

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM
BEACH, FL 33401

CASE NO.: 4D16-0222
L.T. No.: 502014CP003698XXXXNB;
L.T. No.: 2011CP000653 XXXXSB

ELIOT IVAN BERNSTEIN
Appellant / Petitioner(s)

V.

Ted Bernstein, acting as alleged Trustee of the Shirley Bernstein Trust, et al
Appellee / Respondent(s)

**APPELLANT'S MOTION FOR AN EXTENSION OF TIME TO FILE A
MOTION FOR REHEARING, CLARIFICATION, WRITTEN OPINION,
AND CERTIFICATION UNDER FLORIDA RULES OF APPELLATE
PROCEDURE 9.330(2) AND FOR THE COURT TO SET THE TIME**

COMES NOW Eliot Bernstein, Appellant Pro se, who respectfully pleads and
prays before this Court as follows:

I am the Appellant in this case acting pro se.

1. I am the Appellant in this case acting pro se.
2. I make this motion under Florida Rules of Appellate Procedure 9.300 for an
Extension of time and for the Court to set the time for the filing of a Motion
for rehearing, clarification, written Decision and certification of this Court's

Order of April 27, 2017 issued by Per Curiam Affirmance of a Final Judgment of now retired Judge John Phillips at an alleged “Validity Trial” of the involved Estates and Trust instruments.

3. Florida Rules of Appellate Procedure 9.300 provides that such motion “may be filed within 15 days of an order or within such other time set by the court.” (emphasis added).
4. As today’s motion for Extension of time is made within the 15 day period, such motion is timely.
5. Appellant raises multiple grounds in good faith to support the request for the extension of time.
6. Appellant has experienced “electrical” troubles in the household for over a week resulting in surges, power outages, flashes of power out and back on often knocking out the computer systems, internet, phones and other appliances causing many delays.
7. These electrical matters increased to such a point where Florida Power and Light (FPL) crews have been out to the home multiple times in the last 7 plus days resulting in “temporary” solutions to the Electrical issues.
8. This most recently resulted in power being out over 5 hours yesterday with the internet being out into today and the power going back out today all

while drafts of motions and other responses in this and related cases have gone on causing significant delays.

9. I have attached as Exhibit 1 some of the Work Order receipts for these issues.
10. Further cause is shown by the continuing “sharp practices” of attorney Alan Rose who has proceeded to submit no less than 3 separate filings in the last few days on the same improper motion again setting for a UMC what is known to be contested and in need of an evidentiary hearing and even licensed attorney Peter Feaman representing Creditor Stansbury has moved the Lower Tribunal that such motions are improper.
11. Further good cause is shown in that neither Alan Rose nor the Lower Tribunal has taken action to notify other Courts like the US District Court of Illinois or the 7th Circuit of the finding that I, Eliot Bernstein, Appellant am in fact a beneficiary in the Estate of Simon Bernstein with Standing yet the District Court of Illinois has issued a Summary Judgment Order relying upon the fraudulent prior determination by Judge Phillips that I have no Standing and am not a Beneficiary in the Estate of Simon Bernstein.
12. Thus, the continuing process of unraveling and addressing the repeated frauds by Alan Rose and his client further take necessary time away from properly completing this important motion on an alleged Final Judgment.

13. Florida Rule of Appellate Procedure 9.330(b) further provides that

“**Limitation.** A party shall not file more than 1 motion for rehearing or for clarification of decision and 1 motion for certification with respect to a particular decision.”

14. Thus, it appearing by law I am not allowed to go into the merits of the Motion for Rehearing as I only have one opportunity to file such motion, I move for the extension of time in good faith advising the Court such motions to be filed are in good faith and merit due to various Due process, procedural, substantive law, missing witness and documents and discovery facts overlooked or misapprehended by this Court.

15. It is respectfully prayed for at least 7 days to file and submit this motion at a time to be set by the Court.

WHEREFORE, it is respectfully prayed for an Order granting a reasonable extension of time and for the Court to set the time for Appellant to file the Motion for Rehearing, Clarification and Certification and for such other relief as may seem just and proper.

Respectfully submitted,

Dated: May 12th, 2017

/s/ Eliot Ivan Bernstein

Eliot Ivan Bernstein

2753 NW 34th St.

Boca Raton, FL 33434

561-245-8588

iviewit@iviewit.tv

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the within has been served upon all parties on the attached Service List by E-Mail Electronic Transmission, Court ECF on this 12th day of May, 2017.

