

IN THE CIRCUIT COURT IN AND FOR
PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION: "AO"
CASE NO.: 50-2018-CA-002317-XXXX-MB

WALTER E SAHM,
CHARLES REVARO AS GUARDIAN OF THE WARD PAMELA A SAHM,
Plaintiff/Petitioners

vs.

BERNSTEIN FAMILY REALTY LLC,
ALL UNKNOWN TENANTS,
BRIAN O'CONNELL,
et al.,
Defendant/Respondents.

**ORDER DENYING NON-PARTY, KEVIN HALL'S, SECOND SUCCESSIVE MOTION
FOR MANDATORY DISQUALIFICATION**

THIS CAUSE came before the Court for review in chambers on October 23, 2024 upon receipt of non-party, Kevin Hall's, Second Successive Emergency Motion for Mandatory Disqualification. The Court, having reviewed the motion, the pertinent Rule and applicable case law, the entire court file, and being otherwise fully advised in the premises, it is hereby:

ORDERED and ADJUDGED that the Petitioner's Motion is **DENIED as UNAUTHORIZED**. *See Fla. R. Gen. Prac. & Jud. Admin 2.330; §38.10 Fla. Stat.* ("Whenever a **party** to any action or proceeding makes and files an affidavit stating fear that he or she will not receive a fair trial in the court where the suit is pending[...].") (*emphasis added*); *Abu-Ghazaleh v. Chaul*, 36 So. 3d 691 (Fla. 3rd DCA 2009) (The term "party" includes one concerned with, conducting, or taking part in any matter or proceeding, whether named or not, inclusive of those who participate in the litigation by employing counsel, or contributing towards the expenses, or who are entitled to direct the course of the proceedings.")

Alternatively, it is **ORDERED AND ADJUDGED** that the Petitioner's Motion is **DENIED** as legally insufficient. *See Fla. R. Gen. Prac. & Jud. Admin 2.330; §38.10 Fla. Stat.*("Whenever a **party** to any action or proceeding makes and files an affidavit stating fear that he or she will not receive a fair trial in the court where the suit is pending[...].")(*emphasis added*); *Zuchel v. State*, 824 So. 2d 1044, (Fla. 4th DCA 2002)(Adverse judicial rulings are not sufficient legal grounds for judicial disqualification.)

DONE AND ORDERED in West Palm Beach, Florida.

 502018CA002317XXXXMB 10/23/2024
John J. Parnofiello Circuit Judge
ADMINISTRATIVE OFFICE OF THE COURT

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John J. Parnofiello
Circuit Judge