

TENTATIVE RULINGS for CIVIL LAW and MOTION
July 14, 2016

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted on Yolo Court's Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Please take note that Yolo Superior Court is now located at 1000 Main Street, in Woodland.

Telephone number for the clerk in Department Eleven: (530) 406-6843

TENTATIVE RULING

Case: **Galdamez v. Kinney**
Case No. CV PO 15-409

Hearing Date: **July 14, 2016** **Department Eleven** **9:00 a.m.**

Defendants Sergeant Roger Kinney and the City of West Sacramento's motion for summary judgment is **GRANTED**. (Code Civ. Proc., § 437c.) Defendants submit sufficient evidence to establish that plaintiff failed to submit a timely written claim with the City of West Sacramento for the alleged incident that took place on August 17, 2013. (Code Civ. Proc, § 437c, subd. (o)(1); Gov. Code, §§ 905, 911.2, 945.4, 950.2; Decl. of Kryss Rankin, ¶¶ 1-3; Defendants' Separate Statement of Undisputed Material Facts, nos. 1-5.) The burden therefore shifts to plaintiff to show that a triable issue of material fact exists. (Code Civ. Proc, § 437c, subd. (p)(2).) Plaintiff fails to submit any admissible evidence to support a finding that he filed a timely claim, or that he timely requested permission to file a late claim. (Gov. Code, §§ 901, 905, 911.2, 945.4.) All papers submitted show that there is no triable issue as to any material fact and therefore defendants are entitled to judgment as a matter of law.

If no hearing is requested, defendants are directed to prepare a formal order consistent with this ruling and in accordance with Code of Civil Procedure section 437c(g) and California Rule of Court 3.1312.

TENTATIVE RULING

Case: **People v. Davis Group, LP**
Case No. CV CV 16-500

Hearing Date: **July 14, 2016** **Department Eleven** **9:00 a.m.**

The People of the State of California's demurrer to defendants' answer is **CONTINUED** on the Court's own motion to be heard on August 18, 2016, at 9:00 a.m., so that the Court may more fully consider the parties' papers.