

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 11/20/25 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: 1) REQUEST FOR ORDER – COMPEL - DISCOVERY
FACILITATOR
2) REQUEST FOR ORDER – OTHER: ENFORCE PREVIOUS ORDERS

RULING

This matter was last called on September 11, 2025, following hearings on July 31, May 1 and March 27.

There are multiple Requests for Orders (“RFO”) on calendar. Petitioner Lorena Salazar (“Wife”) filed an RFO on 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 filed an RFO on June 23, 2023, seeking to compel documents and interrogatories. She also 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 (“IED”), as well as a current profit and loss statement. Husband filed an IED on September 9, 2025.

Husband filed a Responsive Declaration on September 9, 2025, which included as Exhibit E; a letter from PHH Mortgage, dated February 28, 2020, confirming that Wife’s name was removed from the mortgage as required by the Marital Settlement Agreement. Despite this notification, Wife filed a related RFO on May 13 and June 23.

The court received a supplemental declaration filed by counsel for Mr. Medina on November 18, 2025, advising the court that she contacted General Counsel for PHH Mortgage on October 2. PHH advised that forwarded to counsel for Ms. Salazar an email on July 8, 2025, reiterating that Mr. Medina was the sole obligator on the mortgage. Unfortunately, that email was never disclosed to this court or to Mr. Medina. This email correspondence from the mortgage lender, in addition to the letter from PHH Mortgage dated February 28, 2020, resolves this matter.

These parties have limited resources, and the matter appears to be over-litigated.

During the hearing, the court instructed counsel for Ms. Salazar to contact the bank to speak with the lawyer representing Husband to clarify if Wife's name was on the Mortgage as stated in the PHH Mortgage correspondence. It is not clear if that call ever happened. The parties were also going to speak with the Tax Assessor Collector to clarify if Wife's name is removed from the title.

The parties have not updated the court with the status of the disclosures.

In court appearances are required.

The request for fees by Ms. Salazar 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.

Counsel for Mr. Medina is 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: 11/20/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL2101224

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENNIFER CHARIFA

PETITIONER: BRIAN DAVIN

and

RESPONDENT: SARA ISBELL

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – 1) TURN-OVER E*TRADE FUNDS 2) CREDIT TO JUDGMENT 3) POST-JUDGMENT DISCOVERY – STATUS OF THE E*TRADE FUNDS BEING TRANSFERRED TO RESPONDENT

RULING

This matter was last called on October 30, 2025, for hearing. The court entered an order for release of funds on that day. It appears the issue has been resolved.

The hearing was continued to November 20, 2025, to confirm the status of the funds transfer.

Respondent Sara Isbell (“Wife”) filed a Request for Order (“RFO”) on August 7, 2025, seeking on order for brokerage frozen funds release, credit of Judgment balance, and post judgment discovery. Respondent was not served with the papers. During the hearing, Wife agreed to waive a claim of \$151,232 against Petitioner Brian Davin (“Husband”) in exchange of the payment the immediate payment of \$8,394.71 from an ETrade account.

The Minute Order generated on October 30, provides that if the funds have been transferred, no need for appearances.

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: 11/20/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL 2101558

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: AMONROCA HOLLAND
JAMES

and

RESPONDENT: MICHAEL MCFADDEN

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

RULING

The court is very familiar with this case. Respondent Michael McFadden (“Father”) is on the vexatious litigants list as of November 12, 2024. Current orders in place permit visitation of his children with the assistance of a professional child visitation supervisor. Unfortunately, due to his conduct, he is unable to find a supervisor who is willing to work with him.

At Father’s request, the Presiding Judge of the Superior Court, County of Marin permitted Father to file a Request for Order (“RFO”). It was filed on October 9, 2025. Proof of service indicates that it was mailed to Amonroca Holland James (“Mother”) on the day of filing. She filed no response.

