

IN THE CIRCUIT COURT OF THE 15th JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

Family Division
Case No. 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.

SUPPLEMENTAL PETITION FOR MODIFICATION OF ALIMONY
REQUESTING SUPPORT FOR FORMER HUSBAND

I, WILLIAM A. CABANA, pro se, with assistance of counsel, being sworn, certify that the following information is true:

1. The parties to this action were granted a final judgment () of dissolution of marriage () for support unconnected with a dissolution of marriage on July 28, 1972. A copy of the final judgment and any modification(s) are attached.
2. Paragraph(s) 1 (B) of the () final judgment or () most recent modification thereof establishes the present alimony arrearages of \$87,661 payable at \$250, plus a \$5.25 service fee every () week () other week () month, beginning on February 1, 2006.
3. Since the final judgment, there has been a substantial change in circumstances, requiring a modification of alimony. This change in circumstance is as follows:
 - a. Former Husband, aged 71 years old, retired in 1999.
 - b. Former Husband is indigent and is not in good health and is currently being treated for anxiety resulting from ongoing legal proceedings, vision problems, ulcers, gastritis, diverticulitis, colon polyps, high cholesterol levels, and high blood pressure.
 - c. Former Husband is unable to make court ordered alimony arrearage payments and maintain a minimum standard of living.
 - d. Former Husband has been a ward of the Florida State Welfare system receiving Medicaid, food stamps and HUD housing assistance since July, 2002.

- e. Former Husband was declared indigent on May 16, 2006, when the Honorable Judge Martin Colin granted Former Husband's Motion to Proceed Without Prepaying the 4th DCA appeal fees due to his indigent status. (DE 379)
 - f. Former Husband's indigent status was ratified on August 28, 2006, when Magistrate Leonard Hanser denied a Former Wife's Motion For Contempt for not paying attorney's fees due to his indigent status. (DE 398)
 - g. Due to a post dissolution reversal of financial status, former Husband now has a greater need of support to provide for basic necessities of life and former Wife has the greater ability to pay.
4. I ask the Court to modify support payments as follows:
- a. To provide former Husband with permanent periodic support in the amount of \$2,000 per month. Said payments to be made in accordance with § 61.08 (4)(a), Fla. Stat. (2005) which states: "the court shall direct in the order that the payments of alimony be made through the appropriate depository as provided in s. 61.181."
 - b. To provide former Husband retroactive support in the amount of \$2,000 per month back to the January 6, 2006 date of the hearing granting alimony arrearage payments.
 - c. In the alternative, former Husband is requesting a lump-sum settlement payment in the amount of \$200,000 to settle all his support claims and obligations for any and all alimony arrearages owed by him in this case. Concurrently with a lump-sum payment, this court is requested to settle and finalize all related matters that currently exist now, to terminate all further jurisdiction in this case for any and all related matters and to close this case.
 - d. Former Husband requests life insurance on former Wife's life, to be paid for by her, to secure payments of such support.
 - e. For such and other relief that is proper.
 - f. Awarding Former Husband costs and fees in accordance with § 61.16 (1), Fla. Stat. (2005)
5. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b), was filed September 15, 2008 (DE 429)
6. Other: None
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I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: October 6, 2008

William A. Cabana, pro se, with assistance of counsel
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STATE OF FLORIDA
COUNTY OF SARASOTA

Sworn to or affirmed and signed before me on _____ by William A. Cabana.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

____ Personally known
____ Produced identification
____ Type of identification produced

Certificate of Service

I HEREBY CERTIFY that a true copy of this Supplemental Petition For Modification was mailed to Sharon Ann Mayo, 220 Almeria Ave., West Palm Beach, FL 33405 this 6th day of October, 2008

Respectfully submitted,

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