

FIFTH DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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Case No. 5D23-2666  
LT Case No. 2020-31158-FMCI

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GLEB BORISOVICH RYBKIN,

Appellant,

v.

ARINA KIRILINA a/k/a Arina  
Rybkin,

Appellee.

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On appeal from the Circuit Court for Volusia County.  
Stasia Warren, Judge.

Gleb Borisovich Rybkin, Moreno Valley, CA, pro se.

No Appearance for Appellee.

April 9, 2024

HARRIS, J.

Gleb Borisovich Rybkin (“Former Husband”) appeals the trial court’s August 4, 2023 order adopting the general magistrate’s recommended order granting Arina Kirilina’s (“Former Wife”) motion for civil contempt/enforcement and the trial court’s August 9, 2023 order denying his motion for disqualification. Because a petition for writ of prohibition is the

proper procedure for appellate review of an order denying a motion to disqualify, we treat that portion of the appeal as such. *See Rainey v. Rainey*, 702 So. 2d 306 (Fla. 5th DCA 1997).

Former Husband challenges the factual findings made by the general magistrate and adopted by the trial court and the court's subsequent denial of his motion for disqualification. However, the record on appeal contains no transcripts from the hearings, preventing this court from reviewing the evidence presented below to determine whether the factual findings were sufficiently supported. *See Duke v. Duke*, 211 So. 3d 1078, 1080 (Fla. 5th DCA 2017) (citing *Applegate v. Barnett Bank of Tallahassee*, 377 So. 2d 1150, 1152 (Fla. 1979)).

Because Former Husband has failed to demonstrate any error below, we affirm the order on appeal and deny the petition for writ of prohibition.

AFFIRMED; PETITION DENIED.

JAY and PRATT, JJ., concur.

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***Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.***

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