina (“Husband”) filed a responsive declaration on February 27, 2025. Wife filed a reply declaration on March 20. Wife also filed an RFO to enforce prior orders regarding clearing the title of Husband’s residence.

The matter was heard on March 27, 2025, and continued to May 1, 2025, to allow Husband with more time to remove Wife’s name from the mortgage documents. Wife requested on April 24, 2025, to continue the hearing to September 1, 2025, at 9 am in this department to allow more time to resolve the mortgage issue. The request was granted.

Wife filed an RFO on May 13, 2025, seeking to compel Husband to file his Income and Expense Declaration, and provide Wife with his current Income and Expense Declaration, as well as a current profit and loss statement.

Husband claims that Wife’s name is off the deed. At the last hearing, Husband presented the court with a mortgage record that indicated Wife was off the mortgage. The court proposes to serve as an Elisor for Husband to help Wife with clearing the mortgage documents of Husband’s name. That way, Mr. Castro can solve the issue without delays caused by the parties, due to what appears to be constant stream of mis-communication.

Wife also files a request for discovery sanctions in the amount of \$2,035. Husband has not filed a response.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

Counsel for Mother to prepare the order.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that if a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 07/31/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL1602023

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: TRAVIS JONES

and

RESPONDENT: KAREN DAVIS JONES

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – SPOUSAL SUPPORT

RULING

This matter was last called on June 5, 2025, and continued to July 31, to allow Wife time to file a responsive declaration.

Petitioner Travis Jones (“Husband”) filed a Request for Order (“RFO”) for spousal support on February 25, 2025. The matter was previously called on March 20, and April 17. However it was continued due to problems with service. Proof of service of “summons” indicates that Respondent Karen Jones (“Wife”) was personally served with the moving papers on March 27, 2025. The service was untimely for the June 5, 2025, hearing.

Wife filed a response on July 17, 2025, requesting the court deny Husband’s request. She expresses a concern that Husband lives in an extravagant home with his partner. She alleges that he works for his partner’s family. She also explains that he has not paid the \$900 in child support as previously ordered, although she believes he has purchased a firetruck and recently traveled extensively. It is unclear based on this record if Husband is paying child support.

Together, these parents have one child. Roy is 17, years old. Born on November 23, 2017.

Pursuant to the judgement entered in July 19, 2019, Husband was to pay Wife spousal support in the amount of \$1,110 per month, indefinitely. The clause in the judgment does not contain an exception for change of circumstances, as Husband believes.

The court is troubled that Husband has been unemployed since January 12, 2024. The court is also troubled that he has possibly not paid child support, over this period as reported by Wife.

Wife believes Husband is, at 52, retired. The general rule relative to retirement is that the attainment of retirement age and loss of income constitute a material change of circumstances. See *Marriage of Schmir* (2005) 134 CA4th 43, 51. Here, Husband has not reached to federal retirement age, and there is no indication that his income is being reduced because of his decision to stop working. It is most plausible that he has elected not to work, given his long period of unemployment.

The court also notes that Husband's income and expense declaration reports more income, \$4,753 in June 2025, than was reported in February 2025.

This court maintains jurisdiction to terminate spousal support based on a showing of "changed circumstances". Family Code §4326, *Marriage of Christie* (1994) 28 Cal.App. 849, 858. The court must consider the circumstances in support of a request to terminate spousal support, and weigh the factors listed in Family Code §4320 to determine if it would be "just and equitable" to do so. *Marriage of Baker* (1992) 3 Cal.App. 4th 491, 494. See also, *Marriage of Mosley* (2008) 165 Cal.App. 4th 1375, 1387 (a supporting party's decreased ability to pay may also represent a change of circumstances.)

A refusal to work is not a change in circumstance.

Husband's numbers do not add-up. He agreed to pay spousal support and he has not provided sufficient justification to get out from under this contractually agreed to obligation to his former Wife.

The request to modify spousal support is DENIED.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

As authorized by CRC 5.125, the court will prepare the Findings and Order After Hearing.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that if a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 07/31/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL1802056

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: ALETHEA HARAMPOLIS

and

RESPONDENT: CHRIS SEITZ

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – OTHER: VACATE OR SET
ASIDE 1/27/25 ORDER UNDER THE PROVISION OF CCP 663 AND CRC 3.1590

RULING

This matter was last called on March 27, 2027. The court adopted the tentative ruling, ordering counsel for Plaintiff to prepare the Findings and Hearing After Order. The procedural history is important.

