

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 04/02/26      TIME: 9:00 A.M.      DEPT: B      CASE NO: FL2200436

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

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PETITIONER:      SHANNON BROWNING

and

RESPONDENT:      MORGAN BROWNING

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

**RULING**

Morgan Browning (Father) filed a Request for Order (RFO) on November 24, 2025, seeking (1) to vacate and set aside all ex parte custody and visitation orders made 9/2023 and 1/2025 because they were made without cause, without notice and without due process; (2) vacate and set aside the 1/2025 final custody order because it was predicated on the ex parte orders that were improper; (3) reinstate the previous shared custody and parenting plan; (4) set the matter for an evidentiary hearing; (5) appoint minor’s counsel; and (6) refer the case to the California Commission on Judicial Performance to review procedural record and conduct related to the challenged orders.

Shannon Browning (Mother) filed a Responsive Declaration on December 23, 2025, opposing the RFO request stating that the request was not timely, and the issue is moot. Mother further requests that Father have supervised visitation until he completes a psychiatric evaluation and reimburse her attorneys’ fees.

Father filed a reply declaration on March 30, 2026, regarding status of related civil proceedings and context of relevant to motion to vacate.

Request to vacate ex parte order of October 19, 2023, and the custody order of January 16, 2025

Father is requesting a motion to set aside the ex- parte order of October 19, 2023, and the subsequent custody order of January 16, 2025. Under California Code of Civil Procedure section 473(b) a party who seeks relief from a judgment must make such request within a reasonable time frame not to exceed six months after the judgment was made. Here, Father is seeking relief from an ex parte order made in October 2023, more than two years before he filed this RFO. Father correctly argues that relief may be sought under Family Code section 2121 which allows for relief past the six-month period if the grounds for relief would materially affect the original outcome or the moving party would benefit from the relief. Here, the ex parte order that was issued in October of 2023 was limited to a request to

travel for a wedding. That travel has already happened; thus, relief would not have any benefit for Father at this time and is moot. Accordingly, the Court finds the request to vacate the October 19, 2023, ex parte order is untimely, and the request is denied.

The timeliness of Father's request to vacate the custody order issued by this Court on January 16, 2025, is governed by Family Code sections 2121 and 2122. Father does not allege fraud, perjury, duress, mental incapacity, or mistake as it relates to the custody order. Rather, Father points to a range of alleged defects in the underlying proceedings that "constitute abuse of discretion, denial of due process, and grounds for vacatur under Code of Civil Procedure section 473(b), Family Code section 213, and this Court's inherent equitable powers." The appropriate means for challenging an abuse of discretion and denial of due process is an appeal. That did not occur. Section 473(b) does not apply to this proceeding as it addresses setting aside default judgments. Similarly, Family Code section 213 is inapposite as it addresses a procedural rule that limits the scope of requests for affirmative relief in response to a request for order. Father's request to vacate the January 16, 2025, order is untimely and is, accordingly, denied.

#### Reinstate the shared custody and parenting plan

As this Court denies the request to vacate the January 16, 2025, order, it further declines the invitation to reinstate an earlier (temporary) custody order and parenting plan. Father is directed to speak with the Legal Self-Help Center at telephone 415-444-7130/ email [selfhelp@marin.courts.ca.gov](mailto:selfhelp@marin.courts.ca.gov) if he wishes to modify the existing custody/visitation framework.

#### Set the matter for an evidentiary hearing

Father requests an evidentiary hearing so that the issues relating to custody and visitation "may finally be adjudicated on a complete and accurate record." In effect, Father is seeking a "do-over" of the prior proceedings that he alleges were deficient. Under Family Code section 217, the court must receive live, competent, and admissible testimony that is relevant and within the scope of the hearing. Here, it is not clear that there are material facts in controversy relating to the timeliness of Father's RFO. Nor is it clear that live testimony is necessary to assess the credibility of witnesses as to this issue. What Father envisions is a new proceeding that is "untainted" by the prior orders. But this Court cannot go through such an exercise. Again, should Father wish to modify the existing custody orders/ visitation schedule, he is referred to the Marin Self-Help Center.

