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In Pro Per
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Electronically FILED by
Superior Court of California,
County of Los Angeles
2/14/2024 7:53 AM
David W. Slayton,
Executive Officer/Clerk of Court,
By A. Mejia, Deputy Clerk

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF LOS ANGELES
10

11 JOSE DECASTRO

12 Plaintiff,

13 vs.

14 KATHERINE PETER, et al.

15 Defendants.

) Case No.: 23SMCV00538
)
)

) **PLAINTIFF'S *EX PARTE* APPLICATION**
) **TO CONTINUE OR ADVANCE HEARING**
) **FOR FEBRUARY 20, 2024 AND FOR**
) **SANCTIONS; DECLARATION OF JOSE**
) **DECASTRO;**
)
)

) **Telephone Appearance**
)
)

) Judge: Hone. H. Jay Ford III
)
)

17) **Ex Parte Hearing:**
)

18) Date: February 15, 2024
)

19) Time: 8:30 am
)

20) Department: O
21

22 *"We will not agree to continue the February 20, 2024
23 hearing."*

24 Paul Katrinak, February 12, 2024

25 in his email, not giving any reason for his failure to stipulate other than to cost me money

INTRODUCTION AND FACTUAL BACKGROUND

NOTICE IS HEREBY GIVEN that on February 15, 2024 at 8:30 a.m., or as soon thereafter as
may be heard, in the courtroom of Department O of the above-entitled court, located at Santa

1 Monica Courthouse, 1725 Main Street Room 102, Santa Monica, California, I Plaintiff Jose
2 DeCastro (“Plaintiff” or “I”) will appear *ex parte* to present his application for an Order to continue
3 or advance Defendant Michael Pierattini (“Pierattini”)’s hearing scheduled for February 20, 2024.
4 Additionally, I’m requesting sanctions be imposed on Pierattini and his counsel for knowingly
5 scheduling a hearing for when I’m unavailable and refusing to voluntarily reschedule.

6 I have to be in a traffic court hearing in Goodsprings Township, Nevada on February 20, 2024,
7 and Pierattini was aware of this. Pierattini and his colleagues at Masshole Troll Mafia run a website
8 which contains my citation and hearing date. I made a screenshot of the website on February 14,
9 2024 and attached it as **Exhibit 1**. It is a true and correct copy of the website page at:

10 <https://www.thepublicdocuments.com/state/nevada/23ccg005348>

11 The PDF document on the website was created on January 3, 2024 and published on the
12 website on January 23, 2024.

13 Pierattini’s counsel, Paul Katrinak (“Katrinak”), provides no reason for their failure to stipulate
14 to rescheduling this hearing, **other than to cost me money** hiring an attorney for a traffic case. See
15 **Exhibit 2**, which is a true and correct copy of an email that I received from Katrinak, which I
16 collected from my computer.

17 This Application is based on the Declaration, and supporting Memorandum of Points and
18 Authorities, filed concurrently, and incorporated here, records in this action, on the oral argument of
19 counsel, if any, and on such other and further evidence as the Court might deem proper.

20 MEMORANDUM OF POINTS AND AUTHORITIES

21 **A. Knowingly scheduling an adversary when they’re not available and then refusing to**
22 **voluntarily reschedule is a sanctionable offense.** *Tenderloin Housing Clinic v. Sparks*, 8 Cal. App.
23 4th 299, 304-305 (1992).

24 Here, Pierattini and Katrinak were aware that I was otherwise obligated and refused to
25 voluntarily reschedule. Additionally, they cite no good cause not to reschedule other than to increase

1 my costs.

2 **B. This court has the inherent power to control all proceedings before it to insure the**
3 **orderly administration of justice.** *Nazir v. United Airlines, Inc.*, 178 Cal.App.4th 243, 290 (2009);
4 *Walker v. Superior Court*, 53 Cal.3rd 257, 276 (1991); *Hays v. Superior Court*, 16 Cal.2nd 260, 264
5 (1940).

6 Here, good cause exists because Plaintiff was already scheduled to be in court for a traffic
7 citation on February 20, 2024. Defendants were additionally aware of this when scheduling this
8 conflicting hearing. Defendants refuse to voluntarily reschedule, providing only a reason so as to
9 cost Plaintiff money.

