

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2007*

**RONALD PLAVNICKY,**  
Petitioner,

v.

**LAURIE DELUICIA,**  
Respondent.

Nos. 4D07-466 & 4D07-527

[April 11, 2007]

PER CURIAM.

Ronald Plavnicky petitioned this court for a writ of prohibition to prevent the trial judge from presiding in the post-dissolution matters pending below. Plavnicky also petitioned this court for a writ of mandamus to compel the trial judge to rule on a pending motion for disqualification. On February 6, 2007, this court issued the former wife orders to show cause why the petitions should not be granted. Issuing the show cause order on the petition for writ of prohibition automatically stayed the proceedings in the trial court pursuant to Florida Rule of Appellate Procedure 9.100(h). However, the trial judge subsequently ruled on the motion for disqualification and entered some additional orders regarding contempt proceedings. Plavnicky then filed a second petition for writ of prohibition.

The trial judge did not have jurisdiction while the stay was in effect, and as a result, these orders are a nullity. *See Leslie v. Leslie*, 840 So.2d 1097 (Fla. 4th DCA 2003). Accordingly, the orders entered after the February 6, 2007 show cause order are vacated without prejudice for the judge to reissue the orders. The three petitions are otherwise denied. The record does not show that the successor judge is in fact “not fair and impartial.” Fla. R. Jud. Admin. 2.330(g).

WARNER, POLEN and MAY, JJ., concur.

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Consolidated petitions for writ of prohibition and writ of mandamus to

the Circuit Court for the Seventeenth Judicial Circuit, Broward County;  
Lawrence L. Korda, Judge; L.T. Case No. 04-16794 41 93.

Melody Ridgley Fortunato of Fortunato & Associates, P.A., Fort  
Lauderdale, for petitioner.

Joyce A. Julian of Joyce A. Julian, P.A., Fort Lauderdale, for  
respondent.

***Not final until disposition of timely filed motion for rehearing***