#### Appoint minor's counsel

Father seeks an order from this Court appointing minor's counsel under Family Code section 3150(a). There are two children: Evan (DOB 4/7/13) and Jocelyn (DOB 9/25/15). Marin Family Court Services (FCS) interviewed Evan as part of its report dated January 16, 2024. Evan was forthcoming in his interview with FCS and his input is reflected in the recommendations made by FCS. Further, this is not a case in which the parents are unable to cooperate regarding the children. FCS observed in its January 16, 2024 report: "Mother states that Father is a great

father when he is well, that the children love him and want to spend time with him and acknowledges that they want to visit Father in Colorado.”

Under California Family Code Section 3150(a), a court should appoint minor's counsel when it determines that appointing private counsel to represent the child's interests is in the best interest of the child. The appointment is intended to be the exception, not the rule, and is generally reserved for highly contested, sensitive, or complex child custody and visitation proceedings.

The Court does not see that appointment of minor's counsel is warranted at this stage of the proceeding and, therefore, denies the request without prejudice to Father (or Mother) raising this issue in the future.

#### Referral to California Commission on Judicial Performance

Father requests that this Court refer this matter to the California Commission on Judicial Performance for review of “the procedural record and conduct related to the challenged orders.” As a general rule, a judge is not required to refer another judge's rulings to the California Commission on Judicial Performance at the request of a party. California law establishes that judges have discretion, not a mandatory duty, to report alleged judicial misconduct, and this obligation exists independently of party requests. The ethical framework governing judicial conduct emphasizes voluntary corrective action rather than compulsory reporting based on litigant demands.

Here, Father has provided excerpts of transcripts which he argues shows bias in the judicial officer. The Court has reviewed all the material submitted by Father in support of his request. In addition, the Court has reviewed the FCS report reflecting the recommendations and observations of Dr. Gloria Wu, Child Custody Recommending Counseling, as well as prior orders issued by this Court. Based on this review, the Court declines the request to refer this matter to the California Commission on Judicial Performance for administrative review.

#### Mother's request that Father (1) have supervised visitation until he completes a psychiatric evaluation and (2) reimburse her attorneys' fees

The Court denies Mother's requests. First, nothing in the scope of Father's RFO raises the question of whether further conditions should be imposed on Father's visitation with the children. Should Mother wish to modify the conditions ordered by this Court, she is free to do so in the form of a request for order. Second, Mother has not filed a declaration of counsel supporting her claim for reimbursement of attorneys' fees. Moreover, Mother has not specified whether the basis for reimbursement is under Family Code section 2030 or as a form of sanctions under Family Code section 271. In the absence of this evidentiary support and the articulation of the legal basis for such reimbursement of fees, the Court is not in the position to order reimbursement of fees.

Counsel for Mother to prepare the formal 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 B. For routine appearances, the parties may access Department B 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: 04/02/26      TIME: 9:00 A.M.      DEPT: B      CASE NO: FL 2300703

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

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PETITIONER:    INGRID GUIVAR

and

RESPONDENT:    KENDRICK SHUNK

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

**RULING**

This matter came on originally for hearing in this Court on January 22, 2026. The matter was set for hearing for a review of the child visitation and holiday schedule agreed to by the parties at the October 30, 2025, hearing. The child visitation conditions and schedule are memorialized in the DV-130 Second Amended Restraining Order After Hearing and the accompanying DV-140 Child Custody and Visitation Order filed January 29, 2026.

Mother, Ingrid Guivar Urbina, is the restrained person. Father, Kendrick Shunk, is the protected person. Their one child, Kendrick (DOB 02/13/2020), is identified as an other protected person.

The parties were ordered to appear on January 22, 2026, for a review of (1) the child custody and holiday schedule and (2) potential re-referral to Marin Family Court Services (FCS) for child custody recommending counseling and mediation. The parties were referred to FCS and both parents were interviewed. FCS issued its report March 25, 2026.

