

PROPOSED TENTATIVE

On November 20, 2024, plaintiff United Financial Casualty Company (plaintiff) filed a limited civil complaint on standard Judicial Council forms against defendant Angelina Depedro (defendant) for motor vehicle negligence. Plaintiff alleged the defendant on December 6, 2021, negligently crashed her vehicle into the car of plaintiff's insured (one Tyson Oldroyd), requiring plaintiff as insurer to pay the insured \$28,451.91, including prejudgment interest. Plaintiff was suing under contractual subrogation rights. According to the submitted proof of service, plaintiff personally served defendant at 421 N.B. Street, Lompoc, on December 19, 2024. Defendant answered on January 22, 2025. On March 24, 2025, defendant failed to appear at the scheduled Case Management Conference, and the court issued an Order to Show Cause "as to why the answer should not be stricken and a default entered." On May 5, 2025, with all parties present, the court discharged the Order to Show Cause, and scheduled a court trial for September 4, 2025. On September 4, 2025, at the court trial, defendant failed to appear. The court heard plaintiff's evidence, and entered judgment in favor of plaintiff and against defendant, for the principal sum of \$28,451.91, together with costs of \$464, for a total judgment of \$28,915.15. The court signed the judgment on November 17, 2025, and it was entered on that date.

On December 9, 2025, defendant, in propria persona filed a motion to vacate judgment. She asks the court to set aside the November 17, 2025 judgment "due to circumstances of my daughter's ongoing unforeseen health conditions." She also indicates that she "did try to appear" at trial on September 4, 2025 "through Zoom, but was given incorrect log-in information." Defendant claims she called the court, but was not given the information. Although no declaration is attached, defendant contends that she suffers from "financial hardship"; cannot afford "the lawsuit"; and she is currently "not able to work because [she has] epilepsy" and suffers a "third-degree burn to [her] right hand"; she also contends that she takes care of her daughter "24/7 and only receive[s] child support for a total of \$800 monthly" Attached to the motion are incomplete screen shots of website pictures indicating attempts to log-on via Zoom (apparently on September 4, 2025). There is nothing in Odyssey to indicate defendant made a request to appear by Zoom at the court trial on September 4, 2025.¹

The court cannot rule on defendant's motion, because there is no indication the motion and its attachments was served on plaintiff. There is no proof of service in the electronic register of actions, and no opposition has been filed as of this writing. The court continues the matter to April 10, at 8:30 in Department 2 (this will afford sufficient time for plaintiff to file opposition

¹ The court's website for Santa Maria courts *clearly* indicates that "[p]ersonal appearances *are required* by all Civil departments for the following civil proceedings, unless specifically excluded by the judicial officer: [¶] All Court and Jury Trials" It goes on: "To request to appear by Zoom Videoconferencing for proceedings requiring a personal appearance, use local form SC-2073, Request to Appear by Zoom Videoconference and Order Thereon, located on the court's website under Forms & Filing tab or use the link [with the link provided]."

and plaintiff to file a reply under normal law and motion deadlines). The court directs the clerk to send notice of the new hearing date to all parties, with this order.