

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER**

MINUTE ORDER

DATE: 03/15/2019

TIME: 09:30:00 AM

DEPT: C16

JUDICIAL OFFICER PRESIDING: Supervising Judge James J. Di Cesare

CLERK: Martha Diaz

REPORTER/ERM: Jamie Jennings CSR# 13434

BAILIFF/COURT ATTENDANT: Loretta Schwary

CASE NO: **30-2015-00805807-CU-CO-CJC** CASE INIT.DATE: 08/21/2015

CASE TITLE: **THE SPARTAN ASSOCIATES, INC. vs. HUMPHREYS**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Contract - Other

EVENT ID/DOCUMENT ID: 72990898

EVENT TYPE: Motion to Vacate

MOVING PARTY: Adam Bereki

CAUSAL DOCUMENT/DATE FILED: Motion to Vacate Void Judgment, 02/19/2019

APPEARANCES

Law Offices of William G. Bissell, from Law Offices of William G. Bissell, present for Cross -
Complainant, Defendant, Respondent on Appeal(s).

Adam Bereki, self represented Defendant, present.

Tentative Ruling posted on the Internet and posted in the public hallway.

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now makes the tentative ruling final as follows:

MOTION TO VACATE

The Motion "to Vacate Void Judgment" filed by Mr. Adam Bereki is Denied. The arguments presented on this motion were already raised and rejected, and the appellate decision affirming the underlying judgment on the merits is now final. Upon remittitur, the trial court is revested with jurisdiction of the case only to carry out the judgment as ordered by the appellate court. (*People v. Dutra* (2006) 145 Cal.App.4th 1359, 1365-1366.) Arguments on the merits of the underlying judgment cannot be entertained anew here. The Motion is therefore Denied.

Counsel for the Humphreys to give notice.