Mother and the children are protected parties of a Domestic Violence Restraining Order (“DVRO”) with Father as the restrained party.

Together, these parents have three children. Ny’eem is 12, born July 24, 2013. Nasir is 13, born January 23, 2012.

Ny’eem and Nasir are in the 7th and 8th grades at Hamilton. Amon continues to live in Marin with the children and Michael reports that he continues to live in Richmond and continues to work at Tesla.

Father seeks to modify the DVRO. To do so, he will need to file a DV-300 form and ask for a hearing to modify.

A five-year restraining order was put in place on June 19, 2021. Mother has sole legal and physical custody of the boys and there is an order for professionally supervised visits for Father, who has reportedly not seen or spoken to the boys in two years.

Father has displayed such hostility, that the court facilities must summon court bailiffs to monitor Father’s attempt to have face to face communications with court staff. In addition, Father has also left hostile voicemail messages for clerks and staff. When he is at the

courthouse, he is monitored on the courthouse floor by the bailiffs. He has been forcefully removed from Department L on multiple occasions

Custody and Visitation

There is a reason professional supervisors have refused to supervise visits between Father and his children. Rally Family Court Services, notably, refuses to help this family as a result of Father's racial slurs to their staff members.

It is hoped that somehow within the Bay Area, Father will be able to secure a professional supervisor. As the boys seem to spend a lot of time playing soccer in the South Bay, it is possible that he can secure a professional from a different county. Father must show that he can *successfully* participate in supervised visits without issues before the court expands the visits or makes them any less restrictive

All current orders shall remain in effect with the following additions/modifications:

1. Visits between the boys and Father shall continue to be professionally supervised and shall occur up to two times each month for two hours each visit.
2. Amon shall remind both boys that they are welcome to call or contact their father at any time and shall provide them with the contact information.

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 Father 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: 11/20/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL2300703

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENNIFER CHARIFA

PETITIONER: INGRID GUIVAR

and

RESPONDENT: KENDRICK SHUNK

NATURE OF PROCEEDINGS: CHILD CUSTODY RECOMMENDING COUNSELING

RULING

Respondent Kendrick Shunk ("Father") is the protected party in a 3-year Domestic Violence Restraining Order ("DVRO") issued on September 15, 2025, with Petitioner Ingrid Guivar Urbina ("Mother") as the restrained party. The DVRO also protects Mischke Pietersen (au pair) and Kendrick Shunk, Jr.

Together, these parents have one child, Kendrick is 5, born on February 13, 2025. He is 2 years old.

Kendrick attends kindergarten at Cove Elementary. Father and Mother both live in Corte Madera. Father has three adult children. Ingrid reported that she had just started working at Nordstrom. Father has sole legal and physical custody and Kendrick is with Mother every Monday and Tuesday after school until 7:00 p.m. with exchanges taking place at the Centra Marin police station.

Mother filed this Request for Order ("RFO") on September 12, 2025, seeking *post-judgment* changes to child support orders. Father filed a responsive declaration on October 17. Mother did not file a reply brief.

A Judgment on Parentage was entered on June 23, 2023.

Child Support

Mother requests: (1) the court fix and liquidate unreimbursed childcare and education expenses in the amount of \$1,313.20 for childcare expenses and \$5,500 in tuition payments (Mother includes receipts and proof of payment for her requests.) Father requests: (1) an offset of what Mother owes him from the reimbursements requested. Father argues that Mother owes him \$920.20 in reimbursements for childcare (Father includes receipts and proof of payment for his

requests). Father argues that he paid the full tuition amount he was owed for 2023-2024 but did not agree to pay tuition the following year and that Kendrick attends the Cove (a public elementary school).

