Tentative Rulings for November 19, 2026
Department 403

For any matter where an oral argument is requested and any party to the hearing desires a remote appearance, the remote appearance will be conducted through Zoom. 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.

24CECG04937	***Shiralian v. Renteria*** **is continued to Thursday, January 7, 2027, at 3:30 p.m. in Department 403.**
26CECG01227	***AACH, LLC v. Central California Ear, Nose & Throat*** **is continued to Thursday, January 7, 2027, at 3:30 p.m. in Department 403.**
26CU00309	***Rodriguez v. Volkswagen Group of America, Inc.*** **is continued to Thursday, January 7, 2027, at 3:30 p.m. in Department 403.**

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Tentative Rulings for Department 403

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Tentative Ruling

Re: ***Hacienda Homeowners for Justice v. La Hacienda Mobile Estates, LLC, et al.***
Superior Court Case No. 23CECG03987

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

Motion: by Plaintiffs to "Remove and Replace Docket Entries"

Tentative Ruling:

To grant Plaintiffs' motion to seal the unredacted declarations of David Willis and Virginia Bustos filed on January 9, 2024 and the unredacted amended declarations of David Willis and Virginia Bustos filed on January 25, 2024 and to allow counsel to file the proposed redacted versions attached to the notice of motion.

If oral argument is timely requested, it will be entertained on Friday, November 20, 2026, at 2:30 p.m. in Department 403.

Explanation:

Plaintiffs move the court for an order to remove four declarations filed on January 9, 2024 and January 25, 2024 and replace the declarations with versions containing redactions of information required to be redacted pursuant to California Rules of Court, rule 1.201. Although titled as seeking an order to "remove and replace" declarations previously filed, the relief sought is to seal the information required to have been redacted by rule of court. "The nature of a motion is determined by the nature of the relief sought, not by the label attached to it." (*City & County of S.F. v. Muller* (1960) 177 Cal.App.2d 600, 603.) As such, the court will proceed with the merits of a motion to seal the information disclosed on the declarations.

Under Rule of Court 2.550, subdivision (c), "Unless confidentiality is required by law, court records are presumed to be open." (Cal. Rules of Court, Rule 2.550, subd. (c).) "A record must not be filed under seal without a court order. The court must not permit a record to be filed under seal based solely on the agreement or stipulation of the parties." (Cal. Rules of Court, Rule 2.551, subd. (a).)

"A party requesting that a record be filed under seal must file a motion or an application for an order sealing the record. The motion or application must be accompanied by a memorandum and a declaration containing facts sufficient to justify the sealing." (Cal. Rules of Court, Rule 2.551, subd. (b)(1).)

The court must make certain express findings in order to seal records. Specifically, the court must find that the facts establish:

(1) There exists an overriding interest that overcomes the right of public access to the record;

(2) The overriding interest supports sealing the record;

(3) A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;

(4) The proposed sealing is narrowly tailored; and

(5) No less restrictive means exist to achieve the overriding interest. (Cal. Rules of Court, Rule 2.550(d).)

Also, "[a]n order sealing the record must: (A) Specifically state the facts that support the findings; and (B) Direct the sealing of only those documents and pages, or, if reasonably practicable, portions of those documents and pages, that contain the material that needs to be placed under seal. All other portions of each document or page must be included in the public file." (Cal. Rules of Court, rule 2.550, subd. (e)(1)(A), (B).)

In the present case the information to be sealed is private identifying and financial information required to be redacted by counsel prior to filing. (Cal. Rules of Court, rule 1.201(a)(1)-(2).) Given the mandate to redact the information under the rules of court, there is a clear overriding interest by the declarants in the privacy of their identifying and financial information to support sealing the record and the continued presence of this information in the court's public file is prejudicial to this interest. The redacted versions of the declarations to be placed in the court's public file are tailored to redact only the private identifying and financial information. As a result, the court intends to grant the motion to seal the unredacted declarations of David Willis and Virginia Bustos filed on January 9, 2024 and January 25, 2024 and allow counsel to file the proposed redacted versions attached to this motion.

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 November 18, 2026.
(Judge's initials) (Date)

(20) **Tentative Ruling**

Re: ***In re Deandre Hill Jr.***
Superior Court Case No. 26CU02278

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

Motion: Petition to Compromise Minor's Claim

If oral argument is timely requested, it will be entertained on Friday, November 20, 2026, at 2:30 p.m. in Department 403.

Tentative Ruling:

To grant and sign the proposed order. No appearance necessary.

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 November 18, 2026 .
(Judge's initials) (Date)

(20) **Tentative Ruling**

Re: ***In re Cassidy Virnya Grace Hill***
Superior Court Case No. 26CU02255

Hearing Date: November 19, 2026 (Dept. 501)

Motion: Petition to Compromise Minor's Claim

If oral argument is timely requested, it will be entertained on Friday, November 20, 2026, at 2:30 p.m. in Department 403.

Tentative Ruling:

To grant and sign the proposed order. No appearance necessary.

