

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

Case Number 501971DR004137XXDIFD

In Re Marriage of  
WILLIAM A. CABANA  
Petitioner, Former Husband, pro se

and

SHARON ANN MAYO f/k/a  
SHARON ANN CABANA  
Respondent, Former Wife.

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SHARON R. BOCK  
CLERK & COMPTROLLER  
FAMILY DIVISION

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**Notice of Appeal**

**NOTICE IS GIVEN** that William A. Cabana, Petitioner/Appellant, *pro se*, appeals to the Florida Fourth District Court of Appeals, the orders of this court, the Honorable Martin Colin, rendered September 7, 2005 (Attached)

The natures of the orders are a final order to:

(a) Deny Former Husband's Motion Objecting to Court Orders Granting Former Wife's Request for Attorney's Fees,

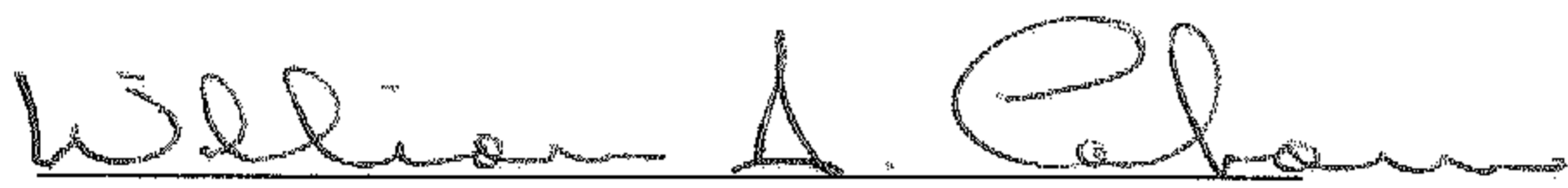
(b) Deny Petitioner's Motion and Memorandum of Law to Terminate Alimony,

(c) Deny Declaratory Judgment Motion to Challenge the Constitutionality of the Permanent Alimony Statute and

(d) Deny, in part, Former Husband's Motion to Deny Former Wife's Motions as follows:

Amended Motion for Contempt,  
Notice of Intent to use Summaries and Compilations,  
Notice of Production from Non-party,  
Motion to Strike Contempt Defenses,  
Motion to Compel Production, Interrogatories and Financial Affidavit and  
Motion for Change of Venue.

Respectfully submitted,



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**Certificate of Service**

I hereby certify that on this 27th day of September, 2005, I caused a true and accurate copy of this Notice of Appeal to be sent by U.S. mail to:

Cathy L. Kamber, Esq.  
Attorney For Sharon Ann Mayo:  
1675 Palm Beach Lakes Boulevard  
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IN THE CIRCUIT COURT OF THE 15<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO: 501971DR004137XXDIFD

WILLIAM A. CABANA,  
Petitioner/Former Husband,

FAMILY DIVISION

and

SHARON ANN MAYO f/k/a  
SHARON ANN CABANA  
Respondent/Former Wife.

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**ORDER ON FORMER HUSBAND'S MOTION OBJECTING TO COURT  
ORDERS GRANTING FORMER WIFE'S REQUEST FOR ATTORNEYS FEES**

THIS CAUSE came before the Court on August 29, 2005 on Former Husband's Motion Objecting to Court Orders Granting Former Wife's Request For Attorneys Fees bearing certificate of service dated August 22, 2005 (D.E. 223). The Court, having considered the motion, argument, and being otherwise fully advised in the premises,

**ORDERS AND ADJUDGES** as follows:

1. Former Husband's Motion Objecting to Court Orders Granting Former Wife's Request For Attorneys Fees bearing certificate of service dated August 22, 2005 is hereby denied.

**DONE AND ORDERED** at West Palm Beach, Palm Beach County, Florida, this

\_\_\_\_\_ day of September, 2005.

**SIGNED & DATED**

SEP - 7 2005

\_\_\_\_\_  
CIRCUIT COURT JUDGE

JUDGE MARTIN H. COLIN

Cathy L. Kamber, Esq., 1675 Palm Beach Lakes Blvd., Suite 700, West Palm Beach, FL 33401

William A. Cabana, 1050 Capri Isles Blvd., #F105, Venice, FL 34292

IN THE CIRCUIT COURT OF THE 15<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO: 501971DR004137XXDIFD

WILLIAM A. CABANA,  
Petitioner/Former Husband,

FAMILY DIVISION

and

SHARON ANN MAYO f/k/a  
SHARON ANN CABANA  
Respondent/Former Wife.

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**ORDER DENYING PETITIONER'S MOTION AND MEMORANDUM OF LAW  
TO TERMINATE ALIMONY**

**THIS CAUSE** came before the Court on August 29, 2005 on Petitioner's Motion and Memorandum of Law to Terminate Alimony bearing certificate of service dated July 25, 2005. The Court, having considered the motion, legal argument and being otherwise fully advised in the premises,

**ORDERED AND ADJUDGED** as follows:

1. To the extent that Petitioner's Motion and Memorandum of Law to Terminate Alimony seeks a non evidentiary legal determination that the alimony provisions contained in Florida Statutes Chapter 61 are unconstitutional, or otherwise seeks a declaratory judgment that Florida Statutes Chapter 61 is violative of either the Florida or Federal Constitution, or otherwise seeks an injunction prohibiting enforcement of this Court's prior award of alimony to Former Wife, the motion is denied with prejudice. Former Husband is specifically enjoined from refileing any pleading seeking the relief sought by him in the subject Motion



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*Order Denying Petitioner's Motion and Memorandum of Law to Terminate Alimony*

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and Memorandum of Law to Terminate Alimony.