Family Code § 4062 provides for certain child support add-ons as mandatory, including the child's share of reasonable uninsured health care costs and reasonable uninsured costs for the child to attend school or other educational programs. Family Code § 4062(a)(2)-(5) authorizes costs related to educational or other special needs, travel expenses for visitation, and children's extracurricular activities. When determining whether to award discretionary add-ons, courts consider the circumstances of the parties and children, applying the best interests standard while ensuring the total support obligation remains reasonable and consistent with the children's needs and the parents' financial capabilities.

Here, Mother provides proof of payment for \$1,313.20 in mandatory child support add-ons to be reimbursed by Father. He provides \$920.20 in requested childcare reimbursement. Both request are supported by receipts. The court finds good cause and that it is in the best interest of the children to offset Mother's request with Father's, with the result being \$393.00 in favor of Mother, which is owed by Father.

Without a prior court order requiring private school enrollment, tuition reimbursement becomes a discretionary add-on under Section 4062(a)(2) for "costs related to the educational or other special needs of the children." The requesting party bears the burden of demonstrating that private school attendance serves the child's best interests and that the expense is reasonable given both parties' financial circumstances. Here, Mother argues that they had an agreement to equally split 2023-2024 and Husband argues that they did not have that agreement for 2024-2025.

"Family law court is a court of equity." *In re Marriage of Calcaterra & Badakhsh* (2005) 132 Cal.App.4th 28, 38. "Family law cases 'are equitable proceedings in which the court must have the ability to exercise discretion to achieve fairness and equity. [Citation.]'" *In re Marriage of Egedi* (2001) 88 Cal.App.4th 17, 22-23. Given Father's agreement to cover half of the tuition for 23-24, it is logical for Mother to believe that 24-25 was also covered. Father produces no evidence to support the argument that he did not approve private school.

The court finds good cause and that it is in the best interest of the child to GRANT Mother's request. Father shall pay half of the private school cost for 24-25.

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

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 11/20/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL0000102

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENNIFER CHARIFA

PETITIONER: DENISE MARIE GOMEZ

and

RESPONDENT: JEFFREY ROSS SMITH

NATURE OF PROCEEDINGS: CHILD CUSTODY RECOMMENDING COUNSELING

RULING

The court granted Petitioner Denise Mari Gomez' ("Mother") request for temporary emergency orders on September 15, 2025. The parents were referred to Marin Family Court Services ("FCS") for mediation and counseling on the issues raised by Mother. [Marin is a recommending county. (Family Code § 3183; Marin County Rule, Family 7.17(A).)] Both parents attended the mediation with both interviewed on November 6 and 7, 2025.

No additional papers were received by Respondent Jeffery Ross Smitt ("Father"). Mother filed a statement of disagreement on November 18, 2025.

There is a 3-year restraining order in place, but the parents share joint legal and joint physical custody.

Together, these parents have two children daughter. Oliver is 6, born June 1, 2019. Addison is 10, born February 6, 2015. Addison is in the 5th grade at Kent and Oliver is in the 1st grade at Bacich.

Mother reports that she works as an IHSS provider, and is currently mainly caring for her mother, who lives with her. Father reports that he is a college English teacher but isn't currently working.

Child Custody.

The court has reviewed Mother's petition for emergency orders, as well as the FCS report issued on November 14, 2024 and Mother's statement of disagreement. The court finds good cause and that it is in the best interest of the children to adopt in full the recommendations of FCS as follows:

All current orders shall remain in effect with the following additions/modifications:

Holidays

1. **Thanksgiving 2025:** the regular custodial schedule shall remain in place through Thanksgiving.
2. **Christmas 2025:** the regular custodial schedule shall remain in place through Christmas.
3. **Monday holidays:** If any of the Mondays following Father's weekend are holidays from school, then the boys shall remain in Father's care until Monday at 6:00 p.m.
4. Any changes to the holiday schedule, or the regular custodial schedule, are permitted provided the parents agree to the changes.

Collateral Issues

5. Both boys shall remain in counseling at the frequency and duration recommended by their counselors.
6. Both parents shall communicate with the professionals working with the children and both shall follow any recommendations.
7. Both parents shall make sure they have a clear understanding of the restraining order and are following it.
8. Neither parent shall share any information from this report with either of the children.