Petitioner Alethea Harampolis (“Wife”) filed a Request for Order (“RFO”) on June 18, 2024, to force Respondent Chris Seitz (“Husband”) to refinance or sell property and remove her name from the home loan on their former community property real estate as required by the express terms of the Marital Settlement Agreement (“MSA”), entered into by the Parties on May 24, 2019. The matter was heard on August 22, 2024, with the court continuing the case to October 10, 2024.

The matter was again called on October 10, 2024, with Husband now represented by Marianne Skipper, Esq., who reported to the court that the mortgage buyout solution was almost finalized, providing the court with mortgage number 3552470108, in support of her request to continue the matter once more so the purchase Could be finalized. The court GRANTED Husband’s request to continue the hearings to allow more time to settle this matter. The RFO hearing was continued to December 5, 2024.

On December 5, 2024, the matter was called once more. The matter was continued for 15 more days, in response to Husband’s reassurance that he was on the verge of securing the loan. If the parties were unable to reach an agreement regarding the property sale by December 20, 2024, the matter would be submitted for court review. Unfortunately, the parties were unable to reach an agreement before the deadline and the court entered an Order After Hearing on January 27, 2025, to resolve Wife’s RFO filed on June 18, 2024.

On December 19, 2024, Husband filed this Motion for Reconsideration, seeking relief from an order issued on August 22, 2024. At the hearing on February 13, 2025, the request to set aside was DENIED because no order was ever entered on August 22, 2024. Rather matter was

continued to October 10. The operative order responsive to Wife's June 18, 2024, RFO was entered on January 27, 2025

On February 25, 2025, Husband filed a second motion for reconsideration to set aside the court's order entered on January 27, 2025. Husband seeks relief pursuant to Code of Civil Procedure §473(b) to "set aside" an order entered as a result of mistake, inadvertence, surprise or excusable neglect. The trial court has broad discretion to grant or deny the requested relief. CCP §473. Husband requests the matter be set aside because, quoting the points and authorities filed by his new counsel: "blindly followed the advice of an attorney who turned out to be out of her league".

On April 7, 2025, Husband filed a Motion to Set Aside the court's order issued on March 27, 2025, in which the court adopted the tentative ruling DENYING Husband's request to set aside the court's order entered on January 27, 2025.

Code of Civil Procedure § 663 CCP allows a court to set aside and vacate a judgment or decree and enter a different judgment for two specific reasons:

1. When the judgment is based on an incorrect or erroneous legal basis that is not consistent with or supported by the facts. In such cases, the court must amend and correct the statement of decision when the judgment is set aside; and,
2. When the judgment or decree is not consistent with or supported by the special verdict

The primary purpose of CCP § 663 is to enable the "speedy rectification" of judgments rendered upon the erroneous application of the law to established facts. This remedy is distinct from a motion for a new trial, which addresses issues such as insufficient evidence to support findings or verdicts. *Machado v. Myers*, (2029) 39 Cal.App.5th 779. Instead, CCP § 663 focuses on correcting legal errors without requiring a full retrial, making it a more efficient and cost-effective remedy. Importantly, CCP § 663 does not permit the court to alter findings of fact or to address issues of mistake, inadvertence, surprise, or excusable neglect, which are governed by CCP § 473. Instead, it is limited to correcting legal errors in the judgment itself. *Southern Cal. White Trucks v. Teresinski* (1987) 190 Cal.App.3d 1393.

The judgment at issue was entered on May 24, 2019. The Marital Settlement Agreement, which is attached to the fully executed judgment, provides at § B(7)(a) that Husband was to maintain sole occupancy of the residence located at 16527 Roberson Road, Truckee, California. He agreed to refinance or otherwise remove Wife's name from the existing loan not later than September 30, 2020. He failed to comply with that agreement, resulting in Wife filing an RFO on June 18, 2024, to enforce the judgment. This court is unable to change or alter the material terms of the MSA to provide Husband with additional time to do what he said he was going to do.

The court finds no incorrect or erroneous legal issues in the judgment that would justify modification to it as requested by Husband.

When the court denied Husband's Motion for Reconsideration of the January 27, 2025, order on February 25, 2025, the court found it landed outside the narrow parameters provided under CCP §473(b), which limit the courts ability to set aside an order based on a party's mistake, inadvertence, surprise or excusable neglect. Husband cannot expect Wife to take responsibility for his decision to hire, what he argues, was ineffective counsel. Husband argued that because he hired an estate planning attorney to represent him in a family law matter, he should be afforded another chance to renegotiate Wife's demand for payment for her share of the community property under the original Marital Settlement Agreement. It is Husband's duty to

take the adequate steps required to retain competent counsel. See, *Elms v Elms* (1946) 72 Cal.App.2d 508, 514. Ineffective counsel is no basis to set aside an order. *Id.*

Moreover, the court minutes indicate that the court gave Husband 15 days, from December 5th to December 20, to negotiate a settlement before the court took the matter under submission on December 20. Because the court did not receive notification of settlement by the deadline, the order was issued on January 27, 2025.