Mother filed a Statement of Disagreement with the FCS report on March 30, 2026, and offered a detailed response to the proposed timeshare schedule. Specifically, Mother seeks 2-3 overnights per week to maintain consistent “routines and stability for our son.”

The Court has reviewed the submissions of the parties and the report prepared by FCS. The Court is encouraged by FCS’s observation that: “it does appear that, overall, things have improved, and Kendrick is enjoying regular time with both of his parents. It is hoped this increase in time [reflected in the FCS proposed recommendations] to include overnights will go well for Kendrick, and a positive trajectory will continue.”

Based on the Court’s review of the submissions and related materials, the Court finds good cause and that it is in the best interest of the child to adopt the following recommendations from FCS, as modified by this Court, as follows:

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

**Timeshare Schedule**

1. Kendrick shall continue to live primarily with Father and shall be with Mother on the following schedule (Week #1 and Week #2 shall be alternating):

- **Week #1:** Monday and Tuesday from after school until 6:30 p.m. and Saturday at 5:00 p.m. to Sunday at 6:00 p.m.
- **Week #2:** Sunday at 10:00 a.m. to Monday at 6:30 p.m. and Tuesday from after school until 6:30 p.m.

2. If Father wants to travel with Kendrick over a weekend, he shall give Ingrid at least 14 days' notice and shall provide Ingrid with a "make-up" overnight.

**Holidays**

The Holiday schedule shall take priority over the regular custody schedule:

3. **Kendrick's Birthday (February 13<sup>th</sup>):** Kendrick's birthday shall be from 10:00 a.m. to 8:00 p.m. and he shall be with Mother in the even-numbered years and with Father in the odd years.
4. **Valentine's Day:** Kendrick shall remain on the regular custodial schedule for Valentine's Day.
5. **Easter:** Easter shall be from Saturday at 5:00 p.m. to Easter Sunday at 6:00 p.m. Kendrick shall be with Mother in the even years and with Father in the odd years.
6. **Mother's Day/Father's Day:** These days shall be from 10:00 a.m. to 6:00 p.m. Kendrick shall be with Mother every year on Mother's Day and with Father every year on Father's Day.
7. **Fourth of July:** Fourth of July shall be from July 3<sup>rd</sup> at 5:00 p.m. to July 5<sup>th</sup> at 10:00 a.m. Kendrick shall be with Father in the even years and with Mother in the odd years.
8. **Labor Day:** Labor Day shall be from Monday at 10:00 a.m. to return to school Tuesday morning. Kendrick shall be with Father in the even years and with Mother in the odd years.
9. **Halloween:** Halloween shall be from October 31<sup>st</sup> at 10:00 a.m. to November 1<sup>st</sup> return to school or 10:00 a.m. Kendrick shall be with Father in the even years and with Mother in the odd.

10. **Veteran's Day:** Veteran's Day shall be from Monday at 10:00 a.m. to return to school Tuesday morning. Kendrick shall be with Mother in the even years and with Father in the odd.

11. **Thanksgiving:** Thanksgiving shall be from Thursday at 10:00 a.m. to Friday at 10:00 a.m. Kendrick shall be with Father in the even years and with Mother in the odd.

12. **Christmas Eve/Christmas Day:** In the even years, Kendrick shall be with Mother from December 23<sup>rd</sup> at 5:00 p.m. to Christmas Day at 12:00 p.m. and with Father from Christmas Day at 12:00 p.m. to December 27<sup>th</sup> at 10:00 a.m. In the odd years the schedule shall be reversed.

13. **New Years Eve/New Years Day:** This holiday shall be from December 31<sup>st</sup> at 10:00 a.m. to January 2<sup>nd</sup> at 10:00 a.m. In the even years, Kendrick shall be with Father and in the odd years Kendrick shall be with Mother.

**Collateral Issues**

14. Any changes to the regular custodial schedule or the holiday schedule are permitted as agreed upon.

15. Ingrid shall continue in counseling as currently ordered and follow any recommendations made by her therapist.

Counsel for Father to prepare the formal 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 B. For routine appearances, the parties may access Department B 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: 04/02/26      TIME: 9:00 A.M.      DEPT: B      CASE NO: FL0001055

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

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PETITIONER:    GRACIELA LOPEZ ROCCA	
and	
RESPONDENT:    BEATRIZ JUANA VALENCIA	

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

RULING

This is the second hearing relating to discovery disputes between the parties.

