

1 **Important Information for Tentative Rulings and Hearings:**

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- 3 1. Please review and follow the Tentative Ruling Instructions which can be found on the Court’s website
- 4 using the following link: <https://sf.courts.ca.gov/divisions/unified-family-court/ufc-tentative-rulings>.
- 5 2. If you wish to make an objection to the Tentative Ruling in your case, you must notify the other party
- 6 (unless there is a restraining order in place) and the Court Clerk in the Department where the hearing
- 7 is scheduled of your objection by 4:00 PM the Court day prior to the hearing date. Court days do not
- 8 include Court holidays, Saturdays, or Sundays. The Court’s Holiday Schedule can be found on the
- 9 Court’s website using the following link: [https://sf.courts.ca.gov/general-information/holiday-](https://sf.courts.ca.gov/general-information/holiday-schedules)
- 10 [schedules](https://sf.courts.ca.gov/general-information/holiday-schedules).
- 11 3. To contact the Court Clerk in Dept. 403 to make an objection to the Tentative Ruling in your
- 12 case, please call (415) 551–3741 or send an email to Department403@sftc.org.
- 13 4. To contact the Court Clerk in Dept. 404 to make an objection to the Tentative Ruling in your
- 14 case, please call (415) 551–3744 or send an email to Department404@sftc.org.
- 15 5. When you contact the Court Clerk to make an objection to the Tentative Ruling in your case, please
- 16 specify the paragraph(s) and / or line number(s) of the Tentative Ruling which contains the language
- 17 to which you object.
- 18 6. You may appear at your hearing either (a) in-person; (b) by video; or (c) by phone. Pursuant to SFLR
- 19 11.7(D)(4), if you choose to appear by video or phone, you must be continuously connected to Zoom
- 20 from 8:50 a.m. until 12:00 p.m. or until your hearing is concluded. If you fail to appear in-person, by
- 21 video, or phone, the Court may proceed with the hearing in your absence. The Court is not required to
- 22 contact you before your hearing.
- 23 7. If you choose to appear by video or by phone, you must comply with the Notice and Instructions for
- 24 Remote Appearances in San Francisco Family Court set forth below.
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1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
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6 EMANUEL VALLE,

7 Petitioner

8 VS.

9 DEANA CURRAN,

10 Respondent

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) Case Number: FMS-23-387480

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) Hearing Date: April 4, 2024

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) Hearing Time: 9:00 AM

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) Department: 403

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) Presiding: RUSSELL S. ROECA
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12 REQUEST FOR ORDER OF NOTICE OF HEARING CHILD CUSTODY

13 **TENTATIVE RULING**

14 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
15 Court makes the following findings and orders:

16 1. On November 27, 2023 Father filed his Petition for Custody and Support and his Request for
17 child custody requesting sole legal and sole physical custody of Michael (DOB: 10.16.22). He requests
18 that Mother have a reasonable right to visitation, with visitation to be supervised based upon prior
19 substance abuse. He requests that visitation be supervised until Mother can show six months of clean drug
20 testing at least twice a week.

21 2. On February 20, 2024 Respondent Mother filed her response to the Petition for Custody and
22 Support. She states she and Father signed a voluntary declaration of parentage. She requests joint legal
23 and joint physical custody of the minor child. The minor child has lived with his paternal grandmother
24 from the time of birth.

25 3. Mother also filed on February 20, 2024 a responsive declaration to the Request for Custody filed
26 by Father. She again requests joint legal and joint physical custody of the minor child.

27 4. On March 20, 2024 the parties filed a Child Custody and Visitation Stipulation and Order
28 regarding the minor child, Michael Anthony Valle (DOB: 10.16.22). The Stipulation and Order does not
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1 address custody but establishes a visitation schedule commencing 3.23.24 with anticipated step up in
2 visitation after the first two months of supervised visitation.

3 5. On March 22, 2024 Mother filed a supplemental declaration attaching documentation confirming
4 she entered substance abuse rehabilitation and moved to Sacramento where she lives in a sober-living
5 community. After completing rehab she trained and became certified as a Substance Use Disorder
6 Registered Counselor on February 27, 2024 and works as a counselor. She attaches her Certification. She
7 is tested regularly and states her results are negative. She attaches copies of some of her drug test results.

