

**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 Objecting To Former Wife's Objection To
Former Husband's Notice Of Appearance By Phone**

COMES NOW WILLIAM A. CABANA, pro se, respectfully objecting to the
Motion Objecting To Former Wife's Objection To Former Husband's Notice Of
Appearance By Phone. In support he offers,

1. On August 18, 2005, Former Wife filed an Emergency Motion for Injunction, Sanctions, and Other Relief.
2. On August 31, 2005, Former Husband filed a Motion to Deny Mayo's Request for an Emergency Motion for Injunctions, For Sanctions, and for Other Relief.
3. All the arguments necessary to rebut all arguments in Former Wife's emergency motion are contained in Former Husband's motion to deny.
4. Former Husband has stated in his financial affidavit filed June 9, 2005 that he has an income below the Federal poverty level and traveling to West Palm Beach, FL for a hearing on this motion would be an expense beyond his means or capacity to afford.

5. The Honorable Judge Colin has in previous hearings indicated that he will consider the Former Husband's requests to appear by phone due to the hardship and expense of traveling from Venice, FL to West Palm Beach, Florida.

6. Former Wife's ex parte request to the Honorable Judge Colin for an emergency hearing without noticing Former Husband and misrepresenting to the court that she had met the requirements of F.R.Civ. P. Rule 1.610 when in fact she had not constitutes unclean hands.

WHEREFORE WILLIAM A. CABANA prays that the Court take jurisdiction over this matter, enter such orders as are appropriate to expedite consideration of this motion, and adjudicating Former Wife as follows:

1. Permit the Former Husband to appear by phone.
2. Awarding WILLIAM A. CABANA all costs pursuant to F.S. §57.105, §86.011 and a reasonable attorneys' fee for the prosecution of this action pursuant to, 42 U.S.C. 1988 and Florida common law.

Respectfully submitted,

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Certificate of Service

I certify that a copy of this request for a Motion Objecting To Former Wife's Objection To Former Husband's Notice Of Appearance By Phone was faxed and 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 8th day of September, 2005

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