The Court addressed on March 19, 2026, Petitioner’s motion to compel, filed October 27, 2025 relating to (1) demand for production of documents and (2) further responses to special interrogatories (set one), and Petitioner’s motion to compel, filed December 22, 2025, relating to (1) further responses to special interrogatories (set two)(interrogatories 1-47), and (2) sanctions.

In this second hearing, the Court turns to Petitioner’s Motion to Compel Further Answers to Special Interrogatories Set Two. Specifically, interrogatories 48 through 51 addressing contributions made to 1556 Center Road and interrogatories 52 and 57 through 72 relating to the property at 188 Los Rancheritos.

The parties were referred to the Discovery Facilitator, Terrell Mason, who met with the parties on February 24, 2026, in an effort to resolve the underlying issues. The effort was unsuccessful. Counsel for Petitioner submitted a supplemental declaration of non-resolution identifying areas remaining in dispute. Counsel for Petitioner has further provided this Court with Amended Separate Statements identifying the outstanding requests for production and special interrogatories that require resolution by this Court.

Petitioner’s Demand for Further Responses to Special Interrogatories (Nos. 48-51, 57-72)

Petitioner’s motion is granted. Respondent’s objections are overruled. Respondent is directed to answer the interrogatories clarifying Respondent’s contention and providing details as to the amount, what for, what year, and what account (among other inquired areas) for the various subject areas relating to the two properties.

Respondent is to provide further responses within 30 days of this Order, and this matter is continued to May 7, 2026, at 9:00 AM in Department B for an update regarding compliance and further hearing on the issue of sanctions. Each party is to file and serve a separate statement updating the court on these issues by April 30, 2026.

Counsel for Petitioner is directed to 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 B. For routine appearances, the parties may access Department B 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: 04/02/26      TIME: 9:00 A.M.      DEPT: B      CASE NO: FL0001508

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

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PETITIONER:    STEPHANIE EFFROS

and

RESPONDENT:    MATTHEW ASA EFFROS

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NATURE OF PROCEEDINGS:    MOTION – RELIEVE COUNSEL

**RULING**

Counsel filed a Notice of Motion and Motion to be Relieved as Counsel for Respondent explaining that the relationship between attorney and client has deteriorated beyond repair and precludes attorney from continuing the representation. Counsel has provided notice to all parties. Respondent will not sign a substitution of attorney.

Counsel’s motion is granted. The Court will execute the proposed order submitted by Counsel. Counsel is directed to serve Respondent with the executed order and file a proof of service with this Court. Counsel is relieved as counsel of record effective upon the filing of the proof of service of the signed order upon Respondent.

***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 B. For routine appearances, the parties may access Department B 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: 04/02/26      TIME: 9:00 A.M.      DEPT: B      CASE NO: FL0002249

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

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PETITIONER:    FRANKLIN HERIBERTO  
                    FLORES RODAS

and

RESPONDENT:   JESSICA ESMERALDA  
                    MADRIZ RONDAN

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

**RULING**

Jessica Rondan (Mother) filed a Request for Order for custody, visitation and change of venue on January 29, 2026. Franklin Rodas (Father) filed his Request for Order for Temporary Emergency Orders on February 5, 2026. Both requests address custody and visitation issues relating to the two shared children: Aurora (DOB 5-2-20) and Franklin (DOB 7-3-23).

The parties were referred to Marin Family Court Services (FCS) for child custody recommending counseling and mediation. FCS wrote prior reports in this case dated 10-20-25 and 1-14-26. The most recent report addressing the underlying requests for order is dated March 27, 2026. Both parents were interviewed separately on March 25, 2026.

There is a 5-year DVRO protecting Mother issued in San Joaquin County on 10-15-25. In addition, there are custody orders in Marin from 12-4-25 for Father to have visits with the kids on the 1st, 2nd, and 3rd Sunday of the month from 10:00 to 6:00 with exchanges occurring at the police station in Tracy.

