**4D 15-3849**   
  
**ELIOT BERNSTEIN**  
**vs**   
**ESTATE OF SIMON BERNSTEIN**

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| |  |  |  |  | | --- | --- | --- | --- | |  | **Date** | **Type** | **Pleading** | |  | 01/07/2016 | Event | [Supreme Court Disposition](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160107%20SC16-29%20Supreme%20Court%20of%20Florida%20Dismissal%20of%20New%20Case%20Lack%20Jurisdiction.pdf) | |  | 01/07/2016 | Event | Ack. Receipt from SC - Petf/Rev | |  | 01/07/2016 | Order | [Order Denying Rehearing En Banc](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160107%204th%20DCA%20Order%20Denying%20Motion%20for%20Rehearing%20En%20Banc.pdf) | |  | 01/05/2016 | Event | [Notice sent to the Supreme Court](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160105%204th%20DCA%20Letter%20re%20Notice%20to%20Invoke%20Discretionary%20Jurisdiction%20Notice%20of%20Appeal.pdf) | |  | 12/30/2015 | Notice | [Notice of Appeal to Supreme Court](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160105%20Final%20ESigned%20APPEAL%204THDCA%20PHILIPS%20DISQUALJAN5%20ECF%20STAMPED%20COPY.pdf) | |  | 12/18/2015 | Order | [ORD-Stricken as Unauthorized](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151218%204th%20DCA%20Order%20Motion%20for%20En%20Banc%20stricken%20as%20unathorized.pdf) | |  | 12/17/2015 | Response | [Reply to Response](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151217%20FINAL%20ESIGNED%204th%20DCA%20Rose%20Ted%20Sur%20Reply%20Dec%2016%202015.pdf) | |  | 12/17/2015 | Order | [Deny Expediting](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151217%204th%20DCA%20Order%20Denying%20Respondent%20Request%20for%20Expedited%20Ruling.pdf) | |  | 12/16/2015 | Motion | [Motion To Expedite](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151216%204th%20DCA%20Respondents%20Response%20to%20Motion%20for%20Rehearing%20En%20Banc.pdf) | |  | 12/15/2015 | Motion | [Motion For Rehearing EN BANC](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151215%20ESIGNED%204th%20DCA%20Motion%20For%20Rehearing%20EnBanc%20All%20Writs%20Colin.pdf) | |  | 11/30/2015 | Disposition | [Denied](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151130%20ORDER%204th%20DCA%20Deny%20Petition%20for%20Prohibition%20Estate%20of%20Simon.pdf) | |  | 11/30/2015 | Order | [Order Denying Petition for Writ - Prohibition](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151130%20Amended%204th%20DCA%20Deny%20Petition%20for%20Prohibition.pdf) | |  | 11/30/2015 | Order | [Order Denying Petition for Writ - Prohibition](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151130%204th%20DCA%20Deny%20Petition%20for%20Prohibition.pdf) | |  | 11/20/2015 | Event | [Miscellaneous Entry](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151120%204th%20DCA%20Respondents%20Ted%20Bernstein%20Sugg%20of%20Mootness%20and%20Alt%20M-Expedite%20Ruling%20ECF%20STAMP%20COPY.pdf) | |  | 10/16/2015 | Letter | [Prohibition / Acknowledgment letter](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151016%20Acknowledgement%20of%20New%20Case%204th%20DCA%20Estate%20of%20Simon.pdf) | |  | 10/15/2015 | Brief | Appendix to Petition | |  | 10/15/2015 | Petition | [Petition Filed](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151015%204th%20DCA%20Case%203849%20Simon%20Estate%20Petition%20Filed%20Transferred%20from%20FL%20Supreme%20Court%20re%20Colin%20Disqualification%20ECF%20STAMPED%20COPY.pdf) | |  | 10/15/2015 | Event | Miscellaneous | |  | 10/15/2015 | Event | Determination of Indigent Status | |  | 10/15/2015 | Petition | [Petition Filed](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20150609%20FINAL%20All%20Writs%20Mandamus%20Prohibition%20and%20Restraining%20Order%20Stay%20re%20Martin%20Colin%20DisqualificationECF%20STAMPED%20COPY.pdf) – All Writs re Colin | |