8 6. Mother states she believes Father has abused drugs and wants him tested as well. She also
9 questions whether Father lives in San Francisco as he allegedly works in Seattle and she wonders if her
10 son actually lives with his Mother in San Mateo County. Consistent with the parties' stipulation and order
11 Mother agrees to continued supervised visitation supervised by Sylvia Valle at her home in Montero
12 Beach. She requests confirmation of where her son is living.

13 7. On March 29, 2024 Father filed his supplemental declaration. Father states that he currently lives
14 at 422 Edinburgh Street, San Francisco, CA and lives with his aunt, uncle, cousin, and son Michael. He
15 states he moved into the home in November 2023 and has lived there since then. Father states that he
16 completed rehab on November 18, 2022. Prior to rehab he had been living with his Mother in San Mateo
17 County. He became the primary caregiver for Michael on November 10, 2023. He states Petitioner (sic)
18 Mother had never seen the child, Michael, since his birth in October 2022.

19 8. Father indicates that he has had sole legal custody of Michael since April 17, 2023 pursuant to his
20 agreement with CPS of San Mateo County. Since November 10, 2023 has had sole physical custody of
21 Michael.

22 9. Father states that until he filed this petition Mother has never sought visitation or taken an interest
23 in Michael's custody.

24 10. Father requests sole legal and physical custody of the minor child.

25 11. Father is awarded temporary sole legal and temporary sole physical custody of the minor child
26 and the parties are to abide by their Child Custody and Visitation Stipulation and Order filed on March
27 20, 2024.

28 12. The Court will order Family Court Services to interview CPS of San Mateo County for its reports
29 concerning the history of this matter.

1 13. The matter will be continued for a review hearing on August 6, 2024 at 9:00 a.m. to review
2 potential modification of the temporary custody and visitation orders. Both parties are to serve and file
3 update declarations regarding the foregoing ten days before the hearing.

4 14. Neither parent is to disparage the other parent or allow others to disparage the other parent in
5 front of the minor child.

6 15. All prior orders not inconsistent with this order shall remain in full force and effect.

7 16. The Court shall prepare the order.
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1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
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5
6 GRACE WOO,

7 Petitioner

8 VS.

9 ANDREW SONG,

10 Respondent

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) Case Number: FLD-22-396996

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) Hearing Date: April 4, 2024

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) Hearing Time: 9:00 AM

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) Department: 403

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) Presiding: RUSSELL S. ROECA
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11
12 REQUEST FOR ORDER FOR CHANGE OF CHILD CUSTODY

13 **TENTATIVE RULING**

14 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
15 Court makes the following findings and orders:

16 1. This matter is on calendar for review of the Findings and Orders filed on November 13, 2023.

17 Father was granted sole legal and sole physical custody of the two minor children, Andrew (DOB
18 11.3.18) and Arthur (DOB 11.21.19) following his Request for order filed on June 12, 2023.

19 2. Mother was ordered at the last hearing to file an update declaration providing written
20 proof that she is compliant with the Final Judgment Custody Order filed November 10, 2022 including
21 confirmation by her parents that she is residing with her parents, providing the Court with the identity and
22 contact information of her treating psychiatrist, and the confirmation the Mother is compliant with her
23 psychiatrist's medication recommendations.

24 3. The Court has received no update declarations.

25 4. Father shall continue to have sole legal and sole physical custody. Mother shall have no
26 visitation pending further order of this Court.

27 5. This matter is ordered off calendar.

28 6. The Court shall prepare the order.
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1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
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5
6 JOHN HOFMEYER,

7 Petitioner

8 VS.

9 GABRIELA HOFMEYER,

10 Respondent

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) Case Number: FDI-18-790640

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) Hearing Date: April 4, 2024

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) Hearing Time: 9:00 AM

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) Department: 403

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) Presiding: RUSSELL S. ROECA
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12 REQUEST FOR ORDER RE: DETERMINATION OF EPSTEIN CREDITS

13 **TENTATIVE RULING**

14 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
15 Court makes the following findings and orders:

16 **A. Procedural History**

17 1. The matter is continued from 1/12/2024.

18 **B. Findings and Orders**

19 1. The Court reserves jurisdiction over Epstein credits for trial.

