

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

JANUARY TERM 2005

**MANUAL DAVID GONZALEZ, and
BRUCE DORZEY**

Petitioners,

v.

STATE OF FLORIDA,

Respondent.

CASE NOS. 4D05-610 & 4D05-641

cases to fear that they could not get a fair and impartial trial. We therefore grant the petitions for writ of prohibition and quash the orders denying the motion for disqualification.

FARMER, C.J., KLEIN and TAYLOR, JJ.,
concur.

***NOT FINAL UNTIL DISPOSITION OF ANY
TIMELY FILED MOTION FOR
REHEARING.***

Opinion filed March 30, 2005

Consolidated petitions for writ of prohibition to the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Ilona M. Holmes, Judge; L.T. Case Nos. 04-10193CF10A and 04-013024CF10-B

Frank A. Maister of Frank A. Maister, P.A.,
Ft. Lauderdale, for petitioners.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Joseph A. Tringali, Assistant
Attorney General, West Palm Beach, for
respondent.

PER CURIAM.

The court sua sponte consolidates these two petitions.

Petitioners moved to disqualify the trial judge, and seek a writ of prohibition from the denial of their motion. Their motion alleged that in 2001, defense counsel, who was then an assistant state attorney, was asked by the trial court to immediately amend an information. When defense counsel asked the court for an opportunity to review the law before amending, the court responded that it "could not stand the sight of" him and that "he has no integrity." These comments could reasonably have prompted defense counsel's clients in these