

Tentative Rulings for September 15, 2026
Department 503

For any matter where an oral argument is requested and any party to the hearing desires a remote appearance, such request must be timely submitted to and approved by the hearing judge. In this department, the remote appearance will be conducted through Zoom. If approved, please provide the department's clerk a correct email address. (CRC 3.672, Fresno Sup.C. Local Rule 1.1.19)

There are no tentative rulings for the following cases. The hearing will go forward on these matters. If a person is under a court order to appear, he/she must do so. Otherwise, parties should appear unless they have notified the court that they will submit the matter without an appearance. (See California Rules of Court, rule 3.1304(c).) *The above rule also applies to cases listed in this "must appear" section.*

26CU00978 *PUP II, LLC v. Persevere Lending, Inc., et al.*

The court has continued the following cases. The deadlines for opposition and reply papers will remain the same as for the original hearing date.

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Tentative Ruling

Re: **City of Fresno v. Wat Phouthapathane**
Superior Court Case No. 26CECG00523

Hearing Date: September 15, 2026 (Dept. 503)

Motion: By Plaintiff City of Fresno for Prejudgment Possession

Tentative Ruling:

To deny without prejudice. (Code Civ. Proc., § 1255.410, subd. (b) & (d)(1)(B).)

Explanation:

Plaintiff City of Fresno ("Plaintiff") moves for an order of prejudgment possession for an easement under Code of Civil Procedure section 1255.410.

Plaintiff was required to serve a copy of the motion on the record owner of the property and its occupants at least 60 or, potentially, 90 days before the hearing of this motion. (Code Civ. Proc., § 1255.410, subd. (b).) Plaintiff has filed no proof of service or other evidence they have done so. Additionally, Plaintiff is required to make a deposit that is compliant with the requisite statutes. (Code Civ. Proc., § 1255.410, subd. (d)(1)(B).) The deposit requires a written report from the appraiser. (Code Civ. Proc., § 1255.010, subd. (b).) Plaintiff did not provide a copy of the appraiser's report. Accordingly, Plaintiff's motion for prejudgment possession is denied without prejudice.

Pursuant to California Rules of Court, rule 3.1312(a), and Code of Civil Procedure section 1019.5, subdivision (a), no further written order is necessary. The minute order adopting this tentative ruling will serve as the order of the court and service by the clerk will constitute notice of the order.

Tentative Ruling

Issued By: JS on 9/14/26.
(Judge's initials) (Date)