

Tentative Rulings for March 19, 2026
Department 403

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.*

24CECG04442 Susan Biechler v. FCA US, LLC (Dept. 403) A tentative ruling has been prepared for review before the hearing.

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

22CECG00280 Sharon Richardson v. Joan Kevorkian is continued to Thursday, April 16, 2026, at 3:30 p.m. in Department 403.

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Tentative Ruling

Re: ***Maria Llamas Valenzuela v. Jennie Arambula***
Superior Court Case No. 25CECG02220

Hearing Date: March 19, 2026 (Dept. 403)

Motion: for Default Interlocutory Judgment for Partition by Sale of Real Property and Appointment of Referee

Tentative Ruling:

To deny, without prejudice.

Explanation:

In an action for partition of real property, “[w]here the court orders service by publication, such order shall be subject to the following conditions:

- (a) The plaintiff shall post, not later than 10 days after the date the order is made, a copy of the summons and complaint on the real property that is the subject of the action.
- (b) The plaintiff shall record, if not already recorded, a notice of the pendency of the action.
- (c) The publication shall describe the property that is the subject of the action. In addition to particularly describing the property, the publication shall describe the property by giving its street address, if any, or other common designation, if any; but, if a legal description of the property is given, the validity of the publication shall not be affected by the fact that the street address or other common designation recited is erroneous or that the street address or other common designation is omitted.”

(Code Civ. Proc., § 872.320, emphasis added.)

Plaintiff Maria N. Llamas Valenzuela (“plaintiff”) filed her verified First Amended Complaint on August 5, 2025. She requested, and the court granted, service by publication specifically for the unknown defendants. (See Order for Publication dated September 8, 2025.) The court made the Order as to the unknown defendants only, not as to the named defendant, Jennie Arambula. (*Ibid.*) As the court did not order service by publication on the named defendant, defendant Jennie Arambula has not been properly served with the amended complaint and her default is improper.

Further, plaintiff has not demonstrated that she complied with Code of Civil Procedure section 872.320, subdivisions (a) and (c). First, she has not demonstrated that the summons and First Amended Complaint were posted on the real property subject to this action. This requirement was also included as part of the September 8, 2025 Order. Second, the summons served on unknown defendants by publication was not in compliance with subdivision (c). The published summons fails to adequately describe the

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Tentative Ruling

Re: **Vue v. Yang**
Superior Court Case No. 25CECG05892

Hearing Date: March 19, 2026 (Dept. 403)

Motion: By Defendant to Quash Service of Summons

Tentative Ruling:

To continue the matter to Tuesday, April 28, 2026 at 3:30 p.m. in Department 403 for defendant to serve the motion. Defendant is to file a proof of service no later than April 14, 2026.

Explanation:

There is no proof of service of defendant's motion to quash. The court cannot address the merits of defendant's motion without notice to the plaintiff.

Additionally, the court is not certain that defendant intended to file a motion to quash as the document filed appears to be an answer to the complaint. While an answer would still require service to the plaintiff, it would not require a hearing. Code of Civil Procedure section 418.10 provides that a defendant may serve and file a motion to quash service of summons for lack of jurisdiction. In the event defendant is not intending to challenge whether the court has jurisdiction over him, but instead wishes to challenge the contents of the complaint, he may file an answer.

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:  on 3-18-26 .

(Judge's initials) (Date)

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Tentative Ruling

Re: **Biechler v. FCA US, LLC**
Superior Court Case No. 24CECG04442

Hearing Date: March 19, 2026 (Dept. 403)

Motion: Motion to be Relieved as Counsel

Tentative Ruling:

The court intends to deny counsel for plaintiff Susan Biechler's motion to be relieved as counsel, without prejudice. (Cal. Rules of Court, rule 3.1362(d).)

Explanation:

Counsel's declaration indicates the client received notice of the motion to withdraw by personal service of the moving papers. (Declaration, Item 3a(1).) No proof of service reflecting this personal service has been filed. There is a proof of service demonstrating the client was served by mail, however the declaration does not indicate how the client's last known address was confirmed as current. (*Id.*, Item 3b.)

Counsel has not adequately confirmed the client's current address. "As used in this rule, 'current' means that the address was confirmed within 30 days before the filing of the motion to be relieved. Merely demonstrating that the notice was sent to the client's last known address and was not returned or no electronic delivery failure message was received is not, by itself, sufficient to demonstrate that the address is current." (Cal. Rules of Court, rule 3.1362(d).)

Accordingly, the court intends to deny the motion, 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: on 3-18-26 .

(Judge's initials)

(Date)

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Tentative Ruling

Re: ***In re 1433 East Richert Avenue, Fresno, CA 93704***
Superior Court Case No. 25CECG05242

Hearing Date: March 19, 2026 (Dept. 403)

Motion: General Motion – Distribute Sale Proceeds

Tentative Ruling:

The motion is taken off calendar as it does not appear from the court's record that moving papers were timely filed.

Explanation:

Although this hearing was set almost two months ago, the moving papers were only filed on March 4, which is only 15 calendar days before the hearing and therefore untimely. (See Code Civ. Proc., § 1005. subd. (b) [motion papers "**shall**" be filed and served **16 court days** before the hearing.])

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:  on 3-18-26 .

(Judge's initials)

(Date)