



Superior Court of California County of San Benito

Tentative Decisions for June 18, 2025

Courtroom #1: Judge J. Omar Rodriguez

FL-23-00259 **Vigilante v. Vigilante**

Petitioner's Request for Order is DENIED without prejudice.

First, Petitioner's Motion to Bifurcate is DENIED without prejudice. Petitioner's failed to use Form FL-315 when making his Request to Bifurcate. Form FL-315 was adopted for mandatory use. Therefore, the request to bifurcate is denied on this ground.

Second, Petitioner's Request to sell the property is DENIED without prejudice. Petitioner fails to cite any legal authority or provide any facts that would permit the Court to divide the real property during the prejudgment phase. Family Code section 2108 permits the liquidation of community assets, but only to avoid unreasonable market or investment risks. Petitioner did not provide any facts to support the conclusion that there is an unreasonable market risk that would necessitate the liquidation of community assets.

Finally, in light of the state of the case, the balance of Petitioner's Requests (e.g. division of community property and reimbursement claims) are matters to be addressed at trial and not by way of a Request for Order.

FL-24-00238 **Felice-Muna vs. Muna**

Petitioner's Request for Order to Voluntarily Waive Disclosures is DENIED without prejudice. Petitioner failed to file a Proof of Service that demonstrates that Petitioner provided Respondent with notice of the hearing and request.

The Hearing on Petitioner's Request for Child Support is continued to July 30, 2025, at 8:30 a.m. Petitioner must file with the Court and have Respondent served with a code compliant Income & Expense Declaration no later than July 9, 2025. Petitioner must also provide notice to Respondent of the new hearing date.

END OF TENTATIVE DECISIONS