

Tentative Rulings for August 27, 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.*

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

24CECG05307	<i>Marion Austin v. Wild, Carter & Tipton</i> is continued to Wednesday, September 2, 2026, at 3:30 p.m. in Department 403.
25CECG05148	<i>Rodriguez v. Chef Depot Restaurant Supply</i> is continued to Thursday, October 1, 2026, at 3:30 p.m. in Department 403.
26CU01725	<i>Cheney v. Sangha</i> is continued to Thursday, October 1, 2026, at 3:30 p.m. in Department 403.

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Tentative Rulings for Department 403

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Tentative Ruling

Re: ***In the Matter of Isaiah John***
Superior Court Case No. 26CU01037

Hearing Date: August 27, 2026 (Dept. 403)

Motion: Petition to Compromise Minor's Claim

Tentative Ruling:

To continue the Petition to Approve Compromise of Minor's claim to Thursday, September 17, 2026, at 3:30pm in Department 403. Petitioner is directed to file a declaration and proposed orders no later than September 11, 2026.

Explanation:

The petition submitted by petitioner seeks approval of the settlement of the personal injury claim of minor Isaiah John ("minor") against Jon Mitchell, by and through his insurer, GEICO General Insurance Company. There are issues within the petition that prevent approval.

The petition must be on form MC-350, verified by the petitioner and include all information having bearing on the reasonableness of the compromise. (Cal. Rules of Court, rule 7.950; Super. Ct. Fresno County, Local Rules, rule 2.8.4.)

Where the petition proposes the funds to be delivered to the minor's parent as specified in Probate Code sections 3401 and 3402, as here, the parent is required to provide a verified declaration that states:

"The total estate of the minor, including the money or other property to be paid or delivered to the parent is to be held in trust for the minor by the parent until the minor reaches the age of majority."

"The total estate of the minor, including the money or other property to be paid or delivered to the parent, does not exceed five thousand dollars (\$5,000) in value."

The declaration provided acknowledges that the balance of the proceeds is less than \$5,000, however, fails to expressly state that the proceeds of \$2,442.55 will be held in trust by the Petitioner until the minor is 18 years old. Petitioner is directed to file a declaration with the aforementioned statements in accordance with Probate Code section 3401, subdivision (c).

The court declines to order that the outstanding balance of \$2,557.45 due to Kaiser Permanente be paid to Petitioner. Petitioner has not provided documentation that Petitioner had previously paid the balance and seeks reimbursement. Thus, the court is inclined to order that medical expenses be paid directly to the provider from the settlement proceeds. As such, the proposed order (MC-351) is incomplete at Item 8a(3).

The proposed order (MC-351) provided by Petitioner is incomplete. Specifically the proposed order is incomplete at Items 5, 6b, 6, 8a, 8b, and 10.

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: SMC **on** August 26, 2026.
(Judge's initials) (Date)

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Tentative Ruling

Re: ***Oliver v. Dermer's Creative Care***
Superior Court Case No. 25CECG04270

Hearing Date: August 27, 2026 (Dept. 430)

Motion: Compromise of Claim of Minor

Tentative Ruling:

To grant. Orders signed. No appearances necessary.

Pursuant to California Rules of Court, Rule 3.1312 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: SMC **on** August 26, 2026 .
(Judge's initials) (Date)