

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT, IN AND FOR
BROWARD COUNTY, FLORIDA

IN RE: ESTATE OF

HARRY BRUCE JONES,

Deceased.

PROBATE DIVISION

CASE NO.: 07-1771
DIVISION 60- GROSSMAN

POSTED

NOTICE OF APPEAL

NOTICE IS GIVEN that Edward I. Golden, Esq., as Curator of the Estate of Katherine E. Jones, by and through undersigned counsel, appeals to the Fourth District Court of Appeal, the order of this Court rendered May 2, 2012 (conformed copy attached). The nature of the order is a final Order on Curator's Amended Motion to Compel Payment of Share Value Pursuant to Modification of Marital Settlement Agreement; Petition for Order Declaring Statement of Claim Timely Filed and/or for Enlargement of Time to File Statement of Claim, Nunc Pro Tunc; Personal Representative's Amended Motion to Strike Guardian's Statement of Claim; and Motion to Strike Curator's Motion to Compel Payment.

[CERTIFICATE OF SERVICE ON FOLLOWING PAGE]

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing was sent by Facsimile and U.S. Mail this 29 day of May, 2012 to: **Michael E. Jones, Esquire**, Michael E. Jones, P.A., 440 South Andrews Avenue, Ft. Lauderdale, FL 33301, *counsel for Carol Ann Jones, Personal Representative*; **Jesse H. Diner, Esquire**, Fowler White Boggs, P.A., f/k/a Atkinson, Diner, Stone, Mankuta & Ploucha, P.A., One Financial Plaza-Suite 1400, 100 Southeast Third Avenue, Fort Lauderdale, Florida 33394, *Co-Counsel for Carol Ann Jones Personal Representative*; **Cheryl Silverman, Esquire**, Cheryl Silverman, P.A., 1533 Sunset Drive, Suite 120, Coral Gables, FL 33143, *counsel for Anthony Romano, Guardian for the Guardianship of Katherine E. Jones*; **William Palmer, Esquire**, Shutts & Bowen LLP, 1500 Miami Center, 201 South Biscayne Boulevard, Miami, FL 33131, *counsel for Thomas Sharp*.

GOLDEN & COWAN, P.A.
Palmetto Bay Law Center
17345 South Dixie Highway
Miami, Florida 33157
Telephone: (305) 856-5440
Facsimile: (305) 856-9388

By: 

WILLIAM H. GLASKO, ESQ.
Florida Bar No. 167916

THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA
PROBATE DIVISION

IN RE: ESTATE OF

CASE NO: 07-1771

HARRY BRUCE JONES

DIVISION: 600

Deceased.

2012 MAY -2 PM 2:52
PROBATE
CLERK OF COURT
BROWARD COUNTY, FLORIDA

ORDER STRIKING UNTIMELY FILED CLAIM

THIS MATTER is before the Court upon the Amended Motion to Strike Guardian's Statement of Claim and Motion to Strike Curator's Motion to Compel Payment of Carol Ann Jones, Personal Representative of the above estate for an order striking the Guardian's Statement of Claim filed in this proceeding on January 14, 2009. Having heard the arguments of counsel, reviewed the Motion and the Court file, and being otherwise fully advised in the premises, the Court finds that pursuant to the provisions of Sections 733.702 and 733.710 of the Florida Probate Code and established case law,¹ the claim was not timely filed and no extension to file the claim was sought. It is therefore,

ORDERED and ADJUDGED that Carol Ann Jones' Motion to Strike is hereby GRANTED. The Guardian's Statement of Claim of filed on January 14, 2009, is hereby stricken.

DONE and ORDERED in Broward County, Fort Lauderdale, Florida this 2d day of May, 2012.


MEL GROSSMAN
Circuit Judge

A TRUE COPY
HOWARD C. FORMAN

cc:

¹ See *Lubee v. Adams*, 77 So. 3d 882, 884 (Fla. 2d DCA 2012); *Morgenthau v. Andzel*, 26 So. 3d 628 (Fla. 1st DCA 2009); *Comerica Bank & Trust, F.S.B. v. SDI Operating Partners, L.P.*, 673 So. 2d 163 (Fla. 4th DCA 1996); see also *Faerber v. D.G.*, 928 So. 2d 517, 518 (Fla. 2d DCA 2006); *May v. Illinois Nat'l Ins. Co.*, 771 So. 2d 1143, 1157 (Fla. 2000).

MAY 07 2012

Edward Golden, Esq.
William H. Glasko, Esq.
GOLDEN & COWAN, P.A.
Palmetto Bay Law Center
17345 South Dixie Highway
Miami, FL 33157

Michael E. Jones, Esq.
440 South Andrews Avenue
Fort Lauderdale, FL 33301

Luis Barreto, Esq.
Biscayne Building
19 West Flagler Street, Ste. 507
Miami, FL 33130

Jessie H. Diner, Esq.
ATKINSON, DINER, STONE,
MANKUTA & PLOUCA, P.A.
One Financial Plaza Ste. 1400
100 Southeast Third Avenue
Fort Lauderdale, FL 33394

Cheryl Silverman, Esq.
1533 Sunset Drive, Ste. 120
Coral Gables, FL 33143

William Palmer, Esq.
Shutts & Bowen, LLP
1500 Miami Center
201 South Biscayne Blvd.
Miami, FL 33131