

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

**Department 5**

**December 24, 2025 8:30 am**

**DA Case #**

**Date Filed**

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**1 CV66718 Gabriella Fierro vs. BZ Investments, LLC 12/05/2024**

**Gabriella Fierro** Attorney: Teresa Colwell

**BZ Investments, LLC**

**Peter Schimmelfenning** Attorney: Edward Tafe

**All Terrain Realty** Attorney: Edward Tafe

**Bazyl Zasum** Pro Per

**Angelica Bender** Pro Per

**Evelina Zasum** Pro Per

**Demurrer**

**Case Management Conference**

Trial Setting

**12/05/2024 Complaint**

<b>File Tracking</b> 08/13/2025 High Density
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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: <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 assigned to that department for all pre-trial 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, parties are deemed to have stipulated to the Commissioner serving as a Judge Pro Tem for the entire case. See CRC 2.816. Commissioner is already serving as Judge for all purposes.

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This is a civil action involving a failed real estate transaction. According to plaintiff, she was ready, willing and able to consummate her acquisition of certain residential property in La Grange for price agreed upon between herself and the seller group, but that the seller group breached its obligations and failed to perform pursuant to the purchase agreement. The buyer and seller already resolved their difference in mediation, leaving just the buyer and her broker (who served in a dual agent capacity) here.

Before the Court this day is a demurrer by the broker, directed at the entire Second Amended Complaint and all four causes of action subsumed therein. Because the broker did not demurrer to the fiduciary duty, good faith or misrepresentation causes of action from the earlier operative pleading, the current attack via demurrer on those causes of action must be disregarded. See CCP §430.41(b). Thus, all that remains is a demurrer to the third cause of action for intentional interference with contractual relations. As noted, the essential elements are: (1) a valid and enforceable contract between plaintiff and a third party; (2) defendant's actual knowledge of the existence of said contract; (3) defendant's intentional and independently wrongful acts designed or substantially certain to induce either a breach or a serious disruption of that contractual relationship; (4) actual breach or serious disruption of that contractual relationship; and (5) resulting cognizable damage. See *Reeves v. Hanlon* (2004) 33 Cal.4th 1140, 1148; *Norman v. Ross* (2024) 101 Cal.App.5th 617, 668; *Caliber Paving Company, Inc. v. Rexford Industrial Realty and Management, Inc.* (2020) 54 Cal.App.5th 175, 187.

As a stranger to the purchase contract, the broker can be held liable for contractual interference if there are facts alleged to show that the broker engaged in purposeful, and independently wrongful, acts which seriously interrupted the contractual agreement. A careful review of the new operative pleading still fails to include sufficient facts to connect the dots between the broker's independently wrongful conduct (failure to act as a fiduciary and keep plaintiff accurately informed) and the ultimate disruption of the sale. Assuming the broker was responsible for coordinating an inferior repair of the septic tank, and allowing a lengthy delay in escrow, how did these two things lead to a cancellation of the deal? Did plaintiff get cold feet and pull out? Since the buyers benefitted from the cheaper fix of the septic tank, and presumably from the delayed escrow, it seems that whatever the broker did was not a cause in fact of the sellers' breach. Something is missing here. Since there is no reply brief in support of the demurrer, this Court wonders aloud if perhaps the parties have reached their own resolution. Either way, the demurrer to the third cause of action for intentional interference with contractual relations must be sustained again. Since plaintiff is inching her way closer and closer to a proper cause of action, this Court will permit one last leave to amend. Notice is waived. The 30 days shall commence forthwith.

**Superior Court of California, County of Tuolumne  
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Commissioner Steven Streger**

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2	CV67558	Thomas Edward Humphrey vs. State of California et al		08/11/2025
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Thomas Edward Humphrey                      Pro Per

State of California

Governor Gavin Newson

Senate President Pro Tempore

Mike McGuire

Minority Leader Brian W Jones

Speaker Honorable Robert Rivas

Speaker Pro Tempore Honorable

Josh Lowenthal

California Highway Patrol

Department of California Highway

Pa

Highway Patrol California

Ca Highway Patrol

California Highway Patrol Explorer

Program

Nvlpt Ca State CHP Highwa

Commissioner Sean Duryee

Sergeant Randy L Matyshock

Sergeant Richard Percey

Officer Faustino Pulido

Gavin Christopher Newson

Mike McGuire

Brian W Jones

Robert Rivas

Josh Lowenthal

Sean A Duryee

Randy L Matyshock

Richard V Percey

Faustino Manuel Pulido

Vic's Towing Inc

Scott Selesia

Jessica Selesia

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**Clay Selesia**

**Motion Hearing - Other**

Extension of time to serve

**Motion Hearing - Other**

to Proceed Without Costs

**08/11/2025 Complaint**

**File Tracking**

08/20/2025 High Density

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Need full stip ...

