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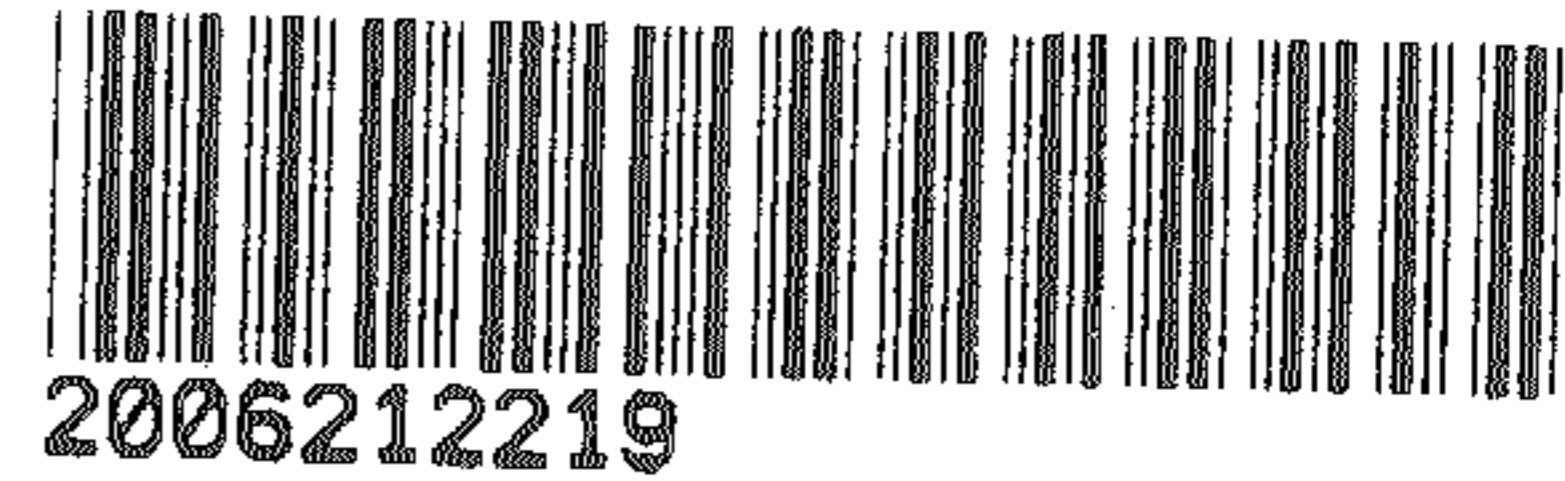
IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA
CIVIL DIVISION

WILLIAM A. CABANA, *pro se*,

v.

Case No.: 06-CA-5063-SC

JAMES ZINGALE, EXECUTIVE
DIRECTOR, FLORIDA
DEPARTMENT OF REVENUE
(In his official capacity)




Notice of Appeal

NOTICE IS GIVEN that William A. Cabana, Petitioner/Appellant, *pro se* and prepared with the assistance of counsel, appeals to the Florida Second District Court of Appeals, the order of this court, the Honorable Lee E. Haworth, rendered November 27, 2006 (Attached)

The nature of the order is a final order to:

1. Deny Plaintiff's Motion for Summary Judgment and Order Granting Defendant's Motion to Dismiss

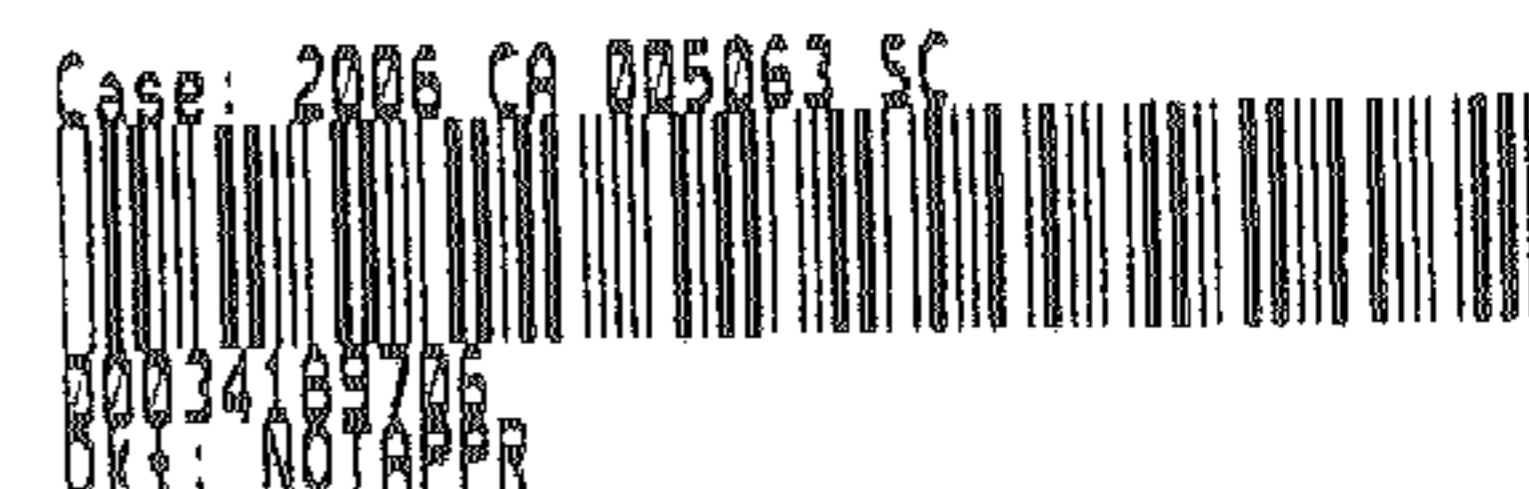
Respectfully submitted,



December 5, 2006

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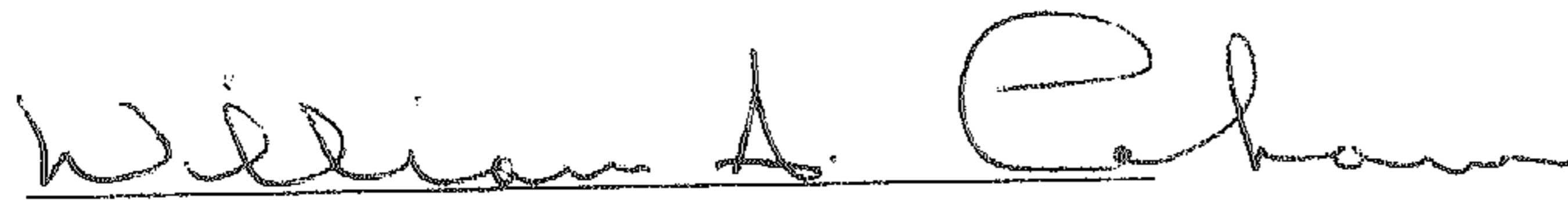
Case: 2006 CA 005063 SC
20061205
DR: NOTAPPR



Certificate of Service

I hereby certify that on this 5 day of December, 2006, I caused a true and accurate copy of this Notice of Appeal to be sent by U.S. mail to:

George Waas, Esq.
Special Counsel
Office of the Attorney General
PL-01 The Capital
Tallahassee, FL 32399-1015
Counsel for the Defendant and for the Office of the Attorney General
[FIRST CLASS MAIL]



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IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA, COUNTY, FLORIDA

WILLIAM A. CABANA,
Plaintiff,

and

Case No. 2006 CA 5063 SC

JAMES ZINGALE, EXECUTIVE
DIRECTOR, FLORIDA
DEPARTMENT OF REVENUE,
Defendant.

**ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
AND ORDER GRANTING DEFENDANT'S MOTION TO DISMISS**

This Cause having come before the court on November 27, 2006 on the Plaintiff's Motion for Summary Judgment and the Defendant's Motion to Dismiss and the court after hearing argument of parties and being otherwise advised in the premises, it is hereupon

Ordered and Adjudged that the Plaintiff's Motion for Summary Judgment is denied. It is further

Ordered and Adjudged that the Defendant's Motion to Dismiss Plaintiff's Complaint is granted with prejudice.

Done and Ordered in Chambers, in Sarasota County, Florida on this ____ day of November, 2006.

NOV 27 2006

LEE E. HAWORTH, CIRCUIT JUDGE

Copies furnished to:

George Waas, Special Counsel
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