At Husband's request, multiple continuances have been granted to provide him with time to negotiate a settlement and buy out or otherwise remove Wife's name from the title. The court continued the case from August 22nd to October 10, to allow husband additional time to negotiate with Rocket Mortgage to buy the property. It was continued again to December 5. And again to December 20, before the matter was submitted and the order against Husband was entered.

Husband's request to modify the judgment pursuant to CCP §663 is DENIED.

Counsel for Husband to prepare the Order.

Counsel for Wife to submit the Hearing After Order regarding the March 27, 2025 hearing, as previously ordered.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that if a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 07/31/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL1704558

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: SALMA HUSSEIN

and

RESPONDENT: HESHAM ABDULDAYEM

NATURE OF PROCEEDINGS: 1) REQUEST FOR ORDER – CHILD
CUSTODY/VISITATION
2) REQUEST FOR ORDER – CHILD CUSTODY

RULING

This matter was called on July 24, 2025, and continued to provide The Department of Child Support Services with the opportunity to appear.

The case has a long history. The file is voluminous. Respondent Hesham Abduldayem (“Father”) filed a Request for Order (“RFO”) on June 30, 2025, seeking enforcement of prior custody orders that were issued in Broward County, Florida on December 12, 2012; 13 years ago. Proof of “Personal Service” indicates that Husband served Petitioner Salma Hussein (“Mother”) through the Marin County Department of Child Support Services (“DCSS”) in June 2025. The court notes the date of the service is illegible. Mother has not filed a response. DCSS accepted the service on behalf of Mother on June 6.

Together, these parents have two children. Amir Abdeldayem is 17 years old, born March 20, 2008. Serenity Amirah Abdeldayem is 15, born June 4, 2010.

Family Code §17212 allows DCSS to maintain a parent’s address confidential to protect parental privacy rights and provide for effective child support enforcement services. The court may invalidate those protections based on a showing of good cause. Family Code §17212(b)(2).

The matter was transferred from Florida to California, with the action filed in the Superior Court, County of Marin on October 24, 2017. The file indicates that the Circuit Court of Broward County granted Father sole custody of the minor children on November 28, 2012,

Father alleges Mother fled with the children to the United Kingdom in 2013. He has not had contact with them since 2013. He alleges that he is “shocked” that Mother filed a claim against him for child support on April 16, 2025.

It is reasonable to assume that Father filed the RFO to enforce the 12 year old custody orders because of Mother filing a request for child support. The parents must understand that child support, and custody and visitation are legally separate areas. Father cannot demand to see his

children if he is obligated to pay child support. At the same time, Mother may be in violation of valid custody orders.

After the passage of 13 years, the court is not inclined to remove the children from Mother because it might not be in their best interest to now enforce outdated custody orders.

If the parents appear, they should be prepared for the court to make a referral to Marin Family Court Services for more information on Father's request. Marin is a recommending county. (Family Code §3183; Marin County Rules, Family 7.17(A)). The child shall also be interviewed.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that if a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 07/31/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL2102445

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: WILFREDO ALEJANDRO BATRES	
and	
RESPONDENT: TARA SUDOL	

NATURE OF PROCEEDINGS: REQUEST FOR ORDER - CHILD CUSTODY –
VISITATION

RULING

The matter is continued to September 4, 2025, at 9 am, in Department L.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that if a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 07/31/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL2204215

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: MELISSA KAY KONRAD

and

RESPONDENT: TOBIAS RANER KONRAD

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD CUSTODY

RULING

Petitioner Melissa Kay Konrad (“Mother”) filed a Request for Order (“RFO”) on May 30, 2025, seeking modifications to current custody and visitation orders. Respondent Tobias Korad (“Father”) was served by mail with the documents on June 6, 2025; however he did not file a responsive declaration.

The parents were referred to Marinn Family Court Services (“FCS”). Marin is a recommending county. (Family Code §3183; Marin County Rules, Family 7.17(A)). Both parents met with FCS and were interviewed, which is an indication that Father was notified of this custody and visitation hearing. Mother filed a statement of agreement on July 29, 2025

Together, these parents have one child. Ellas is 13. She was born on September 16, 2011. She was also interviewed by FCS.

