

**IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN
AND FOR PALM BEACH COUNTY,
FLORIDA
Family Division
Case No. 501971 DR004137XXDIFD**

**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.**

Motion in Opposition to Former Wife's Motion for Attorney Fees

**COMES NOW WILLIAM A. CABANA, pro se, respectfully objecting to Former
Wife's Motion for Attorney Fees. In support he offers,**

1. Former Husband has filed a recent financial affidavit and complied with all orders of this court to produce financial records indicating his financial status, i.e. he has income below the United States Department of Health and Human Services 2004 poverty income level for a single person. The financial affidavit indicates his assets and liabilities and income.
2. The hardship of Former Husband's financial situation is significant and precludes him from paying any legal expenses other than that of what is incurred by him in his pro se defense.
3. Former wife has not complied with Request to Produce. She has not provided all the items required by the Interrogatories and discovery. She has filed a Notice of

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Compliance before she has fulfilled all the requirements of the applicable rules for said documents and there are still financial records outstanding.

WHEREFORE Former Husband prays that this Honorable Court enter an Order adjudicating Former Wife as follows:

1. Deny all former wife's motions until she submits accurate and complete financial affidavit and records to the Former Husband and this court. .
2. Former Wife's intent to deliberately misrepresent her financial affidavit of August 14, 2003 with many erroneous entries represents unclean hands conduct such that her motions must be denied and her claims for attorney fees be denied.
3. In regard to Ms. Mayo's request for attorney's fees in these proceedings, Former Husband would like to make reference to Rubin v. Rubin , 204 Conn. 224, 527 A.2d 1184 (1987). In order to do so, he would need to have the ability to pay. He does not have the ability to pay. Therefore, he submits that her request be denied.

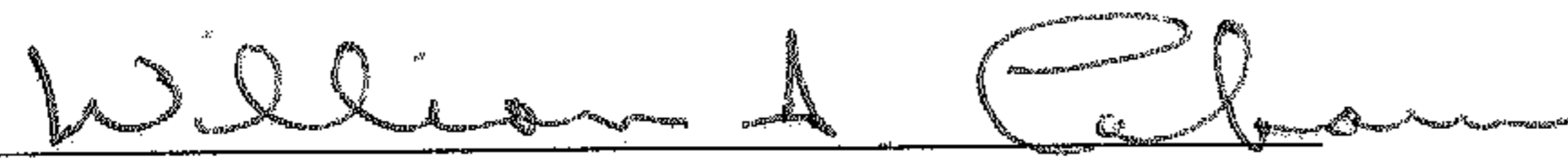
Respectfully submitted,



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Certificate of Service

I certify that a copy of this Motion in Opposition to Former Wife's Motion for Attorney Fees was mailed to Cathy L. Kamber, P.A., Attorneys for former wife., 1675 Palm Beach Lakes Boulevard, The Forum, Tower A, Suite 700, West Palm Beach, FL 33401 this 29th day of June, 2005



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