

~~April 23, 2004~~  
19 April 04

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

Case No.: 71-C-4137-FD

In Re the Marriage of:

WILLIAM A. CABANA,  
Former Husband  
and

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

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APR 23 2004  
DOROTHY H. WILKEN  
CLERK OF CIRCUIT COURT  
FAMILY DIVISION

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Former Husband's Reply to Former Wife's Objection to  
Interrogatories and Motion for Protective Order

Comes now the Former Husband WILLIAM CABANA, pro se, and objects to the Former Wife's Objection to Interrogatories and Motion for Protective Order and in support thereof states as follows:

1. This case was removed to Federal Court April 7, 2004.
2. Motion for Modification. The former husband Supplemental Petition for Modification was filed with the Clerk of the Court, Fifteenth Judicial Circuit Court, well prior to filing of Removal to Federal Court.
3. Interrogatories. The former husband noticed the former wife the interrogatories for modification available as Family Law Form 12.930(c). They were obtained from the Florida Court's Self-Help Center at the website: <http://www.flcourts.org>. The instructions for this form specifically state that "*this form should be used in modification proceedings*

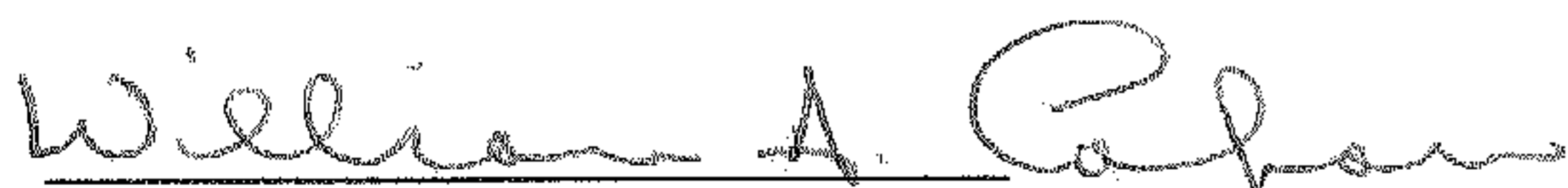
*and are meant to supplement the information provided in the Financial Affidavits.”* The Financial Affidavit in fact is a part of the case records and was filed with the court on 14 August 2003.

4. Removal Statement. The verbal statement of a willingness to consider withdrawal of Removal by the former husband at the April 7, 2004 hearing before Magistrate Finelli was rejected by Her Honor. Her Honor stated the Removal continues in effect absent a written withdrawal of the Removal by the former husband.
5. Attorney Fees. Former Wife has not demonstrated a need for attorney fees. Furthermore, the former husband has no ability to pay former wife's attorney fees.
6. Forma Pauperis. Former Husband has filed a forma pauperis petition in this action.

Wherefore, former husband respectfully requests the Court

- a. Recognize this case was removed to federal court and former wife's Objection is inapposite and in the alternative,
- b. Deny or overrule the Formers wife's objection to interrogatories and motion for protective order.
- c. Take notice the interrogatories noticed to the former wife are appropriate discovery.
- d. Deny the former wife's request for attorney fees.

Respectfully submitted



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**Certificate of Service**

I certify that a copy of this objection was mailed to Renick and Kamber, 1530 No. Federal Highway, Lake Worth, Florida 33460, attorney for Sharon A. Mayo this 19<sup>th</sup> day of April 2004.



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