|  |
| --- |
| Florida Fourth District Court of Appeal Docket |
|  |
| Case Docket |
|  |
| Case Number: 4D16-4120 |
|  |
| Final Civil Other Notice from Palm Beach County |
|  |
| ELIOT IVAN BERNSTEIN vs. WILLIAM E. STANSBURY, et al. |
|  |
| Lower Tribunal Case(s):502012CA013933XXXXMB |
|  |

|  |  |  |  |
| --- | --- | --- | --- |
|  | |  |  | | --- | --- | |  | 11/3/2018 6:16:18 AM | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date Docketed** | **Description** | **Date Due** | **Filed By** | **Notes** |
| 12/06/2016 | [Notice of Appeal Filed](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161205%20FINAL%20ESIGNED%20Notice%20of%20Appeal%20Stansbury%20Order%20to%20Amend%20dtd%20November%207%202016%20Hon%20Cheryl%20Caracuzzo%203933%20ECF%20STAMPED%20COPY%20.pdf) |  | Eliot Ivan Bernstein \*P\* |  |
| 12/06/2016 | [Notice of Appeal Filed](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161207%204th%20DCA%20Notice%20of%20Appeal%20Stansbury%20Order%20to%20Amend%20dtd%20November%207%202016%20Hon%20Cheryl%20Caracuzzo%203933%20ECF%20STAMPED%20COPY%204th%20DCA%20.pdf) |  | Clerk Palm Beach CC02 |  |
| 12/06/2016 | Determination of Indigent Status |  |  |  |
| 12/07/2016 | [Acknowledgment Letter](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161207%20ACKNOWLEDGEMENT%20OF%20NEW%20CASE%204th%20DCA%20CASE%204DCA16-4120%20Notice%20of%20Appeal%20Stansbury%20Order%20to%20Amend%20dtd%20November%207%202016%20Hon%20Cheryl%20Caracuzzo%203933%20ECF%20STAMPED%20COPY%204th%20DCA%20.pdf) |  |  |  |
| 12/07/2016 | [AA - File Statement for Basis of Jurisdiction](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161207%20ORDER%204th%20DCA%20CASE%204DCA16-4120%20STATEMENT%20FOR%20JURISDICTION%20Appeal%20Stansbury%20Order%20to%20Amend%20dtd%20November%207%202016%20Hon%20Cheryl%20Caracuzzo%203933%20ECF%20STAMPED%20COPY.pdf) |  |  | ORDERED that within ten (10) days from the date of this order appellant shall file in this court a brief statement explaining the basis for this court's subject matter jurisdiction over the order appealed in this case, citing supporting legal authorities. Appellant shall specifically address how the agreed order on defendant, Estate of Simon L. Bernstein's, motion to alter or amend style of the case is an appealable order; further Appellee may file a response within ten (10) days of service of that statement. |
| 12/19/2016 | [Jurisdictional Brief](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161219%20FINAL%20ESIGNED%204TH%20DCA%20STATEMENT%20JURISDICTION%20RE%20CAPTIONING%20PARTIES%20STANSBURY%20LAWSUIT%204d16-4120%20ECF%20STAMPED%20COPY.pdf) |  | Eliot Ivan Bernstein \*P\* |  |
| 12/20/2016 | [RESPONSE](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161220%20Appellee%20Estate%20of%20Simon%20Response%20to%20Appellant%20Statement%20of%20Jurisdiction%204th%20DCA%204D164120.pdf) |  | Alan Benjamin Rose 0961825 | TO APPELLANT'S STATEMENT OF JURISDICTION \*AND\* REQUEST THAT THIS APPEAL BE DISMISSED FOR LACK OF JURISDICTION AND STANDING |
| 12/20/2016 | [Appendix to Response](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161220%20Appellee%20Estate%20of%20Simon%20Appendix%20to%20Response%20to%20Appellant%20Statement%20of%20Jurisdiction%204D164120.pdf) |  | Alan Benjamin Rose 0961825 | TO APPELLANT'S STATEMENT OF JURISDICTION |
| 12/27/2016 | [Motion for leave to file reply](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161224%20FINAL%20ESIGNED%20Sur%20Reply%204TH%20DCA%20TO%20ROSE%20ON%20STANSBURY%20CASE%20REMOVING%20PARTIES%20ETC%20ECF%20STAMPED%20COPY.pdf)  DOCUMENT IS FILED 12/24/16 |  | Eliot Ivan Bernstein \*P\* | FOR PERMISSION TO FILE A SUR REPLY TO ALAN ROSE'S RESPONSE, ETC. |
| 01/05/2017 | [Ord-Denying Leave to file Reply](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20170105%20ORDER%204th%20DCA%20Denying%20Sur%20Reply%20Stansbury%20Case%204D164120_OD73_01042017_095338_i.pdf) |  |  | ORDERED that appellant's December 27, 2016 "motion for permission to file a sur reply to Alan Rose's response objections allegedly on behalf of the Estate of Simon Bernstein" is denied. |
| 01/05/2017 | [ORD-Sua Sponte Dismissed for Lack of Jurisdiction](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20170105%20ORDER%204th%20DCA%20Sua%20Sponte%20dismissing%20for%20lack%20of%20prosecution%20Stansbury%20Case%204D164120_OD73_01042017_095338_i.pdf) |  |  | Upon consideration of appellant’s December 19, 2016 jurisdictional brief and appellee’s December 20, 2016 response, it is ORDERED sua sponte that the above-styled appeal is dismissed for lack of jurisdiction. MAY, GERBER and KUNTZ, JJ., concur. |
| 01/05/2017 | Dismissed - Order by Judge |  |  |  |
| 01/20/2017 | [Motion For Rehearing](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20170120%20FINAL%20ESIGNED%204TH%20DCA%204D16-4120%20MOTION%20REHEARING%20STANSBURY%20CASE%20DISMISSAL%20SPALLINA%20TESCHER%20ECF%20STAMPED%20COPY.pdf) |  | Eliot Ivan Bernstein \*P\* | \*AND\* CLARIFICATION \*AND\* REINSTATE APPEAL |
| 01/23/2017 | [RESPONSE](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20170123%20Appellee%20Response%20to%2020170120%20FINAL%20ESIGNED%204TH%20DCA%204D16-4120%20MOTION%20REHEARING%20STANSBURY%20CASE%20DISMISSAL%20SPALLINA%20TESCHER%20ECF%20STAMPED%20COPY.pdf) |  | Alan Benjamin Rose 0961825 | TO MOTION FOR REHEARING AND CLARIFICATION |
| 01/30/2017 | [ORD-Denying Rehearing](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20170130%20ORDER%204th%20DCA%20Case%204D164120%20Deny%20Rehearing%20and%20Clarification%20Stansbury%20Case%20Issued%20Jan%20302017.pdf) |  |  | Upon consideration of appellee’s January 23, 2017 response, it is ORDERED that appellant’s January 20, 2017 “motion for rehearing and clarification under Rule 9.330 and reinstating the appeal” is denied. |
| 03/03/2017 | Notice of Discretionary Jurisdiction to Supreme Court |  | Eliot Ivan Bernstein \*P\* |  |
| 03/03/2017 | Notice sent to the Supreme Court |  |  |  |
| 03/06/2017 | [Supreme Court Disposition](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20170306%20ORDER%20FL%20SUPREME%20COURT%20-%20SC17-361%20-%20LC%204th%20DCA%20-%204D-164120.pdf) |  |  | SC17-361 |

|  |  |  |
| --- | --- | --- |
| |  |  | | --- | --- | |  |  | |