20 2. The Court will prepare the order.
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1 5. On December 28, 2023 Father was awarded visitation every other Saturday from 10:00 a.m. to
2 5:00 p.m. supervised by his mother. The drop off times were specific. See the FOAH filed on 2.1.24.

3 6. On March 3, 2024 Father filed an update declaration. Mother did not file an update declaration.
4 Father states the visitation as ordered at the hearing on December 28, 2023 has not occurred because his
5 own mother decided she did not want to supervise the visits. He only had two January visits. Father now
6 requests non-supervised visitation. He requests exchanges at a police station convenient to the parties.

7 7. Father further requests a DNA test to determine whether or not the children are his biological
8 children, and if so, he requests joint legal and joint physical custody. This request is beyond the scope of
9 this review hearing and is denied without prejudice to the filing of a new Request for Order.

10 5. Mother has not filed an update declaration.

11 5. The parties' appearances are required to address the status of visitation and Father's request for
12 unsupervised visitation.

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1 5. On March 22, 2024 Respondent Mother filed her update declaration. Mother does not address her
2 efforts at obtaining counseling and therapy for Jalina to address the fear she may have to visitation.

3 6. Father did not file an update declaration as ordered.

4 7. The parties are awarded joint legal custody and Mother is awarded sole physical custody.

5 8. The parties are to communicate peacefully and respectfully with the Talking Parents application
6 downloaded to their cell phones regarding visitation.

7 9. Neither party is to disparage the other party nor discuss these legal proceedings with the minor
8 child.

9 10. Neither Party shall record any court proceedings as it is strictly prohibited by law. Neither party
10 shall record the other party absent consent by the other party.

11 11. Mother is to encourage the minor child's relationship with her Father.

12 12. The parties are ordered to appear. Mother is to specifically address each step she has taken to
13 obtain counseling and therapy to address the minor child's concerns with visitation. Both parties shall be
14 prepared to address a proposed visitation plan along with a step up plan.

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1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
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6 NICHOLAS ALEXANDER PARKER-FOSTER,) Case Number: FDI-22-797312
7 Petitioner) Hearing Date: April 4, 2024
8 VS.) Hearing Time: 9:00 AM
9 MARIA FERNANDA PARKER-VIZCAINO,) Department: 403
10 Respondent) Presiding: RUSSELL S. ROECA
11)

12 REQUEST FOR ORDER [X] FINALIZE DISSOLUTION

13 **TENTATIVE RULING**

14 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
15 Court makes the following findings and orders:

16 **A. Procedural History**

- 17 1. On for hearing is Respondent's 1/16/2024 Request for Order to "finalize dissolution."
18 2. Petitioner was served on 1/17/2024 and he did not file a Responsive Declaration.

19 **B. Findings and Orders**

- 20 1. Petitioner's signature does not have to be notarized on the MSA. If Petitioner refuses to sign the
21 MSA, Respondent may bring a request to enter judgment under CCP 664.6.
22 2. The Court will prepare the order.
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7. Father shall strictly adhere to the schedule as it is in Avont’s best interest that there be stability and consistency in visitation.

8. The matter shall be set for a review hearing on August 6, 2024 in Dept 403 at 9:00 a.m. Both parties shall serve and file update declarations no later than ten days before the hearing. Failure to file an update declaration may result in the matter being ordered off calendar.

9. All prior orders not inconsistent with this order shall remain in full force and effect.

10. The Court will prepare the order.

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
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5
6 GEORGE LUCAS MIGUEZ COUTINHO)

) Case Number: FDI-23-798982

7 TELLES,)

) Hearing Date: April 4, 2024

8 Petitioner)

) Hearing Time: 9:00 AM

9 VS.)

) Department: 403

10 RACHEL JOAN KNOLL TELLES,)

) Presiding: RUSSELL S. ROECA

11 Respondent)
_____)

12 REQUEST FOR ORDER ANNULMUEMENT OF MARRIAGE

13 **TENTATIVE RULING**

14 The matter is ordered off calendar as there is no proof of service. Petitioner may choose to contact the
15 ACCESS center for assistance.
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1 expert must provide the name, business address, and summary of qualifications of that expert to the other
2 party no later than thirty court days before trial, the written report of a testifying expert must be delivered
3 to the other party no later than twenty court days before trial, and party seeking to rely upon expert
4 testimony at trial must make that expert available for deposition by the other party at a mutually
5 acceptable time at least ten court days prior to trial.