This is a civil action commenced by a sovereign citizen seeking redress for an alleged trespass to chattel when certain defendants caused the seizure and towing of plaintiff’s “mobile home” back in august of 2023 – leaving him shelterless. Plaintiff alleges that he was pulled over on Greenley Road near the library by a CHP officer because his motorhome did not have license plates. Plaintiff further alleges that the officer was rude after plaintiff declined to present a driver’s license. It appears from the operative pleading that plaintiff continues to be without his property.

On 10/21/2025, plaintiff filed a motion to proceed in forma pauperis. Plaintiff will be directed to self-help to complete the proper forms for this request.

On 10/21/2025, plaintiff filed a motion to secure additional time to comply with CRC 3.110. The basis for the request is the cost associated with effectuating service on the number of named defendants. The Court sees no issue with granting plaintiff additional time.

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3	CV66986	Anthony Kilgore vs. First Light Resorts, LLC, et al.		02/21/2025
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**Anthony Kilgore**

Attorney: Marcus Bradley

**First Light Resorts, LLC, et al.**

**Motion Hearing - Leave**

**02/21/2025 Complaint**

<b>File Tracking</b>
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03/17/2025 High Density
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No appearance is needed.

This is a wage/hour dispute with class claims and a PAGA cause of action. This Court previously approved the voluntary dismissal of the class claims, but the proposed order was not tracked to this department and counsel did not use the for some reason the CIV-110 form. In other words, the class claims can be dismissed, but at present remain active.

Before the Court this day is plaintiff's unopposed motion to file a Second Amended Complaint which pleads only the PAGA cause of action. This of course is the preferred method for avoiding any confusion or prejudice to putative class members who might be reviewing court files and erroneously believe that this case involves class claims. That motion is granted. To simplify things, counsel is asking to separately file the Second Amended Complaint with 10 days, rather than rely no this Court separating the document and deeming it filed this date.



























**Superior Court of California, County of Tuolumne**  
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17 CV67400	Miranda Rose Jacobs vs. Safeway, Inc et al		07/03/2025
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Miranda Rose Jacobs Attorney: Will Ramey

Safeway, Inc

Jeff Hampton

Case Management Conference

07/03/2025 Complaint

<b>File Tracking</b> 07/22/2025 High Density
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This is a personal injury action. According to plaintiff, while shopping at Safeway she tripped and fell over a loose/lifted floor tile, resulting in injury. Defendant has appeared. Plaintiff did not file a CMC statement, but defendant did.

**Full CMC:**

- Is the case fully at issue?
- Are all parties present or defaulted?
- Any plans to add parties or amend/attack the pleadings?
- Any related cases?
- Amount in controversy?
- Jury demanded?
- Time estimate?

Trial: \_\_\_\_\_(Mon @ 8:00 a.m. Dept 3)

Thursday Prior @ 3:30 p.m. Trial Readiness Conference/Confirmation

MSC available in Dept 2 or 5.







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21	CV67417	Jorge Monino vs. Sonora Inn LP et al	07/11/2025
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<b>Jorge Monino</b> <b>Sonora Inn LP</b> <b>Sierra Nevada Hospitality LLC</b> <b>Jeff Michels</b> <b>Case Management Conference</b>	Attorney: Mark Peacock
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07/11/2025 Complaint

<b>File Tracking</b> 07/22/2025 High Density
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This is a personal injury action. According to plaintiff, he sustained injuries as a result of a dog bite on the premises of the Sonora Inn. The defendants were just recently served, despite this case having been pending since July. It is also curious that plaintiff tried to secure defaults against the defendants on the same day he made substituted service.

A continuance of the CMC is likely needed.



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23 CV67371	<b>Landon Perry vs. Twain Harte School District</b>		06/25/2025
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<b>Landon Perry</b>	Attorney: Yet Not Entered
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**Twain Harte School District**

<b>Landon Perry</b>	Attorney: Yet Not Entered
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**Case Management Conference - CMC-Delay Reduction**

06/25/2025 Complaint

<b>File Tracking</b>
07/22/2025 High Density

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This is a personal injury action. As alleged, plaintiff was seated top a pillow when a teacher’s aide reportedly “yanked” said pillow out from under plaintiff, causing plaintiff to fall and strike his head.

