



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

MINUTE ORDER

Kostiantyn Mars vs Hanna Mars

Hearing Start Time: 9:00 AM

22FL003144

Hearing Type: OSC: Contempt

Date of Hearing: 06/17/2024

Comments: Line 1-9

Void Ab Inito. Post Disqualification 2024-02-20

Heard By: Lowney, Stephen

Location: Department 79

Courtroom Reporter: Genice Perez

Courtroom Clerk: True Parker

Court Interpreter:

Court Investigator:

Parties Present:

Mars, Hanna Respondent
Roberts, Nancy Lee Attorney
Limited Scope Attorney

Future Hearings:

Exhibits:

Case is called at 9:02 am.

Petitioner- Kostiantyn Mars is not present.

Attorney Nancy Roberts and the respondent- Hanna Mars are personally present.

Respondent is assisted by Russian interpreter, Laura Mirzoyan (301297).

Respondent- Hanna Mars is sworn.

Court reporter reports on line 9 only, OSC: Contempt matter.

Line 1:

Respondent's request for Request for Order: Domestic Violence.

The Court finds today is the date and time set for the hearing on this matter. Petitioner- Kostiantyn Mars had notice and an opportunity to be heard, Mr. Mars has failed to appear.

The Court makes orders and GRANTS the restraining order as requested.

Respondent- Hanna Mars's request for a Restraining Order is granted; a DVRO is issued restraining Petitioner- Kostiantyn Mars for a period of 3 years, the Restraining Order expires 06-17-2027. The DVRO is issued under the same terms as the DVTRO which includes Maksym Mars age 8 with the following modification: Petitioner- Kostiantyn Mars shall not call the police to tell them the child is abducted and abused.

Order to Not Abuse granted.

Restrained person must not:

Harass, attack, strike, threaten assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the in Internet, electronically or otherwise), block movements, annoy by phone or other electronic means (including repeatedly



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

MINUTE ORDER

contact), or disturb the peace of Protected Person(s).

"Disturb the peace" means to destroy someone's mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.

"Coercive control" means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status.

Stay-Away Order granted.

Restrained person must stay 300 yards away from Protected Person, Home, Vehicle, Job, all protected parties, children's school, childcare, tutor, and friends.

Other Protected Person(s):

Except for brief and peaceful contact as required for court ordered visitation unless a criminal protective order says otherwise.

Child custody and visitation orders contained on the DV-140 that authorizes professionally supervised visits for two hours one time per week will remain as ordered.

Record Communications

Protected Person can record communications that violate the Restraining orders.

Respondent-Hanna Mars is sworn and the Court voir dices the respondent.

Family Code §3044 finding made as to Restrained Person, Kostiantyn Mars; this now triggers the presumption against petitioner- Kostiantyn Mars having joint physical custody and joint legal custody.

Line 2:

Petitioner's Request for Order: Domestic Violence.

The Court finds today is the date and time set for the hearing on this matter. Petitioner- Kostiantyn Mars had notice and an opportunity to be heard, Mr. Mars has failed to appear.

Petitioner's Request for Order: Domestic Violence was denied initially.

Petitioner's request for DVRO is DENIED.

Matter is taken off calendar.

Line 3:

Petitioner's Request for Order: Petitioner's Request for Order: Mod. Child custody/child visitation/child support/spousal support/other: abduction order, filed on 01-31-2024.

The Petitioner- Kostiantyn Mars has had several notices about when this matter was going to be continued, including to today's date. Petitioner has also had recent within the last week or so, communication with department 79 where the Court made it clear that today's date will not be continued.



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**

MINUTE ORDER

The Court finds today is the date and time set for the hearing on this matter. Petitioner- Kostiantyn Mars had notice and an opportunity to be heard, Mr. Mars has failed to appear. All the requests on this matter (contained in line 3) are DENIED.

Line 4:

Petitioner's Request for Order: Mod Custody/Visitation/Support, other orders: abduction related orders, filed on 02-29-2024.

The Court finds today is the date and time set for the hearing on this matter. Petitioner- Kostiantyn Mars had notice and an opportunity to be heard, Mr. Mars has failed to appear; the matter proceeded by default.

All the requests on this matter (contained in line 4) are DENIED.

Line 5:

Petitioner's Request for Order: Other w/fee (request for reconsideration orders given on 02-07-2024, 02-01-2024).

The Court finds today is the date and time set for the hearing on this matter. Petitioner- Kostiantyn Mars had notice and an opportunity to be heard, Mr. Mars has failed to appear; the matter proceeded by default.

All the requests on this matter (contained in line 5) are DENIED.

Line 6:

Petitioner's Request for Order: Other w/fee (request to declare respondent vexatious litigant) filed on 02-20-2024.

The Court finds today is the date and time set for the hearing on this matter. Petitioner- Kostiantyn Mars had notice and an opportunity to be heard, Mr. Mars has failed to appear.

Petitioner's request is DENIED.

Line 7:

Petitioner's Request for Order: Other w/fee (request for disqualification) filed 02-20-2024.

The Court has received its third disqualification; the Court struck the request, stricken before 9:00 am this morning.

The Court finds the Petitioner- Kostiantyn Mars had notice and an opportunity to be heard, Mr. Mars has failed to appear.

Petitioner's request is DENIED and/or stricken.

Matter will go off calendar.



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

MINUTE ORDER

Line 8:

Petitioner's Request for Order: Bifurcate **BIFURCATION OF DIVORCE STATUS DENIED** Same as 5 previous requests to Finalize Divorce

The Court finds today is the date and time set for the hearing on this matter. Petitioner- Kostiantyn Mars had notice and an opportunity to be heard, Mr. Mars has failed to appear.

Petitioner's Request for Order: Bifurcate is DENIED.

Matter will go off calendar.

Line 9:

Respondent's OSC: Contempt

Reported by official Court reporter: Genice Perez

Matter is set for arraignment on the OSC: Contempt.

Attorney Nancy Roberts provides an update re: petitioner- Kostiantyn Mars; petitioner violated the restraining order on Friday and was arrested, petitioner may have bailed out.

The Court responded to Mr. Mars' email request; a follow-up email was sent to the petitioner denying his request for a continuance this morning.

The Court finds today is the date and time set for line 9 order to show cause on the contempt.

Petitioner- Kostiantyn Mars has failed to appear; the Court issues a civil bench warrant in the amount of \$5,000.00.

Attorney Nancy Roberts to prepare the restraining order after hearing.

The Clinic to prepare order after hearing for petitioner.