6 2. Here, Petitioner is allowed to obtain an expert witness and to present that expert's report to the
7 Court, provided that the SF Local Rule is complied with.

8 3. The Court has not yet appointed an Evidence Code 730 expert and Petitioner has not claimed to
9 have hired one. The Court will address this issue at the hearing on 4/25/2024.

10 4. Respondent failed to identify any specific instances of hearsay.

11 5. Respondent's RFO for motion in limine to exclude any and all evidence and hearsay evidence
12 contained in the reports by reports by J. Reid Meloy, Molly Amman, and Stephanie Leite is denied
13 without prejudice to specific objections at trial.

14 6. **Preparation of Order:** If you are directed by the court to prepare the order after hearing – within
15 10 calendar days of the hearing you must either: (a) Serve the proposed order to the other party/counsel
16 for approval, and follow the procedures set forth in CA Rules of Court, Rule 5.125(c), or (b) If the other
17 party did not appear or the matter was uncontested, submit the proposed order after hearing directly to the
18 court. Failure to submit the order after hearing within 10 days may allow the other party to prepare a
19 proposed order and submit it to the court in accordance with CA Rules of Court, Rule 5.125(d).

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1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
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5
6 JENNIFER HAMMOND,

7 Petitioner

8 VS.

9 PATRICK FULGHAM,

10 Respondent

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) Case Number: FDV-19-814830

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) Hearing Date: April 4, 2024

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) Hearing Time: 9:00 AM

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) Department: 403

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) Presiding: RUSSELL S. ROECA
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12 PAYMENT FOR THERAPY FOR MINOR: REQUEST TO SEEK & OBTAIN INSURANCE -
13 COVERED THERAPY AND TERMINATE THERAPY W/ CURRENT PROVIDER (DR. YAP) W. IN
14 30 CALENDAR DAYS

15 **TENTATIVE RULING**

16 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
17 Court makes the following findings and orders:

- 18 1. On February 28, 2024 Petitioner Mother filed her requests related to therapy being provided to
19 the minor daughter, Fatima (DOB: 8.27.14). Mother requests an order to allow termination of the
20 therapist, Dr. Yap, and an order requesting permission to obtain insurance covered therapy for Fatima.
21 Mother lost a substantial amount of her income resulting in her inability to continue to pay 50/50 for the
22 therapy.
- 23 2. Dr. Yap has confirmed the minor child is not in crisis but does recommend continued therapy.
24 Mother attempted to work with Father to identify alternative therapy that is financially feasible. Father
25 indicated in writing that he would be responsible for payment of Dr. Yap's services but continues to send
26 Mother requests for reimbursement.
- 27 3. The parties have a detailed Stipulation and Order regarding Custody and Visitation filed on July
28 13, 2022 giving both parents joint legal and joint physical custody of Fatima and it outlines parenting
29 time and holiday schedules among other things.

1 4. A Stipulation and Order was signed and filed on July 7, 2023 confirming the parties agreement to
2 enroll Fatima in therapy resulting in her therapy with Dr Yap paid for 50/50 by the parents.

3 5. Father has not filed any responsive declaration.

4 6. Based upon the Mother's papers there appears to be a change in hwe financial circumstances.
5 Termination by the parents of the minor child's therapy with Dr. Yap is unfortunate but compelled by
6 Mother's financial circumstances and Father's failure to respond to her request. This does not preclude
7 Father from paying the cost of therapy with Dr. Yap as it appears he agreed to do so based upon the
8 documents provided by Mother.

9 7. The parties are ordered to meet and confer regarding obtaining insurance that would cover
10 alternative therapy as it is in the child's best interest at this time to continue therapy.

11 8. The Parties are also ordered to return to mediation with Family Court Services to work out the
12 therapy issue in the event the parties cannot agree after meeting and conferring. The parties are to contact
13 Family Court Services within thirty days of this order in the event they cannot come to an agreement
14 regarding alternative plans for Fatima's therapy.

15 9. Both parents shall download Talking parents and communicate regarding custody, visitation and
16 therapy through the Talking Parents application.

17 10. The Court will prepare the order.
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