EXHIBIT 1

Subject:

FPL and COMCAST INCIDENT #'S POWER OUTAGE 5/11/17 to 5/12/17

FPL Ticket #695
Comcast Work Orders
No Internet # CR704408643
No Phone #CR704603231
No Phone #CR704604021

Eliot I. Bernstein
Inventor, really cool shit that changed your world!
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
iviewit@iviewit.tv
<http://www.iviewit.tv>

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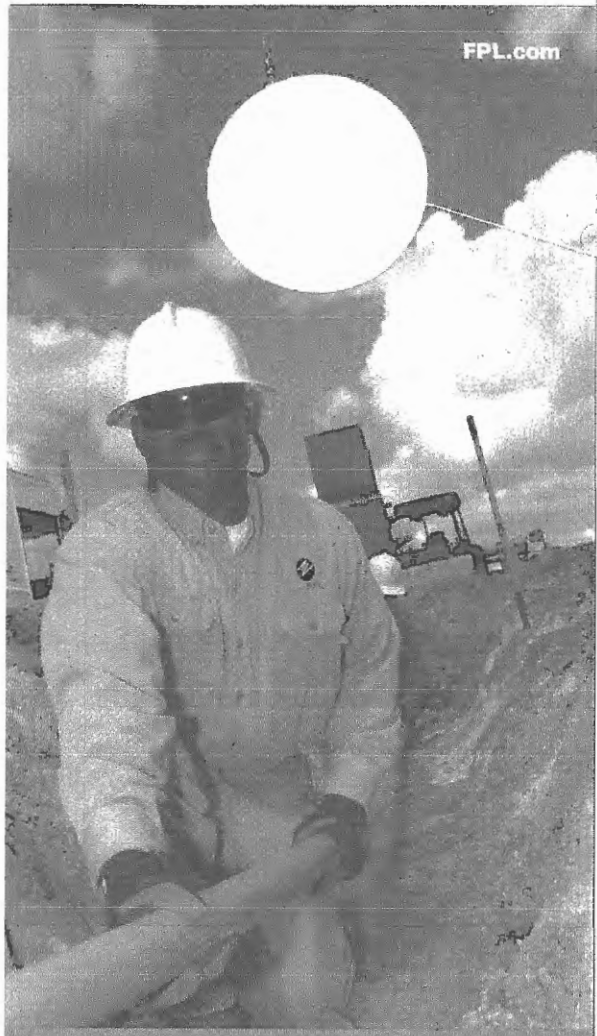
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CHANGING THE CURRENT.  FPL.

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Committed to reliable service

FPL is investing to make our infrastructure stronger every day, in good weather and bad.

That's why,

FPL will repair or upgrade the underground power line(s) serving your home or business.

Our contractor, VIKING will repair or upgrade the underground power line(s) serving your home or business.

We may need to dig on your property to make the necessary repairs to the underground power lines. If so, we will restore your property after we complete our repairs.

We pledge to work safely and respectfully in your community.

We will notify you in advance if we need to schedule a power outage to complete our repairs.

Thank you for your patience as we work to improve your service quality.

If you have any questions, please contact:

Contact name BRYAN

Phone No 561-742-7006

Refer to FPL work request No. 7627327

Date 5-12-17

FPL or Contractor VIKING

Fri May 12, 2017 08:33 am

COMCAST OF W PALM BEACH

1-800-COMCAST

OPER: 65X

01638-567818-02 CUSTSTAT: Actv

LUC BERNSTEIN

2713 NW 41H ST

60 CA RATON, FL 33434

ISSUED BOXES: RETURNED BOXES

252WZ698L01847 1107000775

By signing below, I represent that I am at least 18 years old; I am the Comcast account holder or I am the authorized agent of the Comcast account holder named above. If this equipment is for the activation of my XFINITY service(s), I acknowledge receipt of the Comcast Welcome Kit which contains the Comcast subscriber agreement(s), the Comcast subscriber privacy notice(s) and other important information about the Comcast service(s) I agree to be bound by the Comcast subscriber agreement(s) which constitute the agreement between myself and Comcast for the XFINITY service(s). I authorize Comcast to obtain a credit report from a consumer credit agency in connection with the provision of the XFINITY service(s) I am receiving. IF I AM SUBSCRIBING TO XFINITY VOICE OR XFINITY UNLIMITED SELECT (collectively "XV"), I ACKNOWLEDGE MY RECEIPT AND UNDERSTANDING OF THE E911 NOTICE BELOW.

E911 Notice

This notice is required by the rules of the Federal Communication Commission. XV may have the E911 limitations specified below:

In order for my 911 calls to be properly directed to emergency services, Comcast must have my correct service address. If I move XV to a different address without Comcast's approval, 911 calls may be directed to the wrong emergency authority, may transmit the wrong address, and/or XV (including 911) may fail altogether. XV uses electrical power in my home. If there is an electrical power outage, 911 calling may be interrupted. Calls, including calls to 911, may not be completed if there is a problem with network facilities including network congestion, network/equipment/power failure, or another technical problem. Prior to changing my address, or if I have any 911 related questions, I will call 1-800-COMCAST. Comcast will need several business days to update my service address in the E911 system.

Signature _____

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