

# Third District Court of Appeal

## State of Florida

Opinion filed July 17, 2019.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D19-1165  
Lower Tribunal No. 06-24000B

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**Wade Pounds,**  
Petitioner,

vs.

**The State of Florida,**  
Respondent.

A Case of Original Jurisdiction – Prohibition.

Wade Pounds, in proper person.

Ashley Moody, Attorney General, for respondent the State of Florida.

Before SALTER, MILLER, and GORDO, JJ.

MILLER, J.

We treat the instant appeal as a petition for writ of prohibition. See Benitez v. Benitez, 44 Fla. L. Weekly D999 (Fla. 3d DCA Apr. 17, 2019); Eato v. State, 7

So. 3d 633 (Fla. 3d DCA 2009). As the trial court properly denied the disqualification motion as legally insufficient, we hereby deny the petition for writ of prohibition. See Fla. R. Jud. Admin. 2.330(f) (“If any motion is legally insufficient, an order denying the motion shall immediately be entered.”); see also Thompson v. State, 759 So. 2d 650, 659 (Fla. 2000) (“[T]he fact that a judge has ruled adversely to the party in the past does not constitute a legally sufficient ground for a motion to disqualify.”) (citations omitted).

Petition denied.