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 November 18, 2026 .
(Judge's initials) (Date)

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Tentative Ruling

Re: ***Lopez v. JD Home Rentals***
Superior Court Case No. 25CECG05598

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

Motion: Defendant JDB Properties, Inc.'s Demurrer to Plaintiff Rosemarie Lopez Perez's First Amended Complaint

Tentative Ruling:

To strike plaintiff Rosemarie Lopez Perez's Second Amended Complaint.

To sustain defendant JDB Properties, Inc.'s demurrer, without leave to amend. (Code of Civ. Proc., § 430.10, subd. (e).) Defendant shall submit a judgment of dismissal within five days of the clerk's service of this minute order.

If oral argument is timely requested, it will be entertained on Friday, November 20, 2026, at 2:30 p.m. in Department 403.

Explanation:

Second Amended Complaint

After defendant JDB Properties, Inc. ("JDB" or "defendant") filed its demurrer to the First Amended Complaint ("FAC"), plaintiff Rosemarie Lopez Perez ("Perez" or "plaintiff") filed her Second Amended Complaint. ("SAC.") Normally, the filing of an amended complaint would render the demurrer moot. Because Perez did not obtain leave of court before filing her SAC, the SAC was not properly submitted before the court. Therefore, the court has discretion to strike the SAC *sua sponte* on its own motion as improperly filed. (Code Civ. Proc., § 436, subd. (b).)

The Court did not initially strike the SAC. Rather, the Court on October 8, 2026 issued an order to show cause to give plaintiff an opportunity to explain why the SAC should not be stricken. Plaintiff was to file a brief explaining why the SAC should not be stricken by November 2, 2026. As of now, plaintiff has not provided a brief explaining why the SAC should not be stricken.

Accordingly, the Court on its own motion strikes the SAC.

Demurrer to the FAC

Perez's FAC generally alleges JDB was liable to Perez for negligence arising from a rodent infestation and general maintenance issues. (FAC, pg. 3, ¶10.) JDB demurs to the general cause of action for negligence because the claim is time barred.

The function of a demurrer is to test the sufficiency of a pleading by raising questions of law. (*Plumlee v. Poag* (1984) 150 Cal.App.3d 541, 545.) As relates to a complaint, the test is whether plaintiff has succeeded in stating a cause of action; the court does not concern itself with the issue of plaintiff's possible difficulty or inability in proving the allegations of the complaint. (*Highlanders, Inc. v. Olsan* (1978) 77 Cal.App.3d 690, 697.) In assessing the sufficiency of the complaint against demurrer, we treat the demurrer as admitting all material facts properly pleaded, bearing in mind the appellate courts' well established policy of liberality in reviewing a demurrer sustained without leave to amend, liberally construing the allegations with a view to attaining substantial justice among the parties. (*Glaire v. LaLanne-Paris Health Spa, Inc.* (1974) 12 Cal.3d 915, 918.)

Under California law, an action seeking recovery for personal injury caused by another's wrongful act or neglect must be commenced within two years. (Code Civ. Proc., § 335.1.) "The discovery rule provides that the accrual date of a cause of action is delayed until the plaintiff is aware of her injury and its negligent cause. [Citation.] A plaintiff is held to her actual knowledge as well as knowledge that could reasonably be discovered through investigation of sources open to her." (*Jolly v. Eli Lilly & Co.* (1988) 44 Cal.3d 1103, 1109, internal citation omitted.) Furthermore, to the extent that plaintiff is alleging a claim for oral contract, the claim is subject to a two-year statute of limitations. (Code Civ. Proc., §339(1).)

Here, Perez's FAC is barred by the statute of limitations. Perez attaches as an Exhibit a tenant complaint form for "large rates and roaches," which "have been an issue for about little over three weeks." (FAC, Ex. C.) The FAC alleges the harm arises from "infestation of rodent, rats, and maintenance issues." The tenant complaint form is from 2017, while this action was not initiated until 2025. Moreover, the FAC alleges one form of damage is the cost to rent a roll of bin. Exhibit B is a bank statement showing the roll off bin was paid for on November 26, 2021. Again, the FAC was not filed within two years of November 26, 2021.

Accordingly, Perez's FAC is time-barred, and JDB's demurrer is sustained.

Leave to amend should be granted where there is a "reasonable possibility the pleading can be cured by amendment." (*Brenner v. City of El Cajon* (2003) 113 Cal.App.4th 434, 444.) Here, Perez fails to oppose the demurrer and fails to show how she can amend her pleading to cure its defects. Therefore, the court sustains defendant's demurrer without leave to amend.

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 November 18, 2026.
(Judge's initials) (Date)

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Tentative Ruling

Re: ***Sandhu v. Banai Trucking, Inc. et al.***
Superior Court Case No. 24CECG00808

Hearing Date: November 19, 2026 (**Dept. 501**)

Motion: Withdrawal of Attorney x2

Tentative Ruling:

This matter will be heard in Department 501.

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: (See Department 501) on _____.
(Judge's initials) (Date)