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: 11/20/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL0000866

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: SILVESTRE TRINIDAD
RESENDIZ BENAVIDES

and

RESPONDENT: MARIA LILIANA
SALINAS JIMENEZ

NATURE OF PROCEEDINGS: REVIEW HEARING – CHILD CUSTODY/VISITATION

RULING

This matter is on for review of visitation. The court has reviewed the Family Court Services Report completed on November 13, 2025. There are no changes to current orders.

The matter is set for trial and resolution of all issues on December 19, 2025, at 9 a.m. 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.

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: 11/20/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL0001487

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: MAVILIA LOPEZ REYES

and

RESPONDENT: ADELSON DANIEL
ESCOBAR MAZARIEGOS

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD SUPPORT/VISITATION

RULING

This matter was last called as regularly scheduled in this department on October 15, 2025, and continued to all Petitioner Mavilia Lopez Reyes (“Mother”) with time to timely serve the papers on the other party. Mother filed a Request for Order (“RFO”) on September 15, 2025, seeking custody and visitation orders. Respondent Adelson Escobar Mazariegos (“Father”) was served with a copy of the RFO on September 25, 2025. He did not file a responsive declaration.

The parents were referred to Marin Family Court Services (“FCS”) for mediation and counseling on the issues raised by Mother. Unfortunately, no agreements were reached. (Marin is a recommending county. (Family Code §3183; Marin County Rules, Family 7.17.A.)) Both parents attended the FCS interview, which is an indication that Father received the RFO.

Together, these parents have three children. Mizaira is 17 (10/30/08). Jenica is 12 (12/21/12). And Angel is 9 (5/16/16).

Prior orders entered on January 22, 2025, reached at mediation with the assistance of FCS, provide that the parents share joint legal and physical custody. The children are in Father’s custody each weekend from Friday 6 PM through Sunday 6 PM.

Mother’s request is for more help from Father, because it is difficult to raise 3 children without support. Father states that he help as much as he can. Parenthood is difficult. The court encourages the parents improve their communication and work more as a team to raise their kids.

Custody and Visitation

The court has reviewed Mother’s RFO as well as the Report issued on November 4, 2025, and finds good cause and that it is in the best interest of the children to adopt those recommendations in full as follows:

All prior orders not in conflict with the below shall remain in full force and effect with the following modifications.

1. Joint physical custody shall remain in place. The timeshare as specified in the January 22, 2025, mediated agreement shall remain in place. The children shall be in Father's custody each weekend from Friday 6 PM through Sunday 6 PM and in Mother's custody each week from Sunday 6 PM through Friday 6 PM.
2. Joint legal custody shall remain in place. Mother shall have unilateral authority to obtain therapy for the children if Father does not respond within 48 hours to requests from either Mother or the children's medical or therapy providers soliciting parental information and/or consent for therapy.
3. If financially feasible, parents shall use Our Family Wizard, Talking Parents, or another equivalent coparenting app to communicate about any coparenting issues. If utilizing a coparenting app is not financially feasible, parents shall communicate via email or text. All communications shall be civil, business like, and focused on the children. Parents shall not insult or harass one another in these communications.
4. Father shall help take the children to their medical and therapy appointments including appointments that fall on Mother's custody time as needed.
5. Mizaira shall be in Father's custody along with her siblings for those evenings in which Mother is working late. As Mizaira is 17, she shall have flexibility in determining when she wishes to go to Father's home on the weekends (except those evenings in which Mother is working late and Mizaira would otherwise be home alone).
6. Mizaira shall have permission to be enrolled in therapy.