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| Florida Fourth District Court of Appeal Docket |
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| Case Docket |
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| Case Number: 4D15-3849 |
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| Probate Prohibition Petition from Palm Beach County |
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| ELIOT BERNSTEIN vs. ESTATE OF SIMON BERNSTEIN |
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| Lower Tribunal Case(s):502011CP00653XXXXSB, 502014CA014637XXXXMB, 502014CP002815XXXXSB, 502014CP003698XXXXSB, 502015CP001162XXXXNB, 502015CP002717XXXXNB |
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| **Date Docketed** | **Description** | **Date Due** | **Filed By** | **Notes** |
| 10/15/2015 | Petition Filed |  | Eliot Ivan Bernstein \*P\* | \*\*TRANSFERRED FROM THE SUPREME COURT\*\* |
| 10/15/2015 | Determination of Indigent Status |  |  | \*\*TRANSFERRED FROM THE SUPREME COURT\*\*PS ELIOT BERNSTEIN |
| 10/15/2015 | Miscellaneous |  |  | \*\*DOCUMENTS TRANSFERRED FROM THE SUPREME COURT- ACK. LETTERS, ORDERS, ETC.\*\* |
| 10/15/2015 | Petition Filed |  | Eliot Ivan Bernstein \*P\* | \*\*ORIGINAL PETITION FILED-STRICKEN BY THE SUPREME COURT\*\* |
| 10/15/2015 | Appendix to Petition |  | Eliot Ivan Bernstein \*P\* | \*\*TRANSFERRED FROM THE SUPREME COURT\*\* |
| 10/16/2015 | Prohibition / Acknowledgment letter |  |  |  |
| 11/20/2015 | Miscellaneous Entry |  |  | SUGGESTION OF MOOTNESS \*AND\* ALTERNATIVE MOTION TO EXPEDITE RULING |
| 11/30/2015 | Order Denying Petition for Writ - Prohib. |  |  | \*\*\*SEE AMENDED ORDER\*\*\* ORDERED that the October 15, 2015 petition for writ of prohibition is denied as moot. |
| 11/30/2015 | Order Denying Petition for Writ - Prohib. |  |  | ORDERED that this court's order dated November 30, 2015 is amended as follows; ORDERED that the July 1, 2015 petition is denied as moot. |
| 11/30/2015 | Denied - Order by Judge |  |  | MOOT |
| 12/15/2015 | Motion For Rehearing EN BANC |  | Eliot Ivan Bernstein \*P\* |  |
| 12/16/2015 | Motion To Expedite |  | Alan Benjamin Rose 0961825 | \*AND\* RESPONSE TO MOTION FOR REHEARING EN BANC |
| 12/17/2015 | Deny Expediting |  |  | ORDERED that the respondent's December 16, 2015 request for expedited ruling is denied. |
| 12/17/2015 | REPLY TO RESPONSE |  | Eliot Ivan Bernstein \*P\* | \*\*\*STRICKEN AS UNAUTHORIZED\*\*\* TO MOTION FOR REHEARING EN BANC |
| 12/18/2015 | ORD-Stricken as Unauthorized |  |  | ORDERED sua sponte that the appellant's December 17, 2015 Reply to Motion for Rehearing En Banc is stricken as unauthorized. |
| 12/30/2015 | Notice of Appeal to Supreme Court |  | Eliot Ivan Bernstein \*P\* |  |
| 01/05/2016 | Notice sent to the Supreme Court |  |  |  |
| 01/07/2016 | Order Denying Rehearing En Banc |  |  | ORDERED that the petitioner's December 15, 2015 motion for rehearing en banc is denied. |
| 01/07/2016 | Ack. Receipt from Supreme Court |  |  | SC16-29 |
| 01/07/2016 | Supreme Court Disposition |  |  | SC16-29 |
| 10/31/2016 | [Miscellaneous Motion](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161031%20FINAL%20ESIGNED%204th%20DCA%20Motion%20for%20Disclosure%20from%20Court%20as%20toJ%20udges%20Names%20for%20Each%20and%20Every%20Order%20in%20Each%20Case%204d15-3849%20ECF%20STAMPED%20COPY.pdf) |  | Eliot Ivan Bernstein \*P\* | FOR DISCLOSURE FROM COURT |
| 11/01/2016 | [Grant Miscellaneous Motion](http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161101%204th%20DCA%20ORDER%20Ciklin%20Conflict%20of%20Interest%20and%20changed%20Orders.pdf) |  |  | ORDERED that Eliot Bernstein’s October 31, 2016 motion for disclosure from court as to judges’ names to be disclosed for every order in each case listed herein is granted in part and denied in part. Mr. Bernstein is advised that pursuant to Section 3.11 of this Court’s Manual of Internal Operating Procedures, “The Clerk shall issue unpublished orders of the Court under his or her signature unless otherwise directed by the judge or judges who approved the order. The Court may, at its discretion, include in any order the names of the panel members who approved the issuance of the order.” The Clerk’s signature appears on all orders issued by this Court, and, in the case of dispositive motions endorsed by a three-judge panel, the three-judge panel who authorized the order is listed. Finally, Mr. Bernstein is advised that as to this Court’s October 27, 2016 order in Case No. 16-3162, the Court sua sponte recognized a potential conflict immediately after the order issued, and the case was sent to a different member of the Court for consideration. After a different member of the Court considered the case, the amended order as to the panel was issued; further, ORDERED, to the extent Mr. Bernstein requests that all orders sent to him be exemplified and requests that “the Clerk of this Court no longer rule and make orders in these matters and all pleadings be ruled on by Judges who place their names on the orders,” the motion is denied, as the Court will continue to follow its Internal Operating Procedures as set forth above; further, ORDERED, to the extent Mr. Bernstein requests that the Court identify the judges who signed off on certain orders, the orders which were endorsed by judges are as follows, with all other orders having been issued on the Clerk’s authority: Case No. 4D15-3849 Judges Stevenson, Levine, and Conner endorsed the November 30, 2015, December 17, 2015, and January 7, 2016 orders. Case No. 4D16-0064 Judges Warner, Taylor, and Damoorgian endorsed the February 29, 2016 order. Case No. 4D16-0222 Judges Taylor and May endorsed the April 21, 2016 order. Judge Gerber endorsed the May 13, 2016 order. Judge Conner endorsed the June 9, 2016 and June 21, 2016 orders. Judges May and Gerber endorsed the July 7, 2016 order. Judges Gross, Levine, and Klingensmith endorsed the July 28, 2016 order. Judge Conner endorsed the September 22, 2016 order. Judge Levine endorsed the October 18, 2016 order. Judge Forst endorsed the October 27, 2016 order. Case No. 4D16-1449 Chief Judge Ciklin and Judge Gerber endorsed the July 8, 2016 order. The Court concludes that the assignment of Chief Judge Ciklin was inadvertent and that the Appellant suffered no prejudice as the Appellee’s motion to dismiss was denied. Judge Conner endorsed the August 25, 2016 order. Judge Conner endorsed the September 22, 2016 order. |