10 **C. All procedural requirements for *ex parte* relief have been satisfied.** All of the notice and
11 other requirements of “the *ex parte* rules” (Cal. Rules of Court, rule 3.1200) are satisfied by the
12 concurrently-filed Declaration of Jose DeCastro. Specifically, Plaintiff has notified Defendant
13 counsel, and all parties that have appeared, with timely written notice of the instant *ex parte*
14 application.

15 CONCLUSION

16 Based on the foregoing, Plaintiff respectfully requests that this Court reschedule the hearing for
17 February 20, 2024.

18 I further request that this court order sanctions Katrinak and Pierattini for knowingly
19 scheduling a conflicting hearing and refusing to voluntarily reschedule it.

20 DECLARATION OF JOSE DECASTRO

21 I declare under penalty of perjury under the laws of the State of California that the foregoing is
22 true and correct.

23 DATED: February 14, 2024

Respectfully submitted,

24 /s/ Jose DeCastro
25 Jose DeCastro

In Pro Per

CERTIFICATE OF SERVICE

On this day, Plaintiff has sent copies to the only participating defendants by email to Paul Katrinak, attorney for Defendant at katrinaklaw@gmail.com.

DATED: February 14, 2024

Respectfully submitted,

/s/ Jose DeCastro

Jose DeCastro

In Pro Per

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EXHIBIT 1

1/3/24, 8:32 PM Case Details - Clark County Justice Court Case Search

23CCG005348 DECASTRO, JOSE MARIA

- Case Type: CIVIL CITATION GSP
- Case Status: OPEN
- File Date: 12/18/2023
- DCM Track:
- Action: CV-DRIVER FAIL TO OBEY TRAFFIC CONTROL DEVICES
- Status Date: 12/18/2023
- Case Judge: SHUPE, LARRY W
- Next Event: 02/20/2024

Charge	Description	Statute	Level	Disposition
1	CV-DRIVER FAIL TO OBEY TRAFFIC CONTROL DEVICES	C63577	Infraction	

Party Information

DECASTRO, JOSE MARIA
- DEFENDANT CRTR

- Disposition:
- Disp Date:
- Scope ID Number:

Party Charge Information

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Next Event:
02/20/2024

- Nevada v. DeCastro (E08236202107339)
- State of OHIO +
- State of OREGON +
- State of TEXAS +
- State of WASHINGTON +
- State of WISCONSIN +
- OTHER Records of Interest +
- Grouped by TYPE +
- Grouped by STATUS +
- Grouped by PARTY +
- Video Gallery +
- Source Websites

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For the latest news & stories
pertaining to Jose DeCastro, and other
interesting people,
visit Jim Finch's
[Really Cool Site](#)

EXHIBIT 2



Chille DeCastro <chille@situationcreator.com>

Re: Need to reschedule February 20 hearing, please

1 message

Paul Katrinak <katrinaklaw@gmail.com>
To: Chille DeCastro <chille@situationcreator.com>

Mon, Feb 12, 2024 at 7:31 PM

Dear Mr. DeCastro,

Mr. Pierattini does not have a website and has nothing to do with thepublicdocuments.com.

You filed a lawsuit against Mr. Pierattini that is completely frivolous and you have provided no evidence in discovery at all concerning Mr. Pierattini. You filed in California and use a California address on all your pleadings and with the Court.

That all being said, traffic hearings can easily be continued and you can have a traffic attorney appear for your hearing.

We will not agree to continue the February 20, 2024 hearing.

Very Truly Yours,

Paul Katrinak

On Mon, Feb 12, 2024 at 9:24 AM Chille DeCastro <chille@situationcreator.com> wrote:

Mr. Katrinak,

I just realized that on February 20, 2024 I will be in court in Goodsprings Township NV for my traffic ticket. Your client is obviously aware of this as it's on his website.

<https://www.thepublicdocuments.com/state/nevada/23ccg005348>

He has a copy of my citation on his website with "Next Event: 02/20/2024".

Can you please reschedule it in the system and give me a new date. I'm happy to type up the stipulation to reschedule. Thank you.

Respectfully,
Chille DeCastro

--

Paul Katrinak
Law Offices of R. Paul Katrinak
[9663 Santa Monica Blvd.](http://9663 Santa Monica Blvd., 458), 458
Beverly Hills, California 90210
Tel: (310) 990-4348
Fax: (310) 921-5398

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