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: 11/20/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL0002203

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: ANTONIO VASQUEZ

and

RESPONDENT: JULIA CONTRERAS

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

RULING

This matter was last called in the department on October 6, 2025, and continued to allow Mother additional time to schedule an appointment with Marin Family Court Services. Petitioner Antonio Vasquez (“Father”) filed a Request for Order (“RFO”) on September 4, 2025, seeking changes to custody and visitation orders. Proof of Service indicates that he served Respondent Julia Contreras (“Mother”) on September 24. The service was untimely for the October 6 hearing.

The parents are referred to Marin Family Court Services (“FCS”) for mediation and counseling on the issues raised by Father. [Marin is a recommending county. (Family Code § 3183; Marin County Rule, Family 7.17(A))]. Both parents attended the FCS meeting, which is an indication that Mother was served with the papers, after the last hearing.

Together, these parents may have two children. Abigal is 11, born December 16, 2013. The parentage issue as to Abigal is resolved. Aaliyah is 3, and there is no agreement as to parentage, however the child has Father’s surname.

The court has reviewed the FCS report issued on November 13, 2025. The court is very concerned by Mother and her family’s inability to support Father’s relationship with Abigal and Aaliyah. The goal of children in this situation is to have 50/50 custody and visitation.

Abigal is 11. The court must consider and give due weight to the wishes of children who are of sufficient age and capacity to reason so as to form an intelligent preference as to custody and visitation Family Code §3042(a). A teenager who is at least 14 and wishes to address the court regarding custody and visitation must be permitted to do so unless it is not in his best interest. Family Code §3042(c). Here, she is much too young to have the power control visitation of her parent.

Custody and Visitation

The court has reviewed Father's RFO as well as the Report issued on November 13, 2025, and finds good cause and that it is in the best interest of the Abigal to adopt those recommendations in part. The court will discuss with the parents about the likelihood that Aaliyah is also Father's child. Orders are as follows:

1. Parents shall resolve the issue of paternity as it relates to Aaliyah.
2. Until paternity is established for Father as it relates to Aaliyah, custody orders shall apply to Abigail only. The parties will appear in court to discuss the appropriate visitation of Father with this child.
3. The parents shall have joint legal and physical. This means the parents shall work together to determine issues involving education, health and welfare.
4. Parental Timeshare: Father shall have custody on the second and fourth weekend of the month from Saturday 1 PM through Sunday 6 PM. Abigail may spend additional time with Father anytime she wishes to do so. The children shall be in Mother's custody at all other times when not in Father's custody.
5. Father shall have a video call with both children each Friday at 5:30 PM.
6. Father's Day/Mother's Day: shall be defined as from 9 AM through 7 PM and shall be with the parent being honored.
7. Thanksgiving 2025: Mother shall have the children for Thanksgiving on odd numbered years. Father shall have the children on even numbered years (2026, for example).
8. Christmas 2025: Father shall have the children every Christmas Eve from 4 p.m. to after midnight, returning at 12:30 a.m. Christmas morning and day shall be spent with Mother
9. Monday holidays: If any of the Mondays following Father's weekend are holidays from school, then the children shall remain in Father's care until Monday at 6:00 p.m.
10. Any changes to the holiday schedule, or the regular custodial schedule, are permitted provided the parents agree to the changes.
11. Neither parent shall make disparaging comments about the other parent to the children or within hearing of them nor shall they allow others to do so.
12. Both parents shall take a coparenting class and provide proof of completion to the court by January 1, 2026.
13. Mother shall support Father's relationship with his children.
14. Father shall take a domestic violence class of at least six weeks to learn about the impact of domestic violence on children, providing proof of completion by February 1, 2026.
15. Father shall continue in therapy until no longer clinically indicated.
16. Father shall not be under the influence of alcohol or drugs during his parenting time.
17. Father shall not make verbal threats to physically harm Mother or her partner. Mother shall report to the police any violations of this order. Further threats by Father shall be grounds for supervised visits.

18. All prior orders not in conflict with the below shall remain in full force and effect with the following modifications.

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.