2. The foregoing ruling shall not preclude an independent consideration of Former Husband's Supplemental Petition for Modification of Alimony upon a proper evidentiary hearing.

**DONE AND ORDERED** at West Palm Beach, Palm Beach County, Florida, this

\_\_\_\_\_ day of September, 2005.

**SIGNED & DATED**

**SEP - 7 2005**

\_\_\_\_\_  
**CIRCUIT COURT JUDGE JUDGE MARTIN H. COLIN**

Cathy L. Kamber, Esq., 1675 Palm Beach Lakes Blvd., Suite 700, West Palm Beach, FL 33401

William A. Cabana, 1050 Capri Isles Blvd., #F105, Venice, FL 34292

IN THE CIRCUIT COURT OF THE 15<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO: 501971DR004137XXDIFD

WILLIAM A. CABANA,  
Petitioner/Former Husband,

FAMILY DIVISION

and

SHARON ANN MAYO f/k/a  
SHARON ANN CABANA  
Respondent/Former Wife.

ORDER ON DECLARATORY JUDGMENT MOTION TO CHALLENGE THE  
CONSTITUTIONALITY OF THE PERMANENT ALIMONY STATUTE

**THIS CAUSE** came before the Court on August 29, 2005 on Former Husband's Declaratory Judgment Motion to Challenge the Constitutionality of the Permanent Alimony Statute (D.E. 104). The Court, having considered the motion, argument, and being otherwise fully advised in the premises,

**ORDERS AND ADJUDGES** as follows:

1. Former Husband's Declaratory Judgment Motion to Challenge the Constitutionality of the Permanent Alimony Statute is hereby denied.

**DONE AND ORDERED** at West Palm Beach, Palm Beach County, Florida, this

\_\_\_\_\_ day of September, 2005.

**SIGNED & DATED**

SEP - 7 2005

\_\_\_\_\_  
CIRCUIT COURT JUDGE JUDGE MARTIN H. COLIN

Cathy L. Kamber, Esq., 1675 Palm Beach Lakes Blvd., Suite 700, West Palm Beach, FL 33401

William A. Cabana, 1050 Capri Isles Blvd., #F105, Venice, FL 34292



IN THE CIRCUIT COURT OF THE 15<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO: 501971DR004137XXDIFD

WILLIAM A. CABANA,  
Petitioner/Former Husband,

FAMILY DIVISION

and

SHARON ANN MAYO f/k/a  
SHARON ANN CABANA  
Respondent/Former Wife.

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**ORDER DENYING FORMER HUSBAND'S MOTION TO DENY FORMER  
WIFE'S AMENDED MOTION FOR CONTEMPT, NOTICE OF INTENT TO USE  
SUMMARIES AND COMPILATIONS, MOTION TO DISMISS  
SUPPLEMENTAL PETITION FOR MODIFICATION, NOTICE OF  
PRODUCTION FROM NON PARTY, MOTION TO STRIKE CONTEMPT  
DEFENSES, MOTION TO COMPEL PRODUCTION, INTERROGATORIES  
AND FINANCIAL AFFIDAVIT, AND IN ADDITION FORMER HUSBAND'S  
MOTION FOR CHANGE OF VENUE**

THIS CAUSE came before the Court on August 29, 2005 on Former Husband's Motion to Deny Former Wife's Amended Motion for Contempt, Notice of Intent to Use Summaries and Compilations, Motion to Dismiss Supplemental Petition for Modification, Notice of Production from Non Party, Motion to Strike Contempt Defenses, Motion to Compel Production, Interrogatories and Financial Affidavit and in Addition Former Husband's Motion for Change of Venue (D.E.157). The Court, having considered the motion, legal argument and being otherwise fully advised in the premises,

**ORDERED AND ADJUDGED** as follows:

1. To the extent that Former Husband seeks an Order Denying Former Wife's



Amended Motion for Contempt, same is denied as insufficient legal grounds have been asserted in support of the motion.

2. To the extent that Former Husband's motion seeks to deny Former Wife's Notice of Intent to Use Summaries and Compilations, same is denied. Former Husband's argument that the Former Wife's summaries do not agree with the Clerks's records is an insufficient basis to strike Former Wife's properly filed Notice of Intent to Use Summaries and Compilations.

3. To the extent that Former Husband seeks to compel production, same is moot.

4. To the extent that Former Husband seeks a change in venue, same is denied.

5. To the extent that Former Husband's motion addresses Former Wife's previously filed Motion to Dismiss, same is addressed in a separate order entered by this Court of even date.

**DONE AND ORDERED** at West Palm Beach, Palm Beach County, Florida, this

\_\_\_\_\_ day of September, 2005.

**SIGNED & DATED**

SEP - 7 2005

\_\_\_\_\_  
CIRCUIT COURT JUDGE MARTIN H. COLIN

Cathy L. Kamber, Esq., 1675 Palm Beach Lakes Blvd., Suite 700, West Palm Beach, FL 33401

William A. Cabana, 1050 Capri Isles Blvd., #F105, Venice, FL 34292