

Judge steps down in divorce case

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Start Page: 4.B

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Prominent attorney Jonathan Alpert tried four times to get Family Law Judge Monica Sierra to disqualify herself from hearing motions related to his divorce. Each time, Sierra said no.

Now, after denying Alpert's fourth motion to disqualify herself, Sierra has elected to step down. The judge signed an order of recusal, without comment, on Monday.

Sierra's move comes a week after Alpert filed a complaint against her with the Florida Judicial Qualifications Commission.

In an Oct. 20 letter, Alpert, who suffers from multiple sclerosis, complained that Sierra violated his federal disability rights and inflicted "cruel, inhumane and degrading treatment" on him with her rulings involving Alpert's combative divorce from his wife of 23 years, Liz Alpert.

For Jonathan Alpert, the final blow came Oct. 8, when Sierra ruled after an exhaustive hearing that he was in contempt of court for failing to pay his former wife nearly \$104,935 in support. Sierra ordered Alpert to jail that night for five months and 29 days and ruled that he could be released earlier only if he made up all of the \$11,892-a-month alimony payments owed.

Jonathan Alpert spent one night behind bars, a period he recalls as "absolute hell," before his sister and a friend loaned him the \$104,935 needed to get out of jail.

In his complaint to the JQC, Alpert said Sierra made her determination of civil contempt without considering his severe disability, then jailed him at 7 p.m. "so as to preclude any opportunity to obtain a stay" of that ruling.

By the time bailiffs were taking Alpert into custody Oct. 8, his attorneys were unable to reach anyone at the 2nd District Court of Appeal in Lakeland.

Sierra is unfit for service as a judge, Alpert says.

Stanford R. "Sandy" Solomon, Liz Alpert's attorney, has suggested that Jonathan Alpert complains about Sierra simply because he dislikes her rulings.

Jonathan Alpert, who once earned \$400,000 a year, now says he's broke, partly because the stress of his divorce has exacerbated his multiple sclerosis.

But after hearing that he enjoyed several lavish trips and dined frequently in some of Tampa's finer restaurants, Sierra ruled against Jonathan Alpert's request to lower alimony for his ex-wife, who is now a law student living in Sarasota. That ruling is under review by the appellate court in Lakeland.

With Sierra's recusal, the Alperths' case ends up in County Judge Paul Huey's lap. Liz Alpert doubts the judicial treatment of her former husband will improve.

"I can't imagine any other judge would rule differently" than Sierra did, she said Friday. "He savagely, vindictively went after Judge Sierra, and I don't think that goes over well with the judiciary."

Both Alperths expect Judge Huey might be hearing a new contempt motion. Now that it's November, Jonathan Alpert owes another alimony payment of \$11,892 he says he doesn't have.

Jonathan Alpert says he's made just \$35,000 this year and has been advised by his doctor to take a month off work.

"This is something out of Kafka," Jonathan Alpert said. "At this point, Liz has more money than I do. With all my cash gone, I would hope they don't put me in jail again."

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Abstract (Document Summary)

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