Mother has now filed a request for order on 1-29-26 requesting a change of venue to San Joaquin County and expressing her concerns about visits. On 2-5-26, Father filed a separate emergency motion reporting that he had not seen his kids in 5 months and alleging that Mother was not following this Court's custody orders.

Visits with Father have resumed.

Having reviewed the materials submitted by the Parties as well as the FCS report, the Court finds good cause and that it is in the best interest of the children to adopt the following recommendations from FCS, as modified by the Court, as follows:

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Custody

1. Jessica shall continue to have sole legal and sole physical custody of the children.

Timeshare

2. The children shall continue to live primarily with Jessica and shall be with Franklin on the 1st, 3rd, and 5th weekend of the month from Friday at 5:00 p.m. to Sunday at 6:00 p.m. The 1st weekend of the month is the weekend that contains the first Saturday of the month. If Monday is a school holiday not otherwise specified in the Holiday schedule, then the children shall remain in Franklin's care until Monday at 6:00 p.m.
3. In addition to visits, the children shall have a video call with Father every Tuesday and Thursday at 7:00 p.m. Visits shall be approximately 15 minutes.
4. All exchanges shall continue to occur at the police station in Tracy.

Holidays

The Holiday schedule shall take priority over the regular custodial schedule:

5. Easter Sunday: The children shall be with Jessica every year on Easter, beginning Saturday at 5:00 p.m. (the night before Easter Sunday).
6. Halloween: The children shall be with Jessica every year for Halloween.
7. Thanksgiving: Thanksgiving shall be from Thursday at 10:00 a.m. to Friday at 6:00 p.m. The children shall be with Franklin in the even-numbered years and with Jessica in the odd-numbered.
8. Christmas Eve/Christmas Day: The children shall be with Jessica every Christmas Eve until Christmas Day at 3:00 p.m. and with Franklin every Christmas Day at 3:00 p.m. to December 27th at 6:00 p.m.
9. New Year's Eve/New Year's Day: In the even-numbered years the children shall be with Franklin from December 30th at 5:00 p.m. to January 2nd at 10:00 a.m. In the odd numbered years the schedule shall be reversed.

Collateral Issues

10. Any changes to the regular schedule or the holiday schedule are permitted provided the parents are in agreement to the changes.
11. The parents shall use Our Family Wizard to communicate.
12. Neither parent shall use any physical punishment with either of the children.

13. Neither child shall be exposed to any verbal or physical abuse.
14. The children shall be exposed to peaceful contact only between the parents and other adults.
15. Neither parent shall make any disparaging comments about the other parent in the presence of the children or allow others to do so.
16. Neither parent shall use the children as a messenger for their parental communication.
17. Both parents shall ensure that the children are properly supervised at all times.

Venue

Mother's request for change of venue request is based on her filing for Dissolution of Marriage on 11/19/2025 in San Joaquin County. Mother filed for dissolution after Father filed his petition for custody and support on 09/23/2025.

Per California Code of Civil Procedure section 395, "...the county in where the child resides is the proper court..." therefore, although orders were made in Marin County regarding the children prior to Mother filing for divorce in San Joaquin County, the children are currently residing with Mother in San Joaquin County.

Parties are ordered to appear and provide the Court with an update relating to the progress of the San Joaquin County action.

***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 B. For routine appearances, the parties may access Department B 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: 04/02/26      TIME: 9:00 A.M.      DEPT: B      CASE NO: FL0002290

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

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PETITIONER:      GITANJALI DEVI DEAN

and

RESPONDENT:      CHRISTOPHER REYES

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

RULING

Gitanjali Dean (Mother) filed a Request for Order (RFO) for custody, visitation and adjudication of parentage on January 2, 2026. Mother requests sole legal and sole physical custody and reasonable visitation for father. Mother also requests for parentage to be adjudicated and submitted a proposed judgment (FL-250).

