

Superior Court of California, County of Tuolumne**Consolidated Calendar****Hon: Steven Streger****Department 5****January 16, 2026 8:30 am****DA Case #****Date Filed**

1	PR12534	Estate of Melanie Jean Osterholm	10/09/2024
		Patricia Dalman	Attorney: Tamara Polley
		Melanie Jean Osterholm	
		Review Hearing - Report - Probate Code 12200	
10/09/2024 Petition		File Tracking 01/22/2025 High Density	

Probate Notes are not tentative rulings. Parties and counsel are expected to appear for the hearings unless this note indicates that "no appearance is necessary." Unless a personal appearance is required, all participants may appear via Zoom without first securing Court permission using this link: <https://tuolumne-courts-ca-gov.zoomgov.com/j/1615813960?pwd=NTRMT0NwMDg5cnlYdzZ6VnBXWWFsUT09>. [Meeting ID: 161 581 3960; Passcode: 123456]. All matters set for hearing in Department 5 are presumptively assigned to that department for all purposes. Parties retain the right under Cal. Const. art VI §21 to decline consent to the Commissioner serving as a Judge Pro Tem. By participating in the first hearing, or electing not to attend after due notice thereof, parties are deemed to have stipulated to the Commissioner serving as a Judge Pro Tem for the entire case. See CRC 2.816.

No appearance is necessary. The Court, having received and reviewed counsel's TUO-PR-125, finds by a preponderance of the evidence that good cause exists to extend the period of administration for this estate. A continued §12200 review hearing will be set for 04/17/2026 at 8:30 a.m. in this Department.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 16, 2026	8:30 am	DA Case #	Date Filed
2 FL18741	In Re: Iyla Hyder			09/17/2024
	Imera N. Mathis	Pro Per		
	Sean Hyder			
	Iyla Hyder			
	Imera N. Mathis	Pro Per		
	Sean Hyder			
	Christopher Hyder			
	Imera N. Mathis	Pro Per		
	Sean Hyder	Pro Per		
	Review Hearing			
	Special Set for fathers calendar			
07/18/2025 Request for Order			File Tracking	
			07/09/2025	High Density
<u>Other Cases</u>				
FL18745				

Review hearing only to confirm that revised supervised visits for Mother are in fact occurring and that they are going well with car seats provided by Mother and supervision by paternal grandmother.

Superior Court of California, County of Tuolumne

Consolidated Calendar

Hon: Steven Streger

Department 5	January 16, 2026 8:30 am	DA Case #	Date Filed
3 PR12327	The Estate of John Robert Holland		09/15/2023
	Michelle Godino	Pro Per	
	John Robert Holland		
	Francine Mendenhall	Attorney: Kathryn Halligan	
	Motion Hearing - Other		
	to Withdraw Stipulation to Commissioner - RESERVED		
09/15/2023 Petition		File Tracking 11/05/2025 High Density	

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<https://tuolumne-courts-ca.gov.zoomgov.com/j/1615813960?pwd=NTRMT0NwMDg5cnlYdzZ6VnBXWWFsUT09>. [Meeting ID: 161 581 3960; Passcode: 123456].

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No appearance is necessary.

On 12/08/2023, Francine stipulated per CRC 2.816 to have this bench officer serve as judge for all purposes.

On 11/04/2025, this bench officer caused to be posted to the Superior Court website a lengthy probate note with indicating rulings on important motions¹, some of which were adverse to Francine.

On 11/06/2025, Francine filed an untimely (and legally ineffective) "Notice of Non-Stip."

On 11/07/2025, this Court advised Francine that the "Notice of Non-Stip" was ineffective and that she would need to file a motion under CRC 2.816(e), which "must be supported by a declaration of facts establishing good cause." The moving party must establish more than factual error, legal error, dissatisfaction with rulings or scheduling concerns. See, e.g., CRC 2.816(e)(2); *Guardianship of Simpson* (1998) 67 Cal.App.4th 914, 941. This Court stayed the rulings until Francine's motion could be heard.

On 11/24/2025, Francine filed her CRC 2.816 motion (erroneously citing CRC 2.831 and CCP §170.6), but indicated that it would be set for hearing in *this* department in late December. An order was issued moving that hearing, but by clerical error the hearing was left here in this department. A temporary judge cannot pass upon his or her own motion to withdraw. See CRC 2.816(e)(1). In addition, at no time did Francine indicate to this bench officer that she believed there to be disqualification (CCP §170.1) grounds, or serve this bench officer with any verified petition for recusal (CCP §170.3(c)(1)). As such, no formal response (CCP §170.3(c)(3)) has been made. To ensure that silence is not misinterpreted as acquiescence, this bench officer categorically denies any and all charges of bias or partiality. Should it be determined that the "good cause" for the 2.816 motion might be CCP §170.1(a)(6)(A)(iii) or (B), this bench officer respectfully requests leave to respond in full and to be heard pursuant to CCP §170.3(c)(6).

