

# Third District Court of Appeal

State of Florida, July Term, A.D. 2011

Opinion filed December 14, 2011.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D11-2734  
Lower Tribunal No. 04-18009

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**Sheldon Sargent,**  
Petitioner,

vs.

**Valencia Sargent, k/n/a Valencia Duhart**  
Respondent.

A Case of Original Jurisdiction – Prohibition.

Martin Genet, for petitioner.

No appearance for respondent.

Before CORTIÑAS and ROTHENBERG, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Upon consideration of petitioner's application for prohibition seeking the disqualification of the trial judge, this Court issued a rule to show cause why that relief should not be granted. Neither the respondent, who was ordered, nor the trial

judge, who was invited to do so, has replied. Upon consideration, we conclude that the petition for prohibition should be and is hereby granted. We are sure that it will not be necessary to issue the formal writ.

Prohibition granted.