



# Superior Court of California County of San Benito

## Tentative Decisions for July 9, 2025

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

**FL-13-00372      Arreola, Olga vs. Arreola, Enrique**

The Court makes the following orders regarding Respondent's Request for Order regarding Spousal Support, Child Support and Motion to Reconsider Order of April 9, 2025:

The Court denies Respondent's Request to Reconsider as the Court finds that a Proof of Service was filed using Respondent's mailing address, which he continues to use. The Court declines to reconsider and allow the re-litigation of issues regarding child support and spousal support. Despite this denial, the Court will add to the April 9, 2025 order that the child support order for Noah Arreola shall terminate by operation of law as soon as the child graduates from high school.

The Court also denies Respondent's requests for medical and dental reimbursements as they are untimely.

The Court denies Respondent's request for reimbursement for a loan that Petitioner allegedly received from Respondent's parents in 2013/2015. A judgment was entered and filed on January 2015 addressing debts to the community and property division. Therefore, the request for reimbursement for a loan is untimely.

Based on Petitioner's representation that the Child Support Office has been contacted to confirm and/or collect overpayments and offset, the Court will defer to the Department of Child Support Services and continue the hearing regarding overpayment and arrears to September 18, 2025 at 8:30 a.m. in Department 2.

Considering the orders made above, Respondent's request to terminate child support, filed on June 13, 2025, is moot. Although Respondent did not file a proof of service, the matter is taken off calendar and no appearances are necessary.

**FL-16-00241**      **Pina, Brian vs. Pina, Theresa**

Respondent's Request for Order to Set Aside Order for Attorney's Fees is GRANTED. The Court strikes the order requiring Respondent to pay the attorney's fees, which was previously set at \$5,250. This order is based on Respondent's Representation that her absence at the hearing was not conduct that frustrated the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation between the parties and attorneys as stated in Family Code section 271. Respondent was hospitalized and not able to attend the January 10, 2025 hearing.

**FL-18-00445**      **Uribe, Daisy vs. Uribe, Jorge**

Petitioner's Request that Respondent provide a preliminary declaration of disclosure under Family Code section 2104 is DENIED as the request is moot. The parties submitted a stipulation and waiver of final declaration, which was filed on January 27, 2025. The stipulation states that the parties agreed that they each complied with Family Code section 2104, and the preliminary declarations of disclosure have been completed and exchanged.

**FL-23-00226**      **Malloy, Alyssa Renee vs. Malloy, Daniel Robert Lee**

Petitioner's Request to Continue the Hearing to allow recently retained counsel to file a written response is GRANTED. The hearing is continued to August 13, 2025 at 8:30 a.m.

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

The Court continues the hearing regarding the Level 2 Investigation to September 10, 2025 at 8:30 a.m. to allow the investigator to have sufficient time to complete the interviews and prepare the report.

The Court also continued the hearing regarding Respondent's Request for Spousal and Child Support to August 6, 2025 at 8:30 a.m. Petitioner is ordered to file and serve an Income & Expense Declaration by July 25, 2025.

**FL-25-00049                      Dawes, Cheryl Anne Drader vs. Dawes, Stephen Albert Edwards**

Petitioner's Request for Attorney's Fees and Costs pursuant to Family Code section 2030 is GRANTED. Respondent is ordered to pay Petitioner attorney's fees in the amount of \$15,000 no later than September 1, 2025. The Court finds that Respondent has sufficient means to pay for his attorney's fees as well as Petitioner's attorney's fees, especially when taking Respondent's investment account into consideration, which is worth over \$500,000. The Court also finds that there is a disparity in access and ability to pay and that the requested amount is reasonable.

**FL-25-00060                      Castellanos, Maria Citlali vs. Garcia Ortiz, Luis**

The Hearing on Petitioner's Request for Spousal Support is continued to September 3, 2025 at 8:30 a.m. Respondent must file with the Court and have Respondent served with a code compliant Income & Expense Declaration no later than August 8, 2025.

**FL-25-00068                      Ramirez, Stephanie vs. Ramirez, Francisco**

Petitioner's Request for Child and Spousal Support is GRANTED. Respondent is ordered to pay child support at \$1,963 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 effective on April 3, 2025.

Arrears are payable at the rate of \$100 per month for Child Support. 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.

Each party must pay 50% of child-care costs related to employment or reasonably necessary job training. Each party must pay 50% reasonable uninsured health-care costs for the children.

Respondent is ordered to pay spousal support at \$134 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 effective on April 3, 2025.

Arrears are payable at the rate of \$50 for Spousal Support. 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 court used a printout of a computer calculation and findings, which is located below and incorporated in this order.

## 2025 Guideline Summary Monthly Figures

Fixed Shares	Father Mother		Monthly Figures		Cash Flow	
Number of children	0	4	2025		Combined net spendable	9070
Percent time with NCP	35.00%	0.00%			<b>Father</b>	
Filing status	MFJIN	MFJIN	<b>Nets (adjusted)</b>		Payment cost/benefit	-2097
Number of exemptions	1	5	Father	5704	Net spendable income	3607
Wages and salary	9339	4614	Mother	3367	Federal income tax	557
Self employed income	0	0	Total	9071	Federal employment tax	714
Other taxable income	0	0	<b>Support</b>		State income tax	241
TANF CS received	0	0	Addons	0	State employment tax	112
Other nontaxable income	0	0	Guideln CS	1963	Total taxes	1624
New spouse income	0	0	S.Clara SS	134	Federal filing status	MFJIN
Employee 401-k contribution	0	0	Total	2097	State filing status	MFJIN
Adjustments to income	0	0			<b>Mother</b>	
SS paid prev marriage	0	0			Payment cost/benefit	2097
CS paid prev marriage	800	0			Net spendable income	5464
Health insurance	295	380			Federal income tax	275
Other medical expenses	0	0			Federal employment tax	353
Property tax expenses	471	0			State income tax	119
Ded interest expense	523	0			State employment tax	55
Contribution deduction	0	0			Total taxes	803
Misc tax deductions	0	0			Federal filing status	MFJIN
Qualified business income deduction	0	0			State filing status	MFJIN
Required union dues	129	65				
Mandatory retirement	787	0				
Hardship deduction	0	0				
Other GDL deductions	0	0				
Child care expenses	0	0				

FC 4055 checking: **ON**

### Per Child Information

DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children	35 - 65	0	0	0 Father	1,963 Father	1,963 Father
0000-00-00	35 - 65	0	0	0 Father	300 Father	300 Father
0000-00-00	35 - 65	0	0	0 Father	368 Father	368 Father
0000-00-00	35 - 65	0	0	0 Father	508 Father	508 Father
0000-00-00	35 - 65	0	0	0 Father	787 Father	787 Father

**\*\*Please contact Judicial Courtroom Assistant, Wendy Guerrero, at (831) 636-4057 x126 or wguerrero@sanbenitocourt.org with any objections or concerns.**

**FL-25-00069**                    **Roye, Tamryn Darnell vs. Roye, Daniel Morris**

Petitioner's Request for Order to Voluntarily Waive Disclosures is GRANTED.

**FL-25-00118**                    **Frias-Pen, Jose Carlos vs. Mason, Haley**

As a result of Respondent's failure to attend mediation, the matter is continued to September 3, 2025 at 8:30 a.m. Mediation is scheduled to take place on August 12, 2025 at 9:00 a.m.

**END OF TENTATIVE DECISIONS**