

Florida Fourth District Court of Appeal Docket

Case Docket

Case Number: 4D16-3162

Final Civil Other Notice from Palm Beach County

ELIOT IVAN BERNSTEIN vs. WILLIAM E. STANSBURY, et al.

Lower Tribunal Case(s):502012CA013933XXXXMB

10/12/2018 12:01:09 AM

Date Docketed	Description	Date Due	Filed By	Notes
09/16/2016	Notice of Appeal Filed		Eliot Ivan Bernstein *P*	INDIGENT PER 16-1476
09/16/2016	Notice of Appeal Filed		Clerk Palm Beach CC02	
09/16/2016	AA - File Statement for Basis of Jurisdiction			ORDERED that within ten (10) days from the date of this order appellant shall file in this court a brief statement explaining the basis for this court's subject matter jurisdiction over the order appealed in this case, citing supporting legal authorities. Appellant shall specifically address how the order granting motion to withdraw as counsel for Bernstein Family Realty, LLC is an appealable order. Roller v. Cripe-Roller, 58 So. 3d 279 (Fla. 1st DCA 2011); further Appellee may file a response within ten (10) days of service of that statement.
09/16/2016	Acknowledgment Letter			
09/30/2016	RESPONSE		Eliot Ivan Bernstein *P*	TO 9/16/16 ORDER *AND* MOTION TO ACCEPT LATE FILING.
10/17/2016	RESPONSE		Steven A. Lessne 0107514	(REPLY) TO APPELLANT'S STATEMENT OF SUBJECT MATTER JURISDICTION AND MOTION TO ACCEPT LATE FILING.
10/25/2016	Received Records		Clerk Palm Beach CC02	(690 PAGES)
10/27/2016	ORD-Sua Sponte Dismissal			**AMENDED ORDER ISSUED 10/28/16** Upon consideration of the parties' responses to this court's September 16, 2016 jurisdictional order, it is ORDERED that this appeal is dismissed. Dismissal is without prejudice to appellant to seek review of this order upon appeal from a final order. CIKLIN, C.J., TAYLOR and FORST, JJ., concur.
10/27/2016	Dismissed - Order by Judge			**AMENDED ORDER ISSUED 10/28/16**
10/28/2016	ORD-Amended Order			ORDERED that this court's October 27, 2016 order is amended as to the panel only: Upon consideration of the parties' responses to this court's September 16, 2016 jurisdictional order, it is ORDERED that this appeal is dismissed. Dismissal is without prejudice to appellant to seek review of this order upon appeal from a final order. TAYLOR, LEVINE and FORST, JJ., concur.
10/28/2016	Dismissed - Order by Judge			
10/31/2016	Miscellaneous Motion		Eliot Ivan Bernstein *P*	FOR DISCLOSURE FROM COURT AS TO JUDGES NAMES TO BE DISCLOSED FOR EVERY ORDER IN EACH CASE LISTED HEREIN.
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,

			<p>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.</p>
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