
PARTIES/ATTORNEYS

Plaintiff	Antonio Zaranda Salinas	Self-Represented
Defendants and Cross-Complainants	Juana Velzaquez Moreno Iran Yadira Zaranda Velazquez Michelle Stephanie Zaranda Velazquez	Emilie de la Motte Carmel & Naccasha LLP
Cross-Defendants	Antonio Zaranda Salinas and Teresa Hernandez Zaranda	Self-Represented

TENTATIVE RULING

Appearances are required to ascertain if the responding parties have served proposed responses to the requests for admission that are in substantial compliance with Code of Civil Procedure section 2033.220. (Code Civ. Proc., § 2033.280, subd. (c).)

If not, the court intends to grant the motion and deem the matters admitted as detailed in the Requests for Admissions, Set One served on Antonio Zaranda Salinas and attached to the amended motion as Exhibit C and the matters detailed in the Requests for Admissions, Set One served on Teresa Hernandez Zaranda and attached to the amended motion as Exhibit D.

Sanctions of \$1,500 are imposed jointly and severally against Antonio Zaranda Salinas and Teresa Hernandez Zaranda and shall be paid within twenty (20) days of this order.

MEMORANDUM

This case involves alleged elder abuse of Jose Ramiro Saranda Alvarez (decedent). He was born in Mexico on March 18, 1928, and died at the age of 95 in California on November 29, 2023. The facts of the complaint have been recounted in previous tentative rulings. They will not be repeated here.

On July 29, 2024, Juana Velazquez Moreno and Iran Yadira Zaranda Velazquez¹ filed a cross-complaint against Antonio Zaranda Salinas and his wife, Teresa Hernandez Zaranda (also referred to as responding parties), alleging one cause of action for elder abuse based on their actions in forcibly removing decedent from his

¹ For ease of reference, the court will refer to the parties by their first names. No disrespect is intended.

home, isolating him, and manipulating him into believing Juana and Iran had betrayed him. Antonio and Teresa answered the cross-complaint on December 9, 2024.

On July 9, 2025, the court interpreted cross-complainants motion to compel further responses as motions to compel initial responses² and ordered, *inter alia*, Antonio Zaranda Salinas and Teresa Hernandez Zaranda to respond within 30 days to the Requests for Admission, Set One, served on each by Juana and Iran. Notice of Entry of Order was signed on August 19, 2025, and served on August 20, 2025.

No responses have been received. Cross-complainants now move the court for an order deeming the requests admitted.

The court must order that the genuineness of any documents and the truth of any matters specified in the requests be deemed admitted unless it finds that the party to whom the requests for admission have been directed has served, before the hearing on the motion, a proposed response to the requests for admission that is in substantial compliance with Code of Civil Procedure section 2033.220. (Code Civ. Proc., § 2033.280, subd. (c).) No such responses had been provided as of January 30, 2026.

Cross-complainants request sanctions in the amount of \$1,872.50.00. It is mandatory that the court impose a monetary sanction on the party or attorney, or both, whose failure to serve a timely response necessitated the motion for an order deeming the matters admitted that covered by the requests for admissions. (Code Civ. Proc., §2033.280, subd. (c).) A request for sanctions must be accompanied by a declaration setting forth facts supporting the amount of any monetary sanction sought. (Code Civ. Proc., §2023.040.) The sanction is intended to pay the reasonable expenses incurred, including attorney's fees. (Code Civ. Proc., §§ 2023.280, subd. (c), 2023.030, subd. (a).)

Here, attorney de la Motte states that she spent 4 hours in preparing this motion at \$450/hour; that the filing fees to file this motion is \$60; and the printing costs to prepare this motion were \$12.50.³ The court intends to award \$1,500 in sanctions. The motion was necessary, it was nevertheless pro forma.

² This is because the stipulated-to deadline for response was February 14, 2025, and the responses were not served until February 21, 2025. No evidence of a subsequent stipulation or was presented nor was there a request for relief. Therefore, it was as if the responses had not been provided at all.

³ The court is not inclined to award such costs in any event as they are not otherwise allowable under the costs statute. (See Code Civ. Proc., § 1033.5, subd. (b)—" Postage, telephone, and photocopying charges, except for exhibits" not allowable as costs.)

The parties are instructed to appear at the hearing for oral argument. Appearance by Zoom Videoconference is optional and does not require the filing of Judicial Council form RA-010, Notice of Remote Appearance. (See [Remote Appearance \(Zoom\) Information | Superior Court of California | County of Santa Barbara.](#))