

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/14/25 TIME: 9:00 A.M. DEPT: B CASE NO: FL2300683

PRESIDING: HON. DONNA M. PETRE FOR THE HON. JANET L. FRANKEL

REPORTER:

CLERK: ALEX URTON

PETITIONER: BRITTNEY BROWN

and

RESPONDENT: MATTHEW SPERLING

NATURE OF PROCEEDINGS: PETITION – DOMESTIC VIOLENCE RESTRAINING ORDER; OTHER: COURT HEARING TO REVIEW FIREARMS (GUNS); FIREARM PARTS, AND AMMUNITION COMPLIANCE

RULING

On April 22, 2025, the mother requested a domestic violence restraining order. The Temporary Restraining Order was granted as requested except that the court denied petitioner's request to deny the respondent father access to his child's school and health records under DV140, section 5. The temporary restraining orders grant the petitioner mother sole legal and physical custody and no visitation to the father pending the noticed hearing on May 14, 2025. The respondent father was personally served on April 29, 2025

Tentative Ruling

If the mother wishes to pursue her request for a Domestic Violence Restraining order, she must appear at the hearing scheduled on May 14, 2025 at 9:00.

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: 05/14/25 TIME: 9:00 A.M. DEPT: B CASE NO: FL0001030

PRESIDING: HON. DONNA M. PETRE FOR THE HON. JANET L. FRANKEL

REPORTER:

CLERK: ALEX URTON

PETITIONER: DAWN NELSON

and

RESPONDENT: KENT NELSON

NATURE OF PROCEEDINGS: TRIAL SETTING CONFERENCE

RULING

This matter is on calendar for a Trial Settlement Conference. The court notes that the matter had a Bench Bar Settlement Conference set for May 12, 2025.

Tentative Ruling:

If the matter did not settle at the Bench Bar Settlement Conference, the parties should appear for trial setting.

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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.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/14/25 TIME: 9:00 A.M. DEPT: B CASE NO: FL0001137

PRESIDING: HON. DONNA M. PETRE FOR THE HON. JANET L. FRANKEL

REPORTER:

CLERK: ALEX URTON

PETITIONER: YOLANDA ORDAZ
SILVA

and

RESPONDENT: LUIS JESUS ESCOBAR
ESTRADA

NATURE OF PROCEEDINGS: 1) CASE PROGRESS CONFERENCE
2) REQUEST FOR ORDER – CUST/CHD SUPP/SPL SUPP/VISITATION; OTHER: RETURN
OF PROPERTY; PAYMENT OF TAX ARREARS

RULING

This matter is on for a Case Conference Progress. The petitioner notes that the respondent husband was ordered at the February 24, 2025 hearing to provide his Preliminary Declaration of Disclosure by March 28, 2025 and he has failed to comply with that court order.

The petitioner filed on March 28, 2025, a request for order regarding custody, visitation, child support, spousal support, return of property and payment of IRS and California taxes and attorneys fees. In her Request for Order, petitioner seeks joint legal and physical custody of the minor child Sofia (DOB 12-9-2008). Petitioner also requests the return of property that she alleges the respondent took from the residence: her Ford Escape and \$7370. of property (wedding ring, Dior ring, Burberry cardigan, Burberry bag, Gucci belt bag, Gucci GC bag). She further alleges that the parties owed back California taxes of \$3073.13 and that she paid all the taxes and seeks reimbursement from the respondent for his half of the taxes in the amount of \$1535.56. She also alleges that the parties owed back IRS taxes in the amount of \$38,012. and seeks reimbursement from the respondent for his half of the federal taxes owed. Lastly, she requests that the respondent pay her \$25,000 in attorney's fees.

The parties were referred to Family Court Services but only the mother appeared for the appointment. The report was submitted to the court and the mediator recommends that the parties share joint legal and physical custody with a week on / week off time share. The report also makes other recommendations regarding holidays/vacations, travel outside of California and issues involving the parents' contact with the child, particularly as to their conflicts with one another.

