

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**DOCKETING STATEMENT**  
**AND NOTICE OF APPEARANCE OF COUNSEL**  
(Revised as of May 1, 2001)

The Court requires the following information in order to facilitate disposition of the case.

**APPELLANT/PETITIONER:** If this case involves an original writ, is an appeal of a non-final order or is a case involving child custody, this docketing statement must be completed and returned within five days. In all other cases, the appellant must file the docketing statement within 20 days from the date of the acknowledgment of the notice of appeal.

**APPELLEE/RESPONDENT:** Is not required to file a docketing statement unless there are amendments, corrections or additions to the docketing statement filed by the appellant/petitioner. Appellee/respondent is only required to file a notice of appearance if counsel's name does not already appear on the certificate of service. Appellee's/respondent's docketing statement, if necessary, is due within 5 days from service of the appellant's/petitioner's docketing statement.

**PLEASE PROVIDE THE FOLLOWING INFORMATION:**

**DOCKETING STATEMENT OF: (CHECK ONE)**

**APPELLANT/PETITIONER**  
 **APPELLEE/RESPONDENT**

**1. STYLE OF CASE:**

**WILLIAM A. CABANA**  
*Appellant, pro se*

**v. SHARON ANN MAYO f/k/a**  
**SHARON ANN CABANA**  
*Appellee/Former Wife.*

**DCA CASE: 4D06-1833**

**LOWER COURT CASE NUMBER: 501971DR004137XXDIFD**

**2a. NOTICE OF APPEARANCE OF COUNSEL FOR APPELLANT** (If party is not represented by counsel, party should so indicate and provide accurate mailing address and phone number).

Name: William A. Cabanaa, pro se. with the assistance of counsel Bar Number: N/A

Address: 1050 Capri Isles Blvd., Apt. F-105, Venice, FL 34292

Attorney For: N/A Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

**2b. APPELLEE'S TRIAL COUNSEL AND/OR APPELLATE COUNSEL (IF KNOWN)**

Name N/A Bar Number \_\_\_\_\_

Address \_\_\_\_\_

Attorney For \_\_\_\_\_ Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

**3. INTERESTED PERSONS:** List names of all persons or entities having an interest in this matter.



Please clarify whether these persons or entities are parties, lawyers or otherwise, and as to parties, designate whether appellant or appellee.

Cathy L. Kamber, Attorney for Sharon Mayo

**4. JUDGES BELOW:** List the name of all judges, deputy commissioners and hearing officers/examiners who were involved in this action below. Specify the judge who entered the order appealed.

Judge Martin H. Colin

**5. JURISDICTION:** State the basis for this court's jurisdiction, including the following:

(1) the appellate rule providing jurisdiction claimed:

This court has jurisdiction to review this case pursuant to Florida Rules of Appellate Procedure 9.130(a)(5) Orders entered on motions filed under Florida Rules of Civil Procedure 1.540,

(2) the date of filing in the lower tribunal of the order appealed:

April 17, 2006;

(3) if this is an appeal from a final order, the date of the return of verdict in a jury action the service date of any Fla. R. Civ. P. 1.530 motion N/A, and the date of entry of the order deciding such motion N/A.

**6. PENDING MATTERS IN LOWER TRIBUNAL:** Are there any matters, including counts of claims or counterclaims, still pending in the lower tribunal? If yes, please explain exactly what remains pending.

1. Motion for Contempt in not paying attorney fees pursuant to a court order of February 16, 2006.
2. Motion to Deny Contempt with a service date of May 15, 2006.

**7. CURRENT AND PRIOR PROCEEDINGS IN THIS COURT:**

List by style and case number of this court, all cases which are or have been pending before this court involving issues arising from the same lower tribunal case and the current status of same:

William A. Cabana, pro se, Appellant v. Sharon Ann Mayo, Appellee

1. Case Number 4D05-3906 – Dismissed
2. Case Number 4D06-594 - Dismissed

Criminal appeals: List by style and case number of this court all co-defendants currently or previously on appeal to this court.

Similar Issues: List by style and case number of this court, all cases which are or have been pending before this court which are related to this action or which involve an issue which will be similar or determinative to the issue in this case on appeal.

If you become aware of appeals filed subsequent to the submission of this docketing statement involving a co-defendant in a criminal case, the same controversy or parties, or substantial similar issues, please file an amended response to this question.



**8. Court Transcript:**

Do you intend to order any portion of the transcript for the appeal? Yes  X  No \_\_\_\_\_

The transcript is in my possession and will be filed with the court in a timely manner.