Meanwhile, the Presiding Judge has now assigned the hearing of this CRC 2.816 motion to Department 2 – which will contact the parties directly to address further proceedings.

¹ Those include Francine's motions to compel discovery, Francine's motion for summary adjudication, Michelle's petition to admit will, and Michelle's petition to appoint a personal representative.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 16, 2026 10:00 am	DA Case #	Date Filed
4 PR10600	Conservatorship of Mark Lee Wilcox		06/01/2010
	Jerry Lee Wilcox		
	Maria J Wilcox		
	Mark Lee Wilcox		
	Jessica M Wilcox		
	Rosa Marie Smith	Attorney: Jennifer Lothert	
	Review Hearing - Investigator Report - PR Code 1850		
	Accounting Hearing		
	1st		
11/15/2024 Petition		File Tracking	
		01/21/2025 High Density	
<u>Other Cases</u>			
PR11269			

This was to be the annual review of the conservatorship of the person (for which a successor conservator was installed one year ago) and the early review of the estate with a special needs trust (which was established in August).

Superior Court of California, County of Tuolumne**Consolidated Calendar****Hon: Steven Streger****Department 5****January 16, 2026 10:00 am****DA Case #****Date Filed**

5	PR12214	Guardianship of Brylan A Fraser	12/07/2022
		Sheree Fraser	Attorney: Carrie McKernan
		Brylan A Fraser	Pro Per
		Brinley L Fraser	Pro Per
		Review Hearing	
		2nd Accounting	
12/07/2022	Petition		File Tracking 02/07/2024 High Density

No appearance is necessary. The Court having received and reviewed the Second Accounting for this guardianship of the estate of two wards, consisting solely of a partial interest in real property, the Court finds that the accounting is entitled to approval in all respects as presented.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 16, 2026 10:00 am	DA Case #	Date Filed
6 PR10832	Guardianship of Karson F. Hernandez		04/27/2012
	Charles Roberts	Pro Per	
	Bonnie Lynn Roberts	Pro Per	
	Karson Francisco Hernandez		
	Heather Noel Roberts		
	Review Hearing		
	re: petition to terminate mothers visitation.		
07/25/2024	Termination of Guardianship	File Tracking 01/03/2025 High Density	
<u>Other Cases</u> CV57742 PR11351			

Review hearing on guardians' recent TECO stopping mother's visits entirely. Nothing filed by mother. Will need §3041.5 conditions on mother if she is ever to have visits again.

Convert TECO to permanent termination of mother's visits

Superior Court of California, County of Tuolumne**Consolidated Calendar****Hon: Steven Streger**

Department 5	January 16, 2026 10:00 am	DA Case #	Date Filed
7 PR11351	Guardianship of Malaya N. Hernandez		08/11/2016
	Charles L Roberts	Pro Per	
	Bonnie L Roberts	Pro Per	
	Malaya Noel Hernandez		
	Heather Noel Roberts	Pro Per	
	Review Hearing		
	Convert Temp to Permanaet		
07/12/2024	Termination of Guardianship		
		File Tracking	
		04/22/2025	High Density
<hr/>			
<u>Other Cases</u>			
PR10832			

Review hearing on guardians' recent TECO stopping mother's visits entirely. Nothing filed by mother. Will need §3041.5 conditions on mother if she is ever to have visits again.

Convert TECO to permanent termination of mother's visits

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 16, 2026 10:00 am	DA Case #	Date Filed
8 PR12132	Guardianship of Paizley Hope Garcia		06/20/2022
	Sandra Atwater Garcia	Pro Per	
	Paizely Hope Garcia	Attorney: Jennifer Lothert	
	Gaylene Larwick		
	Brook Allen	Pro Per	
	Motion Hearing - Visitation		
	filed by Mother		
	Hearing: Other		
	TRIAL SETTING		
08/28/2025	Termination of Guardianship	File Tracking	
		08/20/2025	High Density
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<u>Other Cases</u>			
FL17797			

Trial setting only.

Confirm minor's counsel (Lothert) is up to speed.

Confirm status of new investigation.

Confirm all parties have seen 12/23/25 letter from Tribe

Superior Court of California, County of Tuolumne**Consolidated Calendar****Hon: Steven Streger**

Department 5	January 16, 2026 10:00 am	DA Case #	Date Filed
9 PR10676 Guardianship of Sophia G. McLeod Gay Lynn Edington McLeod Pro Per Sophia Gracelynn McLeod Review Hearing Termination - Minor is 18 08/06/2020 Petition			02/01/2011

File Tracking 10/15/2024 High Density

Guardianship terminates by operation of law as no petition to extend has been filed by the guardian. While there is a request filed by the guardian to exert control over the ward's finances, the request is not in proper form and not appropriate in a guardianship over the person (only) that has since terminated by operation of law.

