

NOTICE:

To request limited oral argument on any matter on this calendar, you must call the Court at (916) 874-5487 (Department 47) by 4:00 p.m. the court day before this hearing and advise opposing counsel. If no call is made, the tentative ruling becomes the order of the court. Local Rule 2.02(D).

**Department 47
Superior Court of California
720 Ninth Street
Michael G. Virga, Judge
S. Jacobs/P. Banks, Clerk
None, Bailiff**

Wednesday, January 11, 2006, 9:30 AM

Item 1 **02AS06841 PATRICK MACINTYRE, ET AL VS. WEST COAST RELOCATABLES, ET AL**

Nature of Proceeding: Miscellaneous Motion

Filed By:

On August 30, 2005, this court continued the trial in the underlying equitable indemnity cross-action in this case pending resolution of the appeal regarding the complaint herein. The court set a status conference for January 11, 2006 so that the parties could apprise it of the progress of the appeal. The court directed the parties to provide written statements regarding status on or before January 4. The court has not received such statements. Accordingly, the parties are directed to appear.

Item 2 **03AS06421 SIDNEY NORRIS VS. KEIKO RODARTE, ET AL**

Nature of Proceeding: Motion To Continue Trial

Filed By:

This matter is dropped from calendar. (BY MOVING PARTY)

Item 3 **04AS05249 CALVIN DEAL VS. ROBERTO ROMERO RODRIGUEZ, ET AL**

Nature of Proceeding: Motion For Leave To Intervene

Filed By:

DROPPED.

Item 4 **05AS01504 JAMES S. DIXON, ET AL VS. DANIEL WAYNE HENDERSON, ET AL**

Nature of Proceeding: Motion To Continue Trial

Filed By:

Good cause appearing, and defendant having stipulated thereto, plaintiff's motion for a continuance is GRANTED. To the extent plaintiff is seeking a trial preference, that request is DENIED. The trial in this matter currently scheduled for January 30 shall be continued to June 6, 2006 at 8:30 a.m. in Department 47.

The court finds good cause to continue in light of the parties stipulation and that plaintiff is under 14 years of age, lives out of state and would be required to miss a significant amount of school unless the trial were continued to the summer.

To the extent plaintiff seeks a trial preference that request is denied. As plaintiff notes, under CCP 36(c) a minor under the age of 14 can seek a trial preference in a wrongful death action. A motion for preference, however, must be scheduled within 120 days of the date it is granted. (CCP 36(f)). The 120 day requirement is inconsistent with plaintiff's request to continue the existing trial date into the summer months.

Item 5 **05AS03700** **JOSHUA CASEY CARTER, ETAL VS. STATE OF CALIFORNIA, ET AL**

Nature of Proceeding: Miscellaneous Motion

Filed By:

On January 4, 2006, the court issued a tentative ruling granting defendant's motion to change venue of this action to the Lassen County Superior Court. The court granted plaintiff's request for a telephonic appearance. As plaintiff is in pro per and is incarcerated, the court set the matter for January 11 to allow plaintiff to arrange the call with prison officials. Accordingly, the court will hear oral argument on this matter on January 11.

Item 6 **05AS05391** **PETER HJORT VS LARRY V. MARTIN**

Nature of Proceeding: Miscellaneous Motion

Filed By:

Calendared in error.