

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 04/23/25 TIME: 9:00 A.M. DEPT: B CASE NO: FL2300966

PRESIDING: HON. JANET L. FRANKEL

REPORTER:

CLERK: ALEX URTON

PETITIONER: VANESSA KIRKPATRICK

and

RESPONDENT: FABIEN DUREUIL

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

RULING

This matter comes before the court on Respondent/Father's Request for Order (RFO), originally brought on an *ex parte* basis on March 11, 2025, seeking child custody and visitation orders on shortened time, including orders prohibiting Petitioner/Mother from relocating with children. Father's RFO was filed on March 12, 2025, and the court set the matter for hearing on April 23, 2025.

On March 12, 2025, Mother filed a request for Domestic Violence Restraining Order in case number FL0001735, and the court issued a Temporary Restraining Order granting Mother temporary sole custody of the children and allowing her to temporarily relocate with the children to Grass Valley.

DISCUSSION

On April 2, 2025, the court granted Father's request to appoint minor's counsel, and set the matter for hearing on April 23, 2025 for the appointment. The parties were ordered to meet and confer.

FINDINGS AND ORDERS

The court appoints Johanna Kleppe, Esq. as minor's counsel. All other issues are continued to April 30, 2025, at 1:30 p.m. in Department B, to trail the DVRO hearing.

Both parties are ordered to file and serve updated income and expense declarations and financial documents by April 25, 2025. MCR Fam 7.13.

Counsel for Father is ordered to prepare the formal order after hearing. The court will prepare Form FL-323 appointing minor's counsel.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remotely. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpreter 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 video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted.

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.

Any party contesting the ruling and requesting oral argument shall appear in person or remotely through Zoom either by video or telephone. Please follow the guidelines set forth on the court website at www.marin.courts.ca.gov.

If a party and/or counsel elects to appear over Zoom they must follow proper Zoom etiquette. This includes joining the call five minutes early, speaking only one at a time, avoiding disruptions, and wearing proper attire appropriate for a court environment. Parties must act and speak in a professional and respectful manner as though they are in an actual courtroom. If a party or counsel is unable to follow proper Zoom etiquette, the court may halt the hearing and order the parties to return in person.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 04/23/25 TIME: 9:00 A.M. DEPT: B CASE NO: FL0000079

PRESIDING: HON. JANET L. FRANKEL

REPORTER:

CLERK: ALEX URTON

PETITIONER: RYAN PHILIP
BUSALACCHI

and

RESPONDENT: ROMA KATE
BUSALACCHI

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD SUPPORT;
VOCATIONAL EVALUATION; GAVRON WARNING; AND IMPUTATION OF INCOME
AND ATTORNEY FEES

RULING

This matter comes before the court on Respondent/Father's Request for Order (RFO) filed on March 20, 2025, seeking an order that Respondent/Mother participate in a vocational evaluation, issue a *Gavron*¹ warning, and imputation of income based on the vocational evaluation findings.

DISCUSSION

The court previously issued a *Gavron* warning to Mother.

FINDINGS AND ORDERS

The court GRANTS Father's unopposed request that Mother submit to a vocational evaluation. Mother shall submit to a vocational evaluation with a qualified vocational evaluator, to be selected and paid for by Father.

Father's request that Mother be imputed income based on the findings of the vocational evaluation is premature, and is DENIED without prejudice.

Counsel for Father is ordered to prepare the formal order after hearing.

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¹ *In re Marriage of Gavron* (1988) 203 Cal.App.3d 705.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 04/23/25 TIME: 9:00 A.M. DEPT: B CASE NO: FL0001361

PRESIDING: HON. JANET L. FRANKEL

REPORTER:

CLERK: ALEX URTON

PETITIONER: DYLAN COLE SEILER

and

RESPONDENT: KARENA MORAN

NATURE OF PROCEEDINGS: REVIEW HEARING – CHILD CUSTODY/VISITATION

RULING

This comes before the court for custody review stemming from Petitioner Dylan Cole Seiler's Request for Order and Petition to Establish Parental Relationship, both filed October 14, 2024, and on Petitioner's Notice of Motion for Joinder (NOM), filed November 14, 2024.

DISCUSSION

On December 13, 2024, the court granted Petitioner's *ex parte* Request for Order (RFO) for temporary emergency orders regarding physical custody of the minor child, and awarded temporary sole physical custody to Petitioner, with supervised visits for Respondent. The matter was set for hearing on shortened time on December 18, 2024, and then continued to January 15, 2025 for further hearing on all issues.

A Stipulation for Entry of Judgment was filed on January 6, 2025, signed by Petitioner, Respondent, and Mr. Navarro, stipulating that Petitioner Dylan Cole Seiler and Respondent Karena Moran are the parents of the minor child, Enzo Antonio Navarro, born February 16, 2024. An Advisement and Waiver of Rights was signed and filed for both Petitioner and Respondent on January 6, 2025.

Father was interviewed by the Marin County Family Court Services (FCS) child custody recommending counselor. Mother did not attend mediation.

FINDINGS AND ORDERS

Based on the information before the court, it appears that the best interests of the minor child, Enzo, born February 16, 2024, will be served by the court adopting the recommendations of FCS, as set forth in its report issued on April 4, 2025, as modified by the court. The court will do so, and the parenting plan is set forth below:

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

1. Sole legal and physical custody to Father.
2. Mother shall have supervised visits to be arranged per mutual parental agreement. These visits shall be supervised by either the maternal or paternal grandmother or other individuals designated by Father.
3. Mother shall not be under the influence of alcohol or drugs during any visits with Enzo. If Mother appears to be under the influence of alcohol or drugs, her visits shall be terminated.
4. Enzo shall not be exposed to domestic violence or be brought into situations where domestic violence occurs.
5. Sal Navarro shall not have contact with Enzo.

As authorized by CRC Rule 5.125, the court shall prepare the formal order after hearing.

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