

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

HERBERT SHERMAN,

Petitioner,

v.

TOWN OF BAY HARBOR ISLANDS
and FLORIDA MUNICIPAL
INSURANCE TRUST,

Respondents.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED.

CASE NO. 1D06-3920

Opinion filed September 20, 2006.

Petition for Writ of Prohibition -- Original Jurisdiction.

Mark L. Zientz and Andrea Cox of the Law Offices of Mark L. Zientz, P.A., Miami,
for Petitioner.

No appearance for Respondents.

PER CURIAM.

As the motion to disqualify was not timely filed pursuant to Florida Rule of
Judicial Administration 2.160(e), the petition for writ of prohibition is denied.

ALLEN, WEBSTER, and DAVIS, JJ., CONCUR.