Full CMC:

- Is the case fully at issue?
- Are all parties present or defaulted?
- Any plans to add parties or amend/attack the pleadings?
- Any related cases?
- Amount in controversy?
- Jury demanded?
- Time estimate?

Trial: \_\_\_\_\_(Mon @ 8:00 a.m. Dept 3)

Thursday Prior @ 3:30 p.m. Trial Readiness Conference/Confirmation

MSC available in Dept 2 or 5.

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24	CVL67066	<b>Portfolio Recovery Associates, LLC vs. Daniel</b>	03/14/2025
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**Portfolio Recovery Associates, LLC** Attorney: Donald Sherrill

**Daniel Persson** Attorney: Jenna Moreno-Cortez

**Case Management Conference**

Further

**Motion Hearing - Other**

for Order that Matters in Request for Admission of Truth of Facts be Deemed Admitted

03/14/2025 **Complaint**

<b>File Tracking</b> 03/19/2025 High Density
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This is #4 at 8:30.









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29	CVL66278	Bank of America, N.A. vs. Autumn J. Herrera	07/12/2024
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**Bank of America, N.A.**

Attorney: Anthony DiPiero

**Autumn J. Herrera**

Attorney: Julia Young

**Review Hearing**

Dismissal?

07/12/2024 Complaint

<b>File Tracking</b>
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03/18/2025 High Density
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This is a collections case. On 04/02/2025, plaintiff caused to be filed herein a Notice of Conditional Settlement of entire Case, indicating that a request for dismissal would be filed no later than 02/01/2028. Although this filing “removes the case from the computation of time used to determine case disposition time” (CRC 3.1385(c)(4)), and the trial court is expected to leave the case open/active until the date arbitrarily selected by the plaintiff in the Notice provided, it is unreasonable to ask a court to retain in its active inventory a case that will have zero activity for years. Instead, this Court will dismiss the action and reserve jurisdiction under CCP §664.6 to enforce the terms of the settlement agreement filed concurrently therewith.



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31	CVL67101	Capital One, N.A. vs. Guadalupe Rodriguez	03/24/2025
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**Capital One, N.A.** Attorney: Brian Langedyk  
**Guadalupe Rodriguez**  
Review Hearing - Collections Case CRC 3.740

03/24/2025 Complaint

<b>File Tracking</b> 03/27/2025 High Density
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This is a collections case.

- Complaint: 03/24/2025
- POS w/in 180 days? No
- Answer? No
- CMC Statements? n/a
- Judgment w/in 360 days? n/a
- OSC served? No
- Sanction imposed? n/a

Set early April: Review hearing and OSC re sanctions for failure to comply with CRC 3.740 (\$500).





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<b>34</b>	<b>CVL67100</b>	<b>Citibank, N.A. vs. Gary R. Rainbolt</b>	<b>03/24/2025</b>
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**Citibank, N.A.**

Attorney: Daria  
Lourtchenko

**Gary R. Rainbolt**

**Review Hearing - Collections Case CRC 3.740**

**03/24/2025 Complaint**

<b>File Tracking</b> 03/27/2025 High Density
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This is a collections case.

- |   |                         |            |
|---|-------------------------|------------|
| ➤ | Complaint:              | 03/24/2025 |
| ➤ | POS w/in 180 days?      | Yes        |
| ➤ | Answer?                 | No         |
| ➤ | CMC Statements?         | n/a        |
| ➤ | Judgment w/in 360 days? | No         |
| ➤ | OSC served?             | No         |
| ➤ | Sanction imposed?       | n/a        |

Set early April: Review hearing and OSC re sanctions for failure to comply with CRC 3.740 (\$500).









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39	<b>CVL67097</b>	<b>OneMain Financial Group, LLC vs. Jennifer M. Paioni</b>	03/20/2025
		<b>OneMain Financial Group, LLC</b> Attorney: Robert Kennard <b>Jennifer M. Paioni</b>	
		<b>Review Hearing - Collections Case CRC 3.740</b>	

03/20/2025 Complaint

**File Tracking**  
03/25/2025 High Density

This is a collections case.

- Complaint: 03/20/2025
- POS w/in 180 days? No (but service is now complete)
- Answer? No
- CMC Statements? n/a
- Judgment w/in 360 days? n/a
- OSC served? No
- Sanction imposed? n/a

Set early April: Review hearing and OSC re sanctions for failure to comply with CRC 3.740 (\$500).