CUSTODY AND VISITATION

The court has reviewed the FCS report issued on July 28, 2025, as well as the moving papers filed by Mother, and the Statement of Agreement. Finding good cause, the court finds it is in the best interest of the child to adopt in full the FCS recommendations as follows:

Parental Responsibilities

1. The parents shall continue to share joint legal custody of Ella, with the exception of Mother having sole decision-making authority over Ella’s school choices. The parents shall share in the responsibility and confer in good faith on matters concerning the child’s health, education and welfare. Both parents shall have access to the child’s school, medical, mental health, and dental records and the right to consult with professionals who are providing services to the child.
2. The parents shall continue to share joint physical custody of Ella.

Timeshare Schedule

3. Ella shall live primarily with Mother and shall be with Father on the following schedule:
 - Alternate weekends from Friday after school until Sunday at 7:00 p.m.
 - Alternate Thursdays for a dinner visit in Novato.
 - Any additional time as desired by Ella.
4. Any changes to the schedule, or any additional time for Ella to be with either parent, shall occur as desired by Ella and as agreed upon by the parents.

Collateral Issues

5. Neither parent shall make any disparaging comments about the other parent in the presence of Ella or allow others to do so.
6. Ella shall be exposed to peaceful contact only between her parents.
7. Neither parent shall expose Ella to any court matters or put her in the middle of their disputes.
8. Neither parent shall share any part of this report with Ella.
9. Ella and Father shall participate in family therapy together. Both parents shall follow any recommendations made by the therapist, including either parent's participation in therapy, or other therapeutic interventions (individual therapy for Ella, co-parent counseling, etc.)
10. Neither parent shall change Ella's residence from the 9 Bay Area counties without written permission from the other parent or court order.
11. All other orders not in conflict herein shall remain in effect.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

As authorized by CRC 5.125, the court will prepare the Findings and Order After Hearing

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that if a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will

be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

***IT IS ORDERED** that evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.*

***FURTHER ORDERED** that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.*

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 07/31/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL0001997

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: MANUEL ENRIQUE
MATA

and

RESPONDENT: SAWAN INEZ ARNTZ

NATURE OF PROCEEDINGS: 1) REQUEST FOR ORDER – CHILD
CUSTODY/VISITATION

RULING

Petitioner Manuel Cortez Mata (“Father”) filed a Request for Order (“RFO”) on June 18, 2025, seeking custody and visitation orders. Respondent Sawan Inez Arntz (“Mother”) filed a responsive declaration on June 23, 2025.

The parents were referred to Marin Family Court Services (“FCS”). Marin is a recommending county. (Family Code §3183; Marin County Rules, Family 7.17(A)). Both parents met with FCS and were interviewed on July 15, 2025. Mother filed a statement of agreement on July 29, 2025

Together, these parents have one child. Imani is 1. The child is 1 year old, born on February 17, 2024.

CUSTODY AND VISITATION

The court has reviewed the FCS report issued on July 28, 2025, as well as the moving papers filed by Father and Mother’s responsive declaration, as well as the Statement of Disagreement filed by Mother. Finding good cause, the court finds it is in the best interest of the child to adopt in part the FCS recommendations as follows:

Parental Responsibilities

1. Mother shall have sole legal custody of Imani. She shall have decision making authority on matters concerning the child’s health, education and welfare. Both parents shall have access to the child’s school, medical, mental health, and dental records and the right to consult with professionals who are providing services to the child.
2. Temporarily, Mother shall have sole physical custody of Imani.

Timeshare Schedule

3. Imani shall continue to live primarily with Mother and shall have professionally supervised visits with Father one time each week for up to two hours each visit. Visits shall be supervised at Rally, or with another professional supervisor. The parents shall share the costs of Rally visits equally.

Collateral Issues

4. Father shall not consume any alcohol while Imani is in his care, or at least 12 hours prior.
5. Father shall not be under the influence of any drugs while Imani is in his care.
6. Father shall be exposed to peaceful contact only between the parents.
7. Imani shall not be exposed to any verbal or physical abuse.
8. Neither parent shall make any disparaging comments about the other parent in the presence of Imani or allow others to do so.
9. Imani shall only ride in vehicles that are safe and are equipped with a proper car seat.
10. Imani shall not be exposed to any cigarette smoke.
11. Custody and visitation shall be reviewed on December 11, 2025, at 9 am in this department.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

As authorized by CRC 5.125, the court will prepare the Findings and Order After Hearing

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that if a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

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