

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO: 501971DR004137XXDIFD

WILLIAMA A. CABANA,
Petitioner/Former Husband,

FAMILY DIVISION

and

SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife.

FORMER WIFE'S MOTION FOR SANCTIONS

COMES NOW the Former Wife, SHARON ANN MAYO, by and through her undersigned counsel, files her Motion for Sanctions, and in support thereof states as follows:

1. Former Husband filed his Notice of Production from Non Party and annexed subpoena directed to Wachovia Bank dated July 30, 2005 and served same on you undersigned by mail on July 30, 2005.

2. On August 5, 2005, the Former Wife timely served her Objection to Notice of Production From Non Party Wachovia Bank, which objection was docketed by the Clerk on August 8, 2005 (D.E. 210).

3. Pursuant to Rule 1.351(b), "*(a) copy of the notice and proposed subpoena shall not be furnished to the person upon whom the subpoena is to be served.*"

4. Notwithstanding the foregoing, the Former Husband surreptitiously furnished a copy of the Notice of Production from Non-Party and subpoena to Wachovia Bank, which was received by Wachovia Bank on August 4, 2005. A copy of the receipted Notice of

Production and Subpoena is annexed as Exhibit "A".

5. On September 12, 2005, your undersigned was notified that Wachovia Bank furnished records to Former Husband pursuant to the "purported subpoena."

6. The Former Husband's issuance of the "purported subpoena" is in violation of Rule 1.351(b) and 1.351(c).

7. The Former Wife has retained the services of your undersigned counsel and has incurred attorneys fees in connection with instant motion, for which Former Husband should be held accountable.

WHEREFORE Former Wife prays that this Court:

- a. Order the Former Husband to instanter deliver to Former Wife all documents received by him from Wachovia Bank, together with any copies in Former Husband's possession or control;
- b. For an award of attorney's fees and costs;
- c. Prohibit Former Husband from filing any further pleadings or documents in the captioned cause on a pro se basis, and requiring that any further motions, notices or other documents filed on behalf of Former Husband be counter signed by a Florida Bar licensed attorney in good standing; and
- d. For such other and further relief as may be proper.

I HEREBY CERTIFY that a true copy of the foregoing was furnished by mail and

Cabana v. Mayo
Former Wife's Motion for Sanctions
CASE NO: 501971DR004137XXDIFD
Page 3 of 3

facsimile to: William A. Cabana, 1050 Capri Isles Blvd., #F105, Venice, FL 34292, this 13th
day of September, 2005.

CATHY L. KAMBER, P.A.
Attorneys for Former Wife
1675 Palm Beach Lakes Blvd.
Suite 700
West Palm Beach, FL 33401
(561) 868-1602

By: 
CATHY L. KAMBER, ESQ.
Florida Bar #312819

AUG 04 2005

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN
AND FOR PALM BEACH COUNTY,
FLORIDA
Family Division
Case No. 501971 DR004137XXDIFD

In Re Marriage of
WILLIAM A. CABANA
Petitioner, Former Husband, pro se

and

SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife

NOTICE OF PRODUCTION FROM NONPARTY

TO Cathy L. Kamber, Esq.
Attorney for Former Wife
1675 Palm Beach Lakes Boulevard
The Forum, Tower A, Suite 700
West Palm Beach, FL 33401

YOU ARE NOTIFIED that, after ten (10) days from the date of service of this notice, if service is by delivery, or fifteen (15) days from the date of service, if service is by mail, and no objection is received from any party, the undersigned will apply to the clerk of this Court for issuance of the attached subpoena directed to Wachovia Bank, NA, who is not a party, and whose address is, Legal Order Processing PA4292, P.O. Box 8667, Philadelphia, PA 19101-7618 to produce the items listed at the time and place specified in the subpoena.

Cabana v. M. /o
Case No. 501 071 DR004137XXDIFD
Subpoena for Production of Documents From Non Party
Page 2 of 2

Certificate of Service

I certify that a copy of this Notice of Production From Non-Party was mailed to Cathy L. Kamber, P.A., Attorneys for former wife, 1675 Palm Beach Lakes Boulevard, The Forum, Tower A, Suite 700, West Palm Beach, FL 33401 this 30th day of July, 2005

By: William A. Cabana
William A. Cabana, pro se
1050 Capri Isles Blvd., Apt F-105
Venice, FL 33592
Telephone/Fax: 941-480-1395
Email: jcabana2@comcast.net

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA**

**Case No. 501971 DR004137XXDIFD
Family Division**

**In Re Marriage of
WILLIAM A. CABANA
Petitioner, Former Husband, pro se**

and

**SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife**

SUBPOENA FOR PRODUCTION OF DOCUMENTS FROM NONPARTY

THE STATE OF FLORIDA

**TO: Wachovia Bank, NA
Legal Order Processing PA4292
P.O. Box 8667
Philadelphia, PA 19101-7618**

YOU ARE COMMANDED go to appear at the residence of William A. Cabana, pro se located at 1000 Capri Isles Blvd., Apt. F-105, Venice, FL, on August 30, 2005, at 9:00, a.m. and bring with you at that time and place the following:

See Exhibit "A"

This subpoena is issued pursuant to Florida Statute s. 92.605. A response is due within 10 business days of receipt of this (subpoena, order, warrant) unless a longer time period is stated herein."

These items will be inspected and may be copied at that time. You will not have to leave the original items.

