

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, A.D. 2002

PATRICIA POLLAK WEISS, **

Petitioner, **

vs. **

CASE NO. 3D02-1806

PHYLLIS POLLAK BERKETT, As **
the Successor Interim Trustee **
of the Trusts Under the Will **
of Albert Pollak, Deceased, **
and the Albert Pollak Inter **
Vivos Trusts, **

LOWER
TRIBUNAL NOS. 92-4112
91-5143

Respondent. **
**

Opinion filed October 9, 2002.

A Writ of Prohibition to the Circuit Court for Miami-Dade
County, Maria M. Korvick, Judge.

Patricia Pollak Weiss, in proper person.

Hirschhorn & Bieber and Joel Hirschhorn; Jacobs Chase Frick &
Kelley and Jonathan C. Oster; and Susan E. Durre', for respondent.

Linda Kelly Kearson, General Counsel, 11th Judicial Circuit of
Florida, for Maria M. Korvick, Judge.

Before GERSTEN, FLETCHER and SHEVIN, JJ.

PER CURIAM.

We grant the petition for writ of prohibition. Here, as we
found in Pollack v. Berkett, 816 So. 2d 1142 (Fla. 3d DCA 2002),

the disqualification motion should have been granted. We are confident that issuance of the writ will be unnecessary.

Prohibition granted.