



# Superior Court of California County of San Benito

## Tentative Decisions for May 13, 2026

**Courtroom #1: Judge J. Omar Rodriguez**

**FL-24-00232      Gaudin, Elizabeth vs. Gaudin, Jeffrey**

Petitioner's April 3, 2026 Request for Order is GRANTED. Respondent is ordered to pay spousal support in the amount of \$4,571 per month. One-half of the payment is due on the first of each month and one-half of the payment is due on the fifteenth of each month. Arrears are payable at a rate of \$300 per month. One-half of the payment is due on the first of each month and one-half of the payment is due on the fifteenth of each month. The Orders are retroactive to February 15, 2025 and continue to December 31, 2025. The court adopts the findings and calculations that were attached as Exhibit F to Petitioner's request for order.

Commencing January 1, 2026, Respondent shall pay support based on his monthly income of \$18,117. Any income earned by Respondent in excess of \$18,117 per month shall be subject to a Smith/Osler allocation, with additional support calculated and paid on a quarterly basis.

Petitioner's Request for Attorney's Fees is GRANTED as requested. There is a demonstrated disparity between the parties in access to funds to retain or maintain counsel and in the ability to pay for legal representation. The party requested to pay attorney's fees and costs has the ability to pay for legal representation for both parties. The requested attorney's fees and costs are reasonable and necessary. Respondent shall pay Petitioner attorney's fees and costs in this legal proceeding in the amount of \$48,224.17 in total. Of this amount, \$10,000 shall be from Respondent's separate despise account and \$38,224.17 shall be

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any objections or concerns.**

allocated from Respondent's share of the community liquid funds. These funds shall be paid to Petitioner no later than July 1, 2026.

The Court issues the following Gavron Warning to Petitioner: Petitioner is advised that it is the goal of the State of California that both parties shall become self-supporting within a reasonable time. Petitioner is further advised that, at some future date, should Petitioner fail to become self-supporting or if she mis-manages her estate, the other party may argue that Petitioner's failure to become self-supporting or the mismanagement of her estate is a factor which should be considered by the Court to modify or terminate her right to receive spousal support. Petitioner is further advised that if she terminates employment in the future, income could be imputed to her. (See *In re Marriage of Gavron* (1988) 203 Cal.App.3d 705.)

**FL-24-00235                      Cabrera, Omar Ramirez vs. Serna, Victoria**

Petitioner's April 9, 2026 Request for Order is GRANTED in part. Respondent is ordered to file a completed, and accurate, Declaration Regarding Service of Declaration of Disclosure no later than May 29, 2026. The Declaration shall indicate that service was completed. The request regarding property division is premature and shall be addressed at the time of trial. Additionally, there is no good cause provided that would warrant the division of a community asset. (See e.g. Fam. Code §2108.)

**FL-25-00235                      Flores, Marina vs. Flores, Gary**

Respondent's March 9, 2026 Request for Order is DENIED to the remaining issues not already addressed in the stipulation submitted by the parties and filed May 11, 2026. Unless a timely objection is made, the hearing will be vacated and no appearances are necessary.

Respondent requested that the Court modify the visitation order so that the orders are unsupervised. Petitioner concedes that Respondent's visits are modified to unsupervised visits pursuant to the order filed April 7, 2026.

Respondent's request regarding property control was sufficiently addressed in the May 11, 2026 stipulation.

Respondent's request for attorney's fees is denied as the motion is incomplete. Respondent failed to serve a supporting declaration for attorney's fees. As a motion for reconsideration, Respondent fails to establish any legal or factual basis for such relief.

**END OF TENTATIVE DECISIONS**

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