

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

PROBATE DIVISION: IA
NO. 50-2023-MH-001072-XXXX-MB

IN RE:

Patricia A. Sahm,

An Alleged AIP,

EMERGENCY MOTION:
Order Directing Clerk to Reassign Case
Fl. R. Gen. Prac. Jud. Admin. 2.330 (1)

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COMES NOW, Petitioner Kevin R. Hall, an interested person under law with standing, proceeding pro se as an “interested person” under law who respectfully shows and moves this Court as follows:

1. I am an interested person under the law with standing as Manager of Bernstein Family Realty. LLC (BFR) who has made multiple appearances in this case and filed a formal Notice of Appearance on August 15, 2024 under DE No. 41 and other filings showing a direct, immediate,

non-contingent interest in this case reasonably impacted by the proceedings and Judgment.

2. This motion is proper as an Emergency as it relates to the mandatory Disqualification of the Trial Judge.
3. I now seek an Order under Fl. R. Gen. Prac. Jud. Admin. 2.330 (1) directing the Clerk to Reassign this case from Judge Schosberg Feuer who has failed for over 30 days to determine an “initial” motion for mandatory disqualification in this MH Case filed and served December 2, 2024 under DE NO. 82.
4. This was the first and only motion for mandatory Disqualification of Judge Feuer or any Judge in the MH Case No. 50-2023-MH-001072-XXXX-MB,
5. The motion was in writing, signed, sworn to in good faith, was timely, *identified the motion as an “initial” or First motion for mandatory Disqualification in this MH Case* and established reasonable grounds that a fair trial could not be had before Judge Schosberg Feuer, was Served on Judge Schosberg Feuer on December 2, 2024 and was legally sufficient in all respects. See, Exhibit 1.
6. Fl. R. Gen. Prac. Jud. Admin. 2.330 (1) provides, “Time for Determination. The judge against whom the motion for disqualification has been filed shall

take action on the motion immediately, but no later than 30 days after the service of the motion as set forth in subdivision (d).”

7. This initial motion in this MH case was filed according to the Filing Stamp as Filing # 211956447 E-Filed 12/02/2024 01:01:11 PM.
8. This initial motion in this MH case was promptly served on Dec 2, 2024 at 1:10 PM in accordance with Fl. R. Gen. Prac. Jud. Admin. 2.330(d).
9. It is now January 6, 2025 and 35 days since this initial motion was filed and Served.
10. While the 30th day to determine the motion fell on January 1st, 2025 a date the Court was closed as a Legal Holiday, the Court was open for business January 2nd, 3rd and now today, January 6, 2025 as normal business days. See, <https://www.15thcircuit.com/court-schedule>.
11. A review of the Docket in this MH case from ECasview shows no Order or Decision to determine this initial mandatory Disqualification was ever made, determined, entered or Served in this MH case **and further shows the motion for mandatory Disqualification filed December 2, 2024 was the “initial” and only motion for Disqualification filed in this case.** See, Exhibit 2.
12. Under Fl. R. Gen. Prac. Jud. Admin. 2.330 (1), “**If the motion is not denied within 30 days of service, the motion is deemed granted** and the

moving party **may seek an order from the court directing the clerk to reassign the case.”**

13. As a matter of law and Court Rule, the December 2, 2024 Emergency Motion for mandatory disqualification under DE No. 82 is now deemed granted.

14. The Clerk is respectfully moved to Reassign the case under law.

WHEREFORE, it is respectfully prayed for an Order directing the Clerk to Reassign the case under Fl. R. Gen. Prac. Jud. Admin. 2.330 (1) and for such other and further relief as may be just and proper.

Dated: January 6, 2025

/s/ Kevin R. Hall, Pro Se Interested Person
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CERTIFICATE OF SERVICE

I hereby Certify that all parties requiring service were served electronically via the Florida ECourt filing portal on this 6th day of January, 2025.

Dated: January 6, 2025

/s/ Kevin R. Hall, Pro Se Interested Person
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