Christopher Reyes (Father) filed a Responsive Declaration on February 9, 2026. Father opposes Mother's request for sole legal and sole physical custody and instead would like joint custody. Father agrees that he is the father and signed the Proposed Order re Parentage declaration.

The parties were referred to Marin Family Court Services (FCS) for child custody recommending counseling and mediation relating to their son, Perseus Reyes (DOB 5/20/21). Both parents attended their interviews. Father logged in for mediation from the Marin County Jail. FCS submitted its report and recommendations on March 18, 2026.

There is a Criminal Protective Order in place (CR 219026A) in which Father is the restrained party and Mother is the protected party. Father has been ordered to complete a 52-week batterers' treatment course and was previously in custody for violating the restraining order. As there has been a finding that Father has perpetrated domestic violence toward Mother, sole legal and physical custody is awarded to Mother. As set forth below, the visitation plan is for Father to have professionally supervised visits with Percy once Father has completed his custodial sentence and further provided that Father (1) is clean and sober and (2) has commenced the 52-week batterers' treatment course that he has been ordered to complete.

Father's request for the paternal grandfather to have temporary guardianship or custody of Percy is denied. There is no ground to remove Percy from Mother's custody.

Having reviewed the materials submitted by the parties as well as the FCS report, the Court finds good cause and that is in the best interest of the child to adopt the following recommendations from FCS, as modified by the Court, as follows.

RECOMMENDED PARENTING PLAN for Gitanjali Dean / Christopher Reyes:

1. Mother shall have sole legal and physical custody.
2. Once Father finishes serving his criminal sentence and is released from custody, provided that he is clean and sober and has started to engage with the 52-week batterers' treatment program, Father shall have professionally supervised visits with Percy through Rally or an independent professional supervisor once a week for up to two hours per visit for a period of at least six months.
3. Father shall follow through on previous court orders to complete a 52-week batterers' treatment course.
4. Father shall participate in programs to support sobriety as recommended by the assessments that are being conducted while he is in custody.
5. After six months of consistent and successful visits through Rally or an independent professional supervisor, Father's visits may be supervised by his parents or other family members. Visits shall continue to be once a week, but the length of the visit may extend to up to 6 hours.

Unsupervised day visits shall not be considered until Father has successfully completed the 52-week batterers' treatment course, and provided that there have been no further violations of the restraining order, that Father continues to be clean and sober and leads a law-abiding life. There shall be no overnights until authorized by Mother or Court order.

6. Father shall submit to random drug testing as a condition of unsupervised visits.

As authorized by CRC 5.125, the Court shall prepare the formal 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 B. For routine appearances, the parties may access Department B 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: 04/02/26      TIME: 9:00 A.M.      DEPT: B      CASE NO: FL0002550

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

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PETITIONER:      JASON SIMIONATO

and

RESPONDENT: ESTEFANIA CAROLINA  
ZARAGOZA CEJA

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

RULING

Jason Simionato (Father) filed a Request for Order (RFO) on January 20, 2026, seeking a custody order from this Court. The underlying RFO was lacking in detail as to what was being requested. Estefania Zaragoza Ceja (Mother) filed a partial response on February 2, 2026, that addressed the parentage action but did not respond to Father's RFO.

The parties were referred to Marin Family Court Services (FCS) for child custody recommending counseling and mediation relating to their daughter Mila Aria Zaragoza Simionato (DOB 10/27/2021).

The parties efforts with FCS were successful in reaching agreement in mediation. But the parties did not sign off on the drafted mediation agreement memorializing their areas of agreement.

The Court adopts the mediated agreement agreed to by the parties, as follows:

RECOMMENDED PARENTING PLAN for Jason Simionato / Estefania Zaragoza:

1. Joint legal custody. The parents shall share responsibility and confer in good faith on matters concerning the health, education, and welfare of Mila. Each parent shall have access to Mila's school, medical, mental health, and dental records and the right to consult with professionals who are providing services to her.
2. Joint physical custody.
3. Parental Timeshare: Mila shall be in the custody of her parents on a 2/2/5 schedule with Mother having Mondays and Tuesdays (drop off at school Wednesday morning) and Father having Wednesdays and Thursdays (drop off at school Friday

morning). Parents shall alternate weekends with a weekend defined as from Friday after school through Monday morning drop off at school.

