



# Superior Court of California County of San Benito

## Tentative Decisions for January 8, 2025

**Courtroom #1: Judge J. Omar Rodriguez**

**FL-24-00013      Palm v. Patterson**

The Motion to Set Aside the Judgment is DENIED. Family Code section 2122 applies to “a motion to set aside a judgment.” Here, Respondent is asking to set aside a child custody order from September 4, 2024, which is not a judgment. Respondent also seeks for the order to be set aside under Code of Civil Procedure section 473(b). However, section 473(b) requires, “(a)pplication for this relief shall be accompanied by a copy of the answer or other pleading proposed to be filed therein...” Here, there is no accompanying pleading that was attached. Finally, Petitioner filed a proof of service stating that the Respondent was personally served with the notice of the hearing and the temporary emergency orders regarding custody and visitation on August 11, 2024 by Danial H. Casas.

Petitioner’s Request for Order regarding Child Support is GRANTED in the amount of \$817.00 per month. One-half of the payment is due on the first of each month and one-half of the payment is due on the fifteenth of each month.

The orders are effective on October 1, 2024. Respondent is also required to pay arrears in the amount of \$50 each month. One-half of the payment is due on the first of each month and one-half of the payment is due on the fifteenth of each month.

The court used a printout of a computer calculation and findings, which is pasted below and incorporated in this order. Each party must pay 50% of child-care costs related to

employment or reasonably necessary job training. Each party must pay 50% of reasonable uninsured health-care costs for the children.

**\*\*Please contact Judicial Courtroom Assistant, Wendy Guerrero, at  
(831) 636-4057 x129 or [wguerrero@sanbenitocourt.org](mailto:wguerrero@sanbenitocourt.org) with  
any objections or concerns.**

ATTORNEY (NAME AND ADDRESS):  <b>California</b>	TELEPHONE NO.:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: <b>Father</b>	<b>DISSOMASTER REPORT</b> 2024, Monthly	
		CASE NUMBER:

Input Data	Father	Mother	Guideline (2024)	Cash Flow Analysis	Father	Mother
Number of children	0	1	<b>Nets (adjusted)</b>	<b>Guideline</b>		
% time with Second Parent	0%	0%	Father	3,619 Payment (cost)/benefit	(817)	817
Filing status	Single	Single	Mother	4,332 Net spendable income	2,802	5,150
# Federal exemptions	1*	2*	Total	7,951 % combined spendable	35.2%	64.8%
Wages + salary	4,500	6,308	<b>Support</b>	Total taxes	881	1,301
401(k) employee contrib	0	0	CS Payor	Father Comb. net spendable	7,952	
Self-employment income	0	0	Presumed	(817) <b>Proposed</b>		
Other taxable income	0	0	Basic CS	(817) Payment (cost)/benefit	(817)	817
Short-term cap. gains	0	0	Add-ons	0 Net spendable income	2,802	5,150
Long-term cap. gains	0	0	Presumed Per Kid	NSI change from gdl	0	0
Other gains (and losses)	0	0	Child 1	(817) % combined spendable	35.2%	64.8%
Ordinary dividends	0	0	Spousal support	blocked % of saving over gdl	0%	0%
Tax. interest received	0	0	Total	(817) Total taxes	881	1,301
Social Security received	0	0	<b>Proposed, tactic 9</b>	Comb. net spendable	7,952	
Unemployment compensation	0	0	CS Payor	Father Percent change	0.0%	
Operating losses	0	0	Presumed	(817) <b>Default Case Settings</b>		
Ca. operating loss adj.	0	0	Basic CS	(817)		
Roy. partnerships, S corp. trusts	0	0	Add-ons	0		
Rental income	0	0	Presumed Per Kid			
Misc ordinary tax. inc.	0	0	Child 1	(817)		
Other nontaxable income	0	0	Spousal support	blocked		
New-spouse income	0	0	Total	(817)		
SS paid other marriage	0	0	Savings	0		
CS paid other relationship	0	0	Mother	0		
Adj. to income (ATI)	0	0	Father	0		
9.3% elective PTE payment	0	0	No releases			
Ptr Support Pd. other P'ships	0	0				
Health insurance	0	675				
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	0	0				
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	0	0				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				

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**FL-24-00084                      Boyer v. Boyer**

Petitioner's Request for Order is denied without prejudice. Petitioner failed to file a proof of service indicating that Petitioner properly noticed and served Respondent the moving papers.

