

Florida Fourth District Court of Appeal Docket

Case Docket

Case Number: 4D16-2249

Final Probate Notice from Palm Beach County

ELIOT IVAN BERNSTEIN vs. OPPENHEIMER TRUST CO. OF DELAWARE, ET AL.

Lower Tribunal Case(s):2014CP002815XXXXNB

10/11/2018 10:05:11 PM

Date Docketed	Description	Date Due	Filed By	Notes
07/05/2016	Notice of Appeal Filed		Eliot Ivan Bernstein *P*	
07/05/2016	Notice of Appeal Filed		Clerk Palm Beach CC02	
07/06/2016	Acknowledgment Letter			
08/19/2016	Received Records		Clerk Palm Beach CC02	(46 PAGES)
09/19/2016	Show Cause Lack of Prosecution, Initial Brief			ORDERED that appellant in the above-styled case is directed to show cause in writing, if any there be, on or before September 29, 2016, why the above-styled case should not be dismissed for lack of timely prosecution, in that the appellant's initial brief has not been filed with this court as of this date. Failure to respond to this order will result in a sua sponte dismissal without further notice. If the initial brief is filed within this time, the order to show cause will be considered automatically discharged without further order.
09/30/2016	Miscellaneous Motion		Eliot Ivan Bernstein *P*	TO ACCEPT LATE FILING *AND* RESPONSE TO S/C ORDER
10/13/2016	ORD-To File Response			ORDERED that appellee is directed to respond, within ten (10) days from the date of this order, to appellant's September 30, 2016 motion to accept late filing and response to show cause.
10/24/2016	RESPONSE		Steven A. Lessne 0107514	
10/25/2016	Notice		Eliot Ivan Bernstein *P*	"OF FLORIDA LICENSED MEDICAL DOCTOR INSTRUCTIONS OCT. 24, 2016 AND EXTENSION AND STAY REQUEST"
10/31/2016	Miscellaneous Motion		Eliot Ivan Bernstein *P*	FOR DISCLOSURE FROM COURT
11/01/2016	Grant Miscellaneous Motion			ORDERED that Eliot Bernstein's October 31, 2016 motion for disclosure from court as to judges' names to be disclosed for every order in each case listed herein is granted in part and denied in part. Mr. Bernstein is advised that pursuant to Section 3.11 of this Court's Manual of Internal Operating Procedures, "The Clerk shall issue unpublished orders of the Court under his or her signature unless otherwise directed by the judge or judges who approved the order. The Court may, at its discretion, include in any order the names of the panel members who approved the issuance of the order." The Clerk's signature appears on all orders issued by this Court, and, in the case of dispositive motions endorsed by a three-judge panel, the three-judge panel who authorized the order is listed. Finally, Mr. Bernstein is advised that as to this Court's October 27, 2016 order in Case No. 16-3162, the Court sua sponte recognized a potential conflict immediately after the order issued, and the case was sent to a different member of the Court for consideration. After a different member of the Court considered the case, the amended order as to the panel was issued; further, ORDERED, to the extent Mr. Bernstein requests that all orders sent to him be exemplified and requests that "the Clerk of this Court no longer rule and make orders in these matters and all pleadings be ruled on by Judges who place their names on the orders," the motion is denied, as the Court will continue to follow its Internal Operating Procedures as set forth above; further, ORDERED, to the extent Mr. Bernstein requests that the

				Court identify the judges who signed off on certain orders, the orders which were endorsed by judges are as follows, with all other orders having been issued on the Clerk's authority: Case No. 4D15-3849 Judges Stevenson, Levine, and Conner endorsed the November 30, 2015, December 17, 2015, and January 7, 2016 orders. Case No. 4D16-0064 Judges Warner, Taylor, and Damoorgian endorsed the February 29, 2016 order. Case No. 4D16-0222 Judges Taylor and May endorsed the April 21, 2016 order. Judge Gerber endorsed the May 13, 2016 order. Judge Conner endorsed the June 9, 2016 and June 21, 2016 orders. Judges May and Gerber endorsed the July 7, 2016 order. Judges Gross, Levine, and Klingensmith endorsed the July 28, 2016 order. Judge Conner endorsed the September 22, 2016 order. Judge Levine endorsed the October 18, 2016 order. Judge Forst endorsed the October 27, 2016 order. Case No. 4D16-1449 Chief Judge Ciklin and Judge Gerber endorsed the July 8, 2016 order. The Court concludes that the assignment of Chief Judge Ciklin was inadvertent and that the Appellant suffered no prejudice as the Appellee's motion to dismiss was denied. Judge Conner endorsed the August 25, 2016 order. Judge Conner endorsed the September 22, 2016 order.
11/02/2016	Grant Miscellaneous Motion			**IN PART** ORDERED that appellant's September 30, 2016 motion for extension of time, included in the response to the order to show cause, and the motion for extension of time, included in the October 25, 2016 notice, is granted in part. Appellant shall serve the initial brief within thirty (30) days from the date of this order. In addition, if the initial brief is not served within the time provided for in this order, the above-styled case may be subject to dismissal or the court in its discretion may impose other sanctions. Further, appellant is reminded that any requests for extensions of time or other motions must be filed in each case in which the request is made. The fact that appellant moved for extensions of time in other cases pending before this court does not mean that they were filed or considered by this court in the instant case.
12/02/2016	Mot. for Extension of time to file Initial Brief		Eliot Ivan Bernstein *P*	(MOOT)
12/13/2016	RESPONSE		Steven A. Lessne 0107514	TO MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF
12/13/2016	Motion To Dismiss		Steven A. Lessne 0107514	
01/11/2017	ORD-Granting Aplee's Motion to Dismiss			ORDERED that appellee's December 13, 2016 motion to dismiss is granted, and this appeal is dismissed. Appellant's December 2, 2016 motion for extension of time is denied as moot. WARNER, GROSS and MAY, JJ., concur.
01/11/2017	Dismissed - Order by Judge			
01/26/2017	Motion For Rehearing		Eliot Ivan Bernstein *P*	**AND** CLARIFICATION UNDER RULE 9.330 AND REINSTATING THE APPEAL
02/03/2017	RESPONSE		Steven A. Lessne 0107514	MOTION FOR REHEARING AND CLARIFICATION
02/09/2017	ORD-Denying Rehearing			ORDERED that appellant's January 26, 2017 motion for rehearing, clarification, and reinstatement is denied.