

Third District Court of Appeal

State of Florida, July Term, A.D., 2009

Opinion filed September 15, 2009.
Not final until disposition of timely filed motion for rehearing.

No. 3D09-2501
Lower Tribunal No. 08-18912

Steve Ursi
Petitioner,

vs.

Gina Ursi,
Respondent,

A Case of Original Jurisdiction – Prohibition.

Tracy Belinda Newmark, for petitioner.

Barry Franklin, for respondent.

Before RAMIREZ, C.J., and LAGOA and SALTER, JJ.

PER CURIAM.

Denied. See Ellis v. Henning, 678 So. 2d 825, 827 (Fla. 4th DCA 1996)

(“Without a transcript or sworn factual allegations concerning the context in which

the trial judge's alleged comments arose, we do not find that the allegations in plaintiff's motions to disqualify set forth a legally sufficient ground for recusal. . . . A trial judge's expression of dissatisfaction with counsel or a client's behavior alone does not give rise to a reasonable belief that the trial judge is biased and the client cannot receive a fair trial.”).