An Income and Expense Declaration was submitted by the petitioner but none has been filed by the respondent. No support calculation and declaratory explanation has been submitted as required by Marin County Superior Court Rule 7.13(d)

Tentative Ruling

Unless the respondent appears at the hearing and requests a re-referral to Family Court Services, the court shall adopt the recommendations of the mediator. The court shall order that the parents have joint legal and physical custody of Sofia with a week on / week off parenting time share. The court will also adopt as orders the other recommendations of the mediator regarding holiday/vacations, travel outside of California and issues involving the parents' contact with the child, particularly as to their conflicts with one another.

Unless the respondent appears at the hearing, the court shall order that he return to the mother the Ford Escape and her wedding ring, Dior ring, Burberry cardigan, Burberry bag, Gucci belt bag, and Gucci GC bag.

Unless the respondent appears at the hearing, the court shall order that he reimburse the petitioner for his half of state taxes that she paid in the amount of \$1535.56

Unless the respondent appears at the hearing, the court shall order the respondent to reimburse the petitioner for half of the back federal taxes, which are alleged to be \$38,012.

As to petitioner's child support, spousal support and attorney fees request, the court finds that she has failed to comply with Marin County Superior Court Rule 7.13(d), which requires that support calculations and declaratory explanations be submitted with the request for order. These issues and the case progress conference are continued to June 25, 2025 at 9:00 to allow time for the mother to comply with the court rule. The respondent is ordered to file an Income and Expense Declaration by May 28, 2025.

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.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/14/25 TIME: 9:00 A.M. DEPT: B CASE NO: FL0001549

PRESIDING: HON. DONNA M. PETRE FOR THE HON. JANET L. FRANKEL

REPORTER:

CLERK: ALEX URTON

PETITIONER: GUADALUPE DIAZ

and

RESPONDENT: ALBERTO ISRAEL DIAZ

NATURE OF PROCEEDINGS: REQUEST FOR ORDE – CUSTODY/CHILD
SUPPORT/VISITATION

RULING

On April 7, 2025, the petitioner filed a request for custody, visitation and child support. She requested sole legal and physical custody of the minor child Valerie (DOB 6-1-2022). A stipulation was reached between the parties on May 1, 2025 that resolved all the outstanding issues, except for child support.

Tentative Ruling

In this case, the petitioner has filed her Income and Expense Declaration, but there is none from the respondent. The moving party has failed to comply with Marin County Rule of Court 7.13(d), which requires that support calculation and explanatory declaration are to be filed with the court. Accordingly this matter is continued to June 25, 2025 at 9:00 to allow time for petitioner to comply with the court rule. The respondent is ordered to file an Income and Expense Declaration by May 28, 2025.

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.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/14/25 TIME: 9:00 A.M. DEPT: B CASE NO: FL0001851

PRESIDING: HON. DONNA M. PETRE FOR THE HON. JANET L. FRANKEL

REPORTER:

CLERK: ALEX URTON

PETITIONER: MEHMET ATA KUT

and

RESPONDENT: KATHERINE BURNS

NATURE OF PROCEEDINGS: PETITION – DOMESTIC VIOLENCE RESTRAINING ORDER

RULING

On April 28, 2025, Petitioner Katherine Burns filed a Domestic Violence Restraining order against the respondent Mehmet Kut. She is also seeking sole custody of their children Alexander (DOB 2-21-2019) and Adrian (DOB 3-11-2023).

Judge Talamantes granted petitioner's request for a temporary restraining order on April 29, 2025. Temporary legal and physical custody of the children was given to the petitioner and the father is allowed professionally supervised visits on the last weekend of each month at Rally for up to two hours. There is no personal proof of service in the file.

Tentative ruling

The matter is continued for personal proof of service of the respondent.

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IT IS ORDERED that video appearances through Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted.

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