If yes, have all arrangements been made for its preparation? Yes  X  No \_\_\_\_\_

If yes, date ordered \_\_\_\_\_

If no, why not? \_\_\_\_\_

Estimated date of completion: \_\_\_\_\_

Estimated number of pages:  407

Name and address of court reporter(s): Pleasanton, Greenhill & Assoc.  
Guaranty Bldg. 120 S. Olive Ave., #200  
West Palm Beach, FL 33401

**9. CUSTODY STATUS IN CRIMINAL APPEALS:** Is the appellant in custody and serving a sentence imposed as a result of a conviction which is the subject of this appeal?  N/A

If so, state the length of the sentence imposed. \_\_\_\_\_

**10. ISSUES:**

If this case involves the determination of the constitutionality of a statute, cite the statute involved:

61.08 Fla. Stat  impermissibly infringes on Art. I Sec. 23, and Art. II Sec. 3 of the Florida Constitution and conflicts with *Conner v. Southwest Fla. Regional Med. Center*, 668 So 2d 175 (Fla 1995)

Please state in short form the anticipated issues raised. For example, on criminal issues: denial of motion for judgment of acquittal, denial of motion to suppress evidence, error in sentence; on civil issues, award of alimony, error in valuation of assets for equitable distribution, error in determining contract damages; error in admission of hearsay at trial.

1. Misrepresentations to the court by opposing counsel.
2. Improper incarceration of Appellant.

**11. TYPE OF CASE: PLACE A CHECK BY THE MOST APPROPRIATE TYPE OF CASE:**

A. Civil

- X  1. Domestic Relations - divorce, child custody, paternity or support
- \_\_\_\_\_ 2. Child dependency
- \_\_\_\_\_ 3. Adoption/Termination of Parental Rights
- \_\_\_\_\_ 4. Professional Malpractice
- \_\_\_\_\_ 5. Products Liability
- \_\_\_\_\_ 6. Negligence
- \_\_\_\_\_ 7. Contract or Indebtedness
- \_\_\_\_\_ 8. Condominium - rules violations, developer suits
- \_\_\_\_\_ 9. Foreclosure - mortgage, lien
- \_\_\_\_\_ 10. Inmate Appeal - gain time, rule challenges, disciplinary action
- \_\_\_\_\_ 11. Attorney's Fees
- \_\_\_\_\_ 12. All others - specify \_\_\_\_\_

B. Criminal

- N/A 1. Direct Appeal - judgment and sentence  
\_\_\_\_\_ 2. Direct Appeal - sentence only  
\_\_\_\_\_ 3. Direct Appeal - juvenile  
\_\_\_\_\_ 4. Collateral Attack - (Rule 3.850 or habeas corpus) - judgment and sentence  
\_\_\_\_\_ 5. Collateral Attack - (Rule 3.800, Rule 3.850 or habeas corpus) - sentence only  
\_\_\_\_\_ 6. Collateral Attack - juvenile  
\_\_\_\_\_ 7. Appeal by the State  
\_\_\_\_\_ 8. All Others - specify \_\_\_\_\_

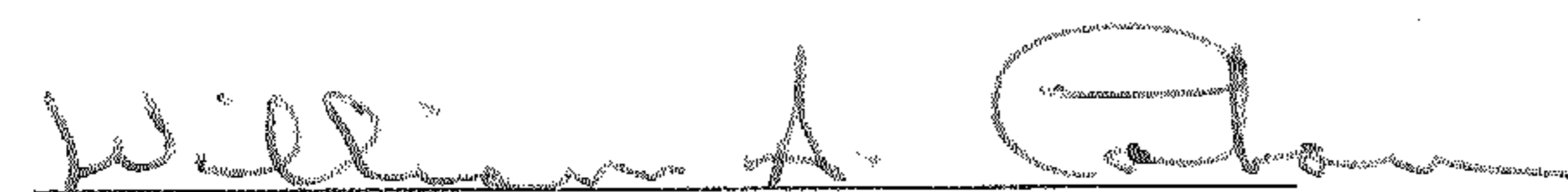
C. Administrative

- X 1. Department of Professional Regulation  
\_\_\_\_\_ 2. Unemployment Appeals Commission  
\_\_\_\_\_ 3. Rule Challenge - specify agency \_\_\_\_\_  
\_\_\_\_\_ 4. All others - specify \_\_\_\_\_

Certificate of Service

I hereby certify that a copy hereof has been furnished by U.S first class mail on this 15th day of May, 2006, to:

Cathy L. Kamber, P.A.,  
Attorney for Sharon Mayo  
1675 Palm Beach Lakes Boulevard,  
The Forum, Tower A, Suite 700,  
West Palm Beach, FL 33401



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