Florida Supreme Court Approved Family Law Form 12.031(b), Subpoena for Production from a Nonparty (03/04)

Cabana v. N...
Case No. 05-171 DR004137XXDIFD
Subpoena for Production of Documents From Non Party
Page 2 of 3

You may obey this subpoena by providing readable copies of the items to be produced to the party whose name appears on this subpoena on or before the scheduled date of production. You may condition the preparation of the copies upon payment in advance of the reasonable cost of preparation. If you mail or deliver the copies to the person whose name appears on this subpoena before the date indicated above, you do not have to appear in person.

You may be in contempt of court if you fail to: (1) appear as specified; (2) furnish the records instead of appearing as provided above; or (3) object to this subpoena.

You cannot be excused by the person whose name appears on this subpoena and, unless excused by that person or the Court, you shall respond as directed. **THIS WILL NOT BE A DEPOSITION. NO TESTIMONY WILL BE TAKEN.**

Dated: _____

William A. Cabana, pro se
For the Court

By: _____
William A. Cabana, pro se
1050 Capri Isles Blvd., Apt F-105
Venice, FL 34292
Telephone/Fax: 941-480-1395
Email: bcabana2@comcast.net

In accordance with the Americans with Disabilities Act, persons in need of a special accommodation to participate in this proceeding shall, not later than seven (7) days prior the proceedings, contact the Administration of the Court, 205 N. Dixie Highway, West Palm Beach, FL 33401, telephone (561)355-2431, 1800-955-8771 (TDD), or 1-800-955-8770 (V), or Florida Relay Service.

I certify that a true copy of this Notice of Production from Non-Party was mailed to Cathy L. Kamber, P.A., Attorney for former wife., 1675 Palm Beach Lakes Boulevard, The Forum, Tower A, Suite 700, West Palm Beach, FL 33401 this 30th day of July, 2005.

I also certify that no objection under Florida Rule of Civil Procedure 1.351 has been received by the undersigned within 10 days of service of this notice, if service was by hand delivery or appropriate facsimile transmission, and within 15 days if service was by mail.

Florida Supreme Court Approved Family Law Form 12.931(b), Subpoena for Production from a Nonparty (03/04)

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO: 501971DR004137XXDIFD

WILLIAM A. CABANA,
Petitioner/Former Husband,

FAMILY DIVISION

and

SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife.

AMENDED NOTICE OF HEARING

(Specially set for one half hour)

To: William A. Cabana
1050 Capri Isles Blvd., #F105
Venice, FL 34292

YOU ARE HEREBY NOTIFIED that the undersigned has called up for hearing the following:

DATE: September 14, 2005
TIME: 11:00 a.m.
JUDGE: Martin H. Colin
PLACE: Palm Beach County Courthouse, Room 6C
205 N. Dixie Highway, West Palm Beach, FL 33401
SUBJECT: Former Wife's Emergency Motion for Injunction, for Sanctions, and for
Other Relief
Former Wife's Motion for Sanctions
KINDLY BE GOVERNED ACCORDINGLY.

In accordance with the Americans with Disabilities Act, persons in need of a special accommodation to participate in this proceeding shall, not later than seven (7) days prior the proceedings, contact the Administrative Office of the Court, 205 No. Dixie Highway, West Palm Beach, FL 33401, telephone (561)355-2431, 1-800-955-8771 (TDD), or 1-800-955-8770 (V), via Florida Relay Service.

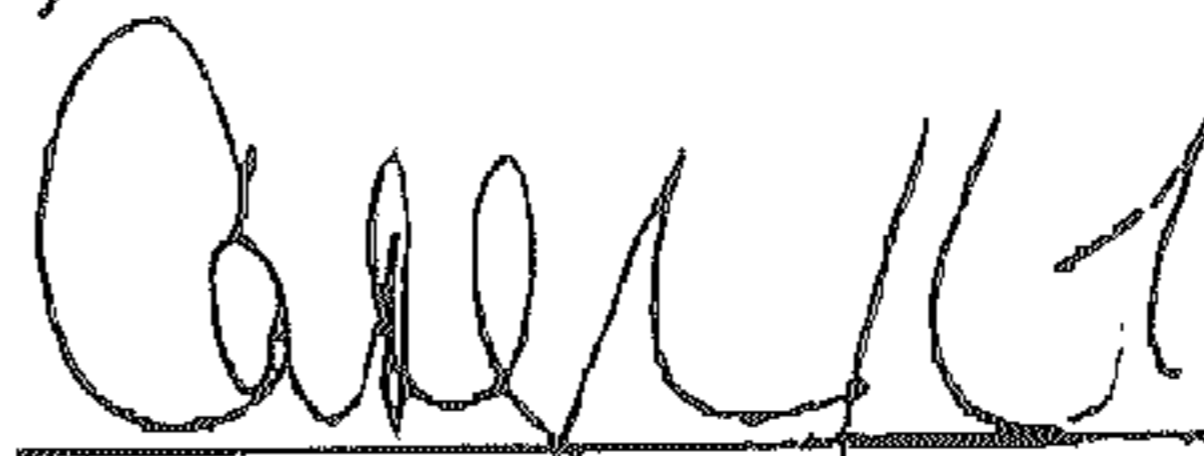
I HEREBY CERTIFY that a true copy of the foregoing was furnished by U.S. mail and

Cabana v. Cabana
CASE NO: 501971DR004137XXDIFD
Notice of Hearing
Page 2 of 2

facsimile to the above named addressee this 13 day of September, 2005.

CATHY L. KAMBER, P.A.
Attorneys for Former Wife
1675 Palm Beach Lakes Blvd.
Suite 700
West Palm Beach, FL 33401
(561) 868-1602

By:



CATHY L. KAMBER, ESQ.
Florida Bar #312819