

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401

January 08, 2016

CASE NO.: 4D16-0064

L.T. No.: 2014CP003698XXXXNB

ELIOT IVAN BERNSTEIN

v. TED BERNSTEIN, AS TRUSTEE. ET AL.

Appellant / Petitioner(s)

Appellee / Respondent(s)

BY ORDER OF THE COURT:

The \$300.00 filing fee or affidavit of indigency in conformance with sections 57.081 and 57.085, Florida Statutes, did not accompany the petition as required in Florida Rule of Appellate Procedure 9.100(b). The filing fee is due and payable at the time of filing REGARDLESS OF WHETHER THE PETITION IS SUBSEQUENTLY VOLUNTARILY DISMISSED OR ADVERSELY DISMISSED.

ORDERED sua sponte that the \$300.00 filing fee or affidavit of indigency in conformance with section 57.081 and 57.085, Florida Statutes, must be filed in this Court within ten (10) days from the date of the entry of this order. Failure to comply within the time prescribed will result in dismissal of this cause and may result in the court sanctioning of any party, or the party's attorney, who has not paid the filing fee. **The attorney filing the petition has a duty** to tender the filing fee to the appellate court when the petition is initiated. See *In Re Payment of Filing Fees*, 744 So. 2d 1025 (Fla. 4th DCA 1997). Failure of the attorney to pay will result in referral to the Department of Financial Services for collection.

****NOTE:** No extensions of time will be entertained. Once the fee is paid, it is not refundable. Except for dismissal, this court will take no action in this appeal until this filing fee is paid or until an affidavit of indigency is filed and indigency status is granted.

Served:

cc: Lorin Louis Mrachek
Gary R. Shendell
Kenneth S. Pollock
Peter Marshall Feaman
Kimberly Moran
Charles D. Rubin
Jill Iantoni
Pamela Beth Simon
James Dimon
Neil Wolfson
Lindsay Baxley
Joseph M. Leccese
Brian Moynihan

Brian M. O'Connell
Steven A. Lessne
John Pankauski
Donald R. Tescher
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Llc
David Lanciotti
Clerk Palm Beach

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Lonnn Weissblum

LONN WEISSBLUM, Clerk
Fourth District Court of Appeal