Superior Court of California, County of Tuolumne

Consolidated Calendar

Hon: Steven Streger

Department 5

January 16, 2026 1:30 pm

DA Case #

Date Filed

10	CV67931	Petition of AD	12/18/2025
		AD	Pro Per
		OSC Hearing - Name Change	
12/18/2025 Petition		File Tracking 12/24/2025 High Density	

Confidential proceeding.

Voir dire.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 16, 2026	1:30 pm	DA Case #	Date Filed
11 CV67785	Petition of KH			10/30/2025
	KH	Pro Per		
	OSC Hearing - Name Change			
10/30/2025 Petition			File Tracking	
			11/14/2025	High Density

Confidential proceeding.

Voir dire.

Superior Court of California, County of Tuolumne

Consolidated Calendar

Hon: Steven Streger

Department 5	January 16, 2026	1:30 pm	DA Case #	Date Filed
12 CV67840	Petition of Derek Nunes			11/24/2025

Derek Nunes Pro Per
City of sonora
Writ of Mandate Hearing

11/24/2025 Petition

File Tracking
11/24/2025 High Density

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Need full stip ... Need also administrative record, discovery plan (if any) and trial procedures.

This is a petition for a writ of mandamus seeking disclosure of public records under the control of the City of Sonora pertaining to the waste management franchise previously awarded to California Waste Recovery Systems, LLC. The petition was filed 11/24/2025, and assigned an initial hearing date of 01/21/2026.

Two weeks after filing the petition, petitioner seemingly learned about the City's "Prop 218" public hearing scheduled for 5:00 p.m. on 01/20/2026. This is the hearing at which affected constituents may formally object to rate changes that are expected to accompany the aforementioned waste management franchise (though objections can be lodged via mail-in ballot beforehand). Petitioner has not sought this Court's oversight of the ballot process itself, but filed an ex parte application seeking to specially-set and advance the initial hearing date on this petition. Although this Court granted the request to specially-set the hearing to occur prior to the Prop 218 hearing, it is not clear to this Court why it matters. Even assuming that this Court finds that respondent must do more, this does not make it more likely than not that a majority of constituents would object if they were not already predisposed to do so. Besides, any injunction here would likely be stayed pending an undertaking. See *Stevenson v. City of Sacramento* (2020) 55 Cal.App.5th 545, 551-556. Since CA Const. Art. XIII.D §4(e) provides that the hearing shall occur "not less than 45 days after mailing the notice," and Govt. Code §53753(d) provides that "the public hearing may be continued from time to time," it seems to this Court that what petitioner really wants is an order pushing the Prop 218 hearing 60 days – but of course that relief is not available as part of this narrow public records petition.

Back to that. We start, as we must, with the general rule that the right to receive copies of public records is never absolute, but rather subject to an implied rule of reasonableness. See Govt. Code §7922.000; *Long Beach Police Officers Ass'n v. City of Long Beach* (2014) 59 Cal.4th 59, 74. This is why the burden ultimately falls of the requestor to be reasonably precise. See §§ 7922.530(a), 7922.600(a). Anything discoverable yet withheld is potentially subject to *Vaughn* indexing, a reasonable explanation for the decision to withhold, and *in camera* review. See §7923.105; *Golden Door Properties, LLC v. Superior Court* (2020) 53 Cal.App.5th 733, 790-792. However, while agencies can elect to produce an index (see §7922.605), there is no obligation to provide a log/index of everything unless a court orders it. See *Haynie v. Superior Court* (2001) 26 Cal.4th 1061, 1072-1075. Finally, once a petition has been filed, an order may be secured requiring respondent to provide a factual basis to establish that it conducted a diligent search and reasonable inquiry of those under its control. See, e.g., CCP §2031.230; Govt. Code §7922.000; *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608, 627-629; *Community Youth Athletic Ctr. v. City of National City* (2013) 220 Cal.App.4th 1385, 1428-1429. Since respondent contends that it fully complied with RPD #1, and that petitioner actually created an RPD #2 that is still open, the first step here is to order the preparation and lodging of a complete administrative record, followed by possible depositions.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 16, 2026	1:30 pm	DA Case #	Date Filed
13 CV67799	Petition of Lukas Cole Stifter			11/03/2025
	Lukas Cole Stifter	Pro Per		
	OSC Hearing - Name Change			
11/03/2025 Petition			File Tracking	
			11/14/2025	High Density

Petition to change last name.

Publication complete.

Voir dire.

Superior Court of California, County of Tuolumne
Consolidated Calendar
Hon: Steven Streger

Department 5	January 16, 2026	1:30 pm	DA Case #	Date Filed
14 CV67782	Petition of Shian Marie VanRappard			10/30/2025
	Shian Marie VanRappard	Pro Per		
	OSC Hearing - Name Change			

File Tracking
11/14/2025 High Density

Petition to change entire name.

Publication complete.

Voir dire.