

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

2260 N Street, Merced  
627 W. 21<sup>st</sup> Street, Merced  
2840 West Sandy Mush Road, Merced  
1159 G Street, Los Banos

Thursday, November 7, 2024

**NOTE: Merced Superior Court will no longer be consolidating Courtroom 8 and Courtroom 10.**

**Tentative Rulings are provided for the following Courtrooms and assigned Judicial Officers with scheduled civil matters:**

**Courtroom 8 – Hon. Mark V. Bacciarini**

**Courtroom 9 – Hon. Mason Brawley**

**Courtroom 12 – Hon. Jennifer O. Trimble**

**Courtroom 10 will continue to post separate Probate Notes that are not included in these tentative rulings.**

**IMPORTANT: Court Reporters will NOT be provided; parties must make their own arrangements. Electronic recording is available in certain courtrooms and will only be activated upon request.**

**The specific tentative rulings for specific calendars follow:**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Law and Motion  
Hon. Mark V. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Thursday, November 7, 2024  
8:15 a.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

**IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.**

<b>Case No.</b>	<b>Title / Description</b>
-----------------	----------------------------

22CV-02629	Lowell Dickson v. Foster Farms, LLC
------------	-------------------------------------

Status Conference

**Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. Appear to address the status of the mediation that was being scheduled as of the last hearing.**

23CV-03924	Grant Schmidt v. Cardella Merced, LLC, et al.
------------	---

Order to Show Cause re: Sanctions

**Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. Defendant is ordered to appear and show cause why defendant should not**

**be sanctioned \$200 for failure to appear at the mandatory settlement conference set for October 10, 2024.**

Trial Setting Conference

**Continued on the Court's own motion to June 3, 2025 at 10:00 A.M.**

---

23CV-04276          Gary Kidgell v. County of Merced

Demurrer by County of Merced

**The Demurrer by County of Merced to Plaintiff's Third Amended Complaint is SUSTAINED WITHOUT LEAVE TO AMEND. The County is immune for liability arising from the mere recordation of document that meets the requirements for recording on its face under Government Code § 820.4. Plaintiff's remedy is to bring an action to quiet title with respect to the current record owners of the land, not the County that recorded the document establishing such legal title. Since no amendment can state a claim against the County, The Demurrer by County of Merced to Plaintiff's Third Amended Complaint is SUSTAINED WITHOUT LEAVE TO AMEND.**

---

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Mandatory Settlement Conferences  
Hon. Mark V. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Thursday, November 7, 2024  
9:00 a.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

**IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.**

---

<b>Case No.</b>	<b>Title / Description</b>
-----------------	----------------------------

---

	There are no Mandatory Settlement Conferences Scheduled
--	---

---

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Limited Civil Calendar  
Hon. Mason Brawley  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Thursday, November 7, 2024  
10:00 a.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

**IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.**

<b>Case No.</b>	<b>Title / Description</b>
24CV-00040	Barclays Bank Delaware v, Irene Garcia
	Order to Show Cause re: Sanctions
	<b>Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. Plaintiff is ordered to appear and show cause why plaintiff should not be sanctioned for failure to appear at the October 4, 2024 Case Management Conference.</b>
	Motion to Dismiss for Failure of Plaintiff to Appear at Case Management Conference
	<b>Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. The Motion to Dismiss is DENIED WITHOUT PREJUDICE.</b>
	Case Management Conference
	<b>Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. Appear to address the status of the case.</b>

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Restraining Orders  
Hon. Jennifer O. Trimble  
Courtroom 12  
1159 G Street, Los Banos

Thursday, November 7, 2024  
11:00 a.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

**IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.**

---

<b>Case No.</b>	<b>Title / Description</b>
-----------------	----------------------------

24CV-03712	Petition of Anel Villegas
------------	---------------------------

Order to Show Cause re: Name Change

**Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. This Petition by both parents to reverse the first and middle names of a minor child was set for hearing by OSC signed by the Court inadvertently setting it on the Civil Harassment Restraining Order Calendar. Since the Order to Show Cause is required to be published, the matter must stay on this calendar. Appear to address the status of publication.**

---

24CV-04589 Alejandro Orellana v. Carla Aceituno

Order to Show Cause re: Restraining Order

**Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. The court notes that proof of service was filed October 4, 2024 showing that Respondent was served with the papers filed in this action. Note that instead of filing a cross-petition in this same action, Respondent brought the following matter, a separate action, case 24CV-03288, a related action, requesting a restraining order against Petitioner.**

---

24CV-04388 Carla Aceituno v. Alejandro Orellana

Order to Show Cause re: Restraining Order

**Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. The court notes proof of service was filed on September 13, 2024 showing service of the papers filed in this action on respondent. This is a related action to case 24CV-04589.**

---

24CV-04593 Alejandro Orellana v. Maximo Rosales

Order to Show Cause re: Restraining Order

**Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. The court notes that proof of service was filed October 4, 2024 showing that Respondent was served with the papers filed in this action.**

---

24CV-03899 Angelina Bueno v, Natalie Vargas

Order to Show Cause re: Restraining Order

**Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. The court notes that no proof of service has been filed showing that the papers filed in this action have been served on Respondent.**

---

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. Mark V. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Thursday, November 7, 2024  
1:15 p.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

**IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.**

<b>Case No.</b>	<b>Title / Description</b>
-----------------	----------------------------

---

There are no Ex Parte matters scheduled.

---



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. Mason Brawley  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Thursday, November 7, 2024  
1:15 p.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

**IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.**

---

<b>Case No.</b>	<b>Title / Description</b>
-----------------	----------------------------

There are no Ex Parte matters scheduled.

---

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. Jennifer O. Trimble  
Courtroom 12  
1159 G Street, Los Banos

Thursday, November 7, 2024

1:15 p.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

**IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.**

---

<b>Case No.</b>	<b>Title / Description</b>
-----------------	----------------------------

There are no Ex Parte matters scheduled.

---