

Florida Fourth District Court of Appeal Docket

Case Docket

Case Number: 4D16-3314

Final Probate Notice from Palm Beach County

ELIOT IVAN BERNSTEIN vs. TED BERNSTEIN, AS TRUSTEE, ETC., ET AL.

Lower Tribunal Case(s):2014CP003698XXXXNB

10/11/2018 11:54:42 PM

Date Docketed	Description	Date Due	Filed By	Notes
09/29/2016	Notice of Appeal Filed		Eliot Ivan Bernstein *P*	
09/29/2016	Notice of Appeal Filed		Clerk Palm Beach CC02	
09/30/2016	ORD-Non-Final Appeal Treated as Final			ORDERED sua sponte that the court determines that this appeal seeks review of a final order, rather than a non-final order. Appellant may file directions to the clerk under Florida Rule of Appellate Procedure 9.200(a)(3) within ten (10) days from the date of this order, and appellee may file directions for additional documents and exhibits within ten (10) days after the appellant's filing of directions to the clerk. The times for preparing the record on appeal, serving the index to the record on appeal, and for service of briefs are extended correspondingly.
09/30/2016	Acknowledgment Letter			
10/31/2016	Miscellaneous Motion		Eliot Ivan Bernstein *P*	FOR DISCLOSURE FROM COURT
10/31/2016	RESPONSE		Alan Benjamin Rose 0961825	TO MOTION FOR DISCLOSURE
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advised that pursuant to Section 3.11 of this Court's Manual of Internal Operating Procedures, "The Clerk shall issue unpublished orders of the Court under his or her signature unless otherwise directed by the judge or judges who approved the order.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.
11/01/2016	Received Records		Clerk Palm Beach CC02	2836 PAGES
12/28/2016	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, within ten (10) days from the date of the entry of this order, 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.
01/09/2017	RESPONSE TO ORDER TO SHOW CAUSE		Eliot Ivan Bernstein *P*	*AND* REQUEST FOR EXTENSION OF TIME **SEE AMENDED RESPONSE**
01/09/2017	RESPONSE TO ORDER TO SHOW CAUSE		Eliot Ivan Bernstein *P*	*AND* REQUEST FOR EXTENSION OF TIME (AMENDED)
01/11/2017	RESPONSE		Alan Benjamin Rose 0961825	TO APPELLANT'S AMENDED RESPONSE TO SHOW CAUSE ORDER AND REQUEST FOR EXTENSION OF TIME
01/20/2017	Order Granting EOT for Initial Brief			ORDERED that upon consideration of appellant's January 9, 2017 response, this court's December 28, 2016 order to show cause is discharged; further, Upon consideration of appellee's January 11, 2017 response, it is ORDERED that appellant's January 9, 2017 motion for extension of time, found in the response, is granted, and appellant shall serve the initial brief within forty-five (45) 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.
03/06/2017	Mot. for Extension of time to file Initial Brief		Eliot Ivan Bernstein *P*	EXTENSION-STAY-CONTINUANCE, ETC.
03/07/2017	Motion To Dismiss		Alan Benjamin Rose 0961825	*AND* IMPOSE NON-MONETARY SANCTIONS AGAINST PRO SE APPELLANT *AND* RESPONSE TO LATEST MOTION FOR EXTENSION
03/28/2017	ORD-Denying Aplee's Motion to Dismiss			ORDERED that appellant's March 6, 2017 "motion for additional reasonable extension-stay-continuance based on newly discovered evidence and new hearings in the lower tribunal" is granted in part, and appellant shall serve the initial brief within fifteen (15) 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, ORDERED that appellee's March 7, 2017 motion to dismiss and impose non-monetary sanctions against pro se appellant is denied.
04/12/2017	Mot. for Extension of time to file Initial Brief		Eliot Ivan Bernstein *P*	(EXTENSION-STAY-CONTINUANCE)
04/13/2017	RESPONSE		Alan Benjamin Rose 0961825	TO THIRD LAST-MINUTE MOTION FOR EXTENSION *AND* RENEWED REQUEST FOR DISMISSAL *AND* IMPOSITION OF NON-MONETARY SANCTIONS AGAINST PRO SE APPELLANT
04/27/2017	Order Granting EOT for Initial Brief			ORDERED that appellant's April 12, 2017 "motion for additional reasonable extension-stay-continuance based on newly discovered evidence and new hearings in the lower tribunal" is granted in part, and appellant shall serve the initial brief within seven (7) 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, ORDERED that appellee's April 13, 2017 renewed motion to dismiss and impose non-monetary sanctions against pro se appellant is denied.
05/05/2017	Initial Brief on Merits		Eliot Ivan Bernstein *P*	

05/05/2017	Appendix to Brief		Eliot Ivan Bernstein *P*	TO INITIAL BRIEF (TITLED "SUPPLEMENTAL APPENDIX")
05/05/2017	Motion To Accept Timely Brief		Eliot Ivan Bernstein *P*	
05/22/2017	RESPONSE		Alan Benjamin Rose 0961825	TO APPELLANT'S MOTION TO ACCEPT LATE FILING
06/02/2017	Grant to Accept Brief Filed as Timely			Upon consideration of appellee's May 22, 2017 response, it is ORDERED that appellant's May 5, 2017 motion to accept timely brief is granted. Said brief is deemed timely filed as of the date of this order. The appellant shall serve the answer brief within twenty (20) days from the date of this order.
06/12/2017	Appellee's Answer Brief		Alan Benjamin Rose 0961825	
10/09/2017	Motion To Dismiss		Alan Benjamin Rose 0961825	APPEAL UNLESS A LAWYER CERTIFIES APPELLANT'S INITIAL BRIEF; OR TO SUBMIT CASE TO MERITS PANEL
10/18/2017	ORD-Denying Aplee's Motion to Dismiss			ORDERED that Appellee's October 9, 2017 Motion to Dismiss is denied. The case will be submitted to a merits panel of the court for a decision.
12/21/2017	Affirmed - Per Curiam Affirmed			
01/19/2018	Mandate			
01/19/2018	West Publishing			