

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 11-251

WHEREAS, NICHOLAS D. COX, Statewide Prosecutor in the Office of the Attorney General, has advised Governor RICK SCOTT that John E. Kist is under investigation for allegations of threats against government employees; and

WHEREAS, NICHOLAS D. COX has also advised the Governor that the alleged victims of these threats include employees and former employees in his office, including one who is Mr. Cox's brother-in-law; and

WHEREAS, NICHOLAS D. COX, to avoid any appearance of conflict of interest or impropriety, has voluntarily disqualified himself and has requested the executive assignment of a State Attorney with respect to the investigation and potential prosