

**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.

Former Husband's Motion to Strike Former Wife's Financial Affidavit

COMES NOW WILLIAM A. CABANA, pro se, respectfully objecting to Former Wife's Financial Affidavit. In support he offers,

1. On May 5, 2005, Former Husband filed a Motion to Compel Financial Affidavit and Interrogatories.
1. On June 9, 2005, Former Wife filed a First Amended Family Law Financial Affidavit (short form) hereinafter known as Affidavit.
2. On June 23, 2005, Former Wife filed a Certificate with Mandatory Disclosure hereinafter known as Disclosure.
3. On June 23, 2005, Former Wife filed a Notice of Service of Answers to Standard Family Law Interrogatories for Original or Enforcement Proceedings hereinafter known as Answers.

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4. On May 16, 2005, Former Husband filed a Notice of Service of Standard Family Law Interrogatories along with 7 questions to be answered by Former Wife hereinafter known as Interrogatories.

5. On June 13, 2005, Former Husband filed a Notice to Produce that delineated a list of documents required for discovery hereinafter known as the List.

6. On June 16, 2005, Former Husband filed a Motion to Compel Interrogatories and Mandatory Discovery.

7. Former Wife has failed to comply with the applicable rules of discovery and has only submitted a sketchy outline of her financial details and in some cases has omitted them completely. The failure to produce 1040's as corroboration of income along with other supporting data raises question about the accuracy and honesty of the financial affidavit and therefore this court should strike it from the record.

8. The court has no accurate assessment of income to determine her needs and without a need, there is no need for an alimony payment.

9. 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.

WHEREFORE Former Husband prays that this Honorable Court:

1. Enter an Order granting Former Husband's Motion to Strike Former Wife's Financial Affidavit and for such and other relief as may be proper:

2. Deny all former wife's motions until she submits accurate and complete financial affidavit and records to the Former Husband and this court. .

Respectfully submitted,

William A. Cabana

William A. Cabana, pro se
1050 Capri Isles Blvd., Apt F-105
Venice, FL 34292
Telephone/Fax: 941-480-1395
Email: bcabana2@comcast.net

Certificate of Service

I certify that a copy of this Motion to Strike Former Wife's Financial Affidavit 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 30th day of June, 2005

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Venice, FL 34292
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Email: bcabana2@comcast.net