**FL-24-00227                      Pinon v. Cruz**

Petitioner's Request for Order regarding Child Support is GRANTED in the amount of \$525.00 per month. One-half of the payment is due on the first of each month and one-half of the payment is due on the fifteenth of each month.

The orders are effective on November 1, 2024. Respondent is also required to pay arrears in the amount of \$50 each month. One-half of the payment is due on the first of each month and one-half of the payment is due on the fifteenth of each month.

The court used a printout of a computer calculation and findings, which is pasted below and incorporated in this order. Each party must pay 50% of child-care costs related to employment or reasonably necessary job training. Each party must pay 50% of reasonable uninsured health-care costs for the children.

JUDICIAL OFFICER (NAME AND ADDRESS): <b>J. Omar Rodriguez</b>  California	TELEPHONE NO:	Superior Court Of The State of California, County of San Benito COURT NAME: Superior Court of California, San Benito County STREET ADDRESS: 450 4th St Hollister 95023 MAILING ADDRESS: BRANCH NAME:
<b>DISSOMASTER REPORT</b> 2025, Monthly		CASE NUMBER: <b>FL-24-00227</b>

Input Data	Angel Cruz	Selena	Guideline (2025)	Cash Flow Analysis	Angel Cruz	Selena
Number of children	0	2	<b>Nets (adjusted)</b>	<b>Guideline</b>		
% time with Second Parent	30%	0%	Angel Cruz	3,626	Payment (cost)/benefit	(525) 525
Filing status	Single	HH/MLA	Selena Pinon	4,648	Net spendable income	3,100 5,173
# Federal exemptions	1*	3*	<b>Total</b>	8,274	% combined spendable	37.5% 62.5%
Wages + salary	5,000	5,282	<b>Support</b>		Total taxes	1,003 505
401(k) employee contrib	0	0	CS Payor	Angel Cruz	Comb. net spendable	8,274
Self-employment income	0	0	Presumed	(525)	<b>Proposed</b>	
Other taxable income	0	0	Basic CS	(525)	Payment (cost)/benefit	(614) 614
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	3,217 5,089
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	117 (84)
Other gains (and losses)	0	0	Adam Cruz	(178)	% combined spendable	38.7% 61.3%
Ordinary dividends	0	0	Birdie Cruz	(347)	% of saving over gdl	363.5% -263.5%
Tax. interest received	0	0	Spousal support	blocked	Total taxes	798 679
Social Security received	0	0	<b>Total</b>	(525)	Comb. net spendable	8,306
Unemployment compensation	0	0	<b>Proposed, tactic 9</b>		Percent change	0.4%
Operating losses	0	0	CS Payor	Angel Cruz	<b>Default Case Settings</b>	
Ca. operating loss adj.	0	0	Presumed	(614)		
Roy. partnerships, S corp, trusts	0	0	Basic CS	(614)		
Rental income	0	0	Add-ons	0		
Misc ordinary tax. inc.	0	0	Presumed Per Kid			
Other nontaxable income	0	0	Adam Cruz	(267)		
New-spouse income	0	0	Birdie Cruz	(347)		
SS paid other marriage	0	0	Spousal support	blocked		
CS paid other relationship	0	0	<b>Total</b>	(614)		
Adj. to income (ATI)	0	0	Savings	32		
9.3% elective PTE payment	0	0	Mother	117		
Ptr Support Pd. other P'ships	0	0	Father	-85		
Health insurance	329	107	<b>Total releases to Angel Cruz</b>	1		
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	0	0				
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	42	22				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				



(Rev. Mar. 2024)  
DissoMaster™ 2024-1

DissoMaster Report (Monthly)

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## END OF TENTATIVE DECISIONS

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