

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

FRANK A. TESTA,
Petitioner,

v.

LAURA TESTA,
Respondent.

No. 4D15-1914

[August 27, 2015]

Petition for writ of certiorari to the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Dennis D. Bailey, Judge; L.T. Case No. 08-9351 (44).

Frank A. Testa, Fort Lauderdale, pro se.

Sharon Pollack Nowell of Law Offices of Mitchell S. Shea, P.A., Plantation, for respondent.

PER CURIAM.

The former husband seeks certiorari review of a trial court order that barred him from further pro se filing in this 2008 post-dissolution family law case. We grant the petition and quash the order because the trial court did not issue an order to show cause and did not provide notice and an opportunity to respond before imposing the sanction. *Bolton v. SE Prop. Holdings, LLC*, 127 So. 3d 746 (Fla. 1st DCA 2013); *Delgado v. Hearn*, 805 So. 2d 1017 (Fla. 2d DCA 2001); *see also State v. Spencer*, 751 So. 2d 47 (Fla. 1999).

On remand, the trial court shall issue an order to show cause and afford the former husband a reasonable time to respond before determining whether the sanction is appropriate.

Petition granted and order quashed.

LEVINE, CONNER and KLINGENSMITH, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.