4. Exchanges: All exchanges shall occur at school when school is in session. For any days in which school is not in session, the exchange shall be at 1 p.m.

5. Holidays:

Father's Day and Mother's Day: Unless otherwise agreed upon between the parents, these holidays shall be defined as from 10 AM to 5 PM and shall be with the parent being honored.

Thanksgiving: even years with Mother, odd years with Father.

12/24 (Christmas): even years with Father, odd years with Mother.

Easter: defined as from 10 AM to 6 PM unless otherwise agreed upon between the parents. Even years with Mother, odd years with Father.

Halloween: even years with Mother, odd years with Father.

6. Mila's birthday: shall fall on the regular weekly custody schedule. The noncustodial parent may have a brief visit with Mila on her birthday.

7. School breaks: the regular weekly custody schedule shall remain in place during school breaks unless otherwise agreed upon.

8. Vacation travel with Mila:

a. For domestic travel within the U.S., the traveling parent shall provide notice to the other parent and a complete itinerary including dates of travel, flight information if air travel is involved, lodging information, and a contact number where Mila can be reached.

b. International travel with Mila requires written parental consent from the other parent. If consent is given, the traveling parent shall provide a complete itinerary to the other parent including dates of travel, flight information, addresses of lodging locales, and a contact number where Mila can be reached.

9. Mila shall attend Miss Sandies preschool in Novato until the end of the school year (late May or early June 2026). In order to facilitate and support Mila attending one preschool for the remainder of the school year, parents shall temporarily modify the weekly timeshare schedule as follows: In the weeks in which Mother works on Wednesdays, Mother shall drop Mila off at 7 PM on Tuesday with Father and Father shall take Mila to school on the following Wednesday morning. Father shall pick Mila up from preschool every Friday. On Mother's custodial weekend, the exchange shall occur at 8:20 PM on Friday.

10. The regular 2/2/5 schedule shall resume starting summer 2026. Parents shall continue to make modifications to the custody schedule as necessary during the summer to support Mila's summer schedule as well as each parent's respective work schedules.
11. Parents shall share their work schedules in advance whenever possible for the purposes of planning and making changes to the custody schedule as needed.
12. Parents shall use a coparenting app such as Our Family Wizard, Talking Parents, or another similar app for all coparenting communications. Parents shall agree upon and start using the coparenting app by 3/23/26.
13. Whenever possible, parents shall prioritize Mila being with a parent over outside childcare on weekends if a parent needs to work weekends. However, if the other parent cannot care for Mila, it shall be the responsibility of the custodial parent to make alternative childcare arrangements.
14. Parents may modify the timeshare at any time per mutual parental agreement.
15. Mila shall attend the summer program at the JCC (Jewish Community Center) in San Rafael for summer 2026.
16. Parents shall begin researching elementary school options for Mila to commence T-K starting in school year 2026 – 2027. Parents shall agree upon an elementary school for Mila and shall enroll her there once an agreement has been reached regarding school choice.

As authorized by CRC Rule 5.125, the Court shall prepare the formal 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 B. For routine appearances, the parties may access Department B 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: 04/02/26      TIME: 9:00 A.M.      DEPT: B      CASE NO: FL0002593

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

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PETITIONER:      BRIAN KESTLER

and

RESPONDENT:      AUBREY CUBILO

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NATURE OF PROCEEDINGS: REVIEW HEARING – CHILD CUSTODY/VISITATION

**RULING**

According to the Stipulation and Order entered by this Court March 3, 2026, the parties are directed to appear in Court to be referred to Marin Family Court Services (FCS) for child custody recommending counseling and mediation to address Aubrey Cubilo's (Mothers') Request for Order and to address the temporary payment allocation for professionally supervised visitation fees.

Counsel for Brian Kestler(Father) is directed to prepare the Formal 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 B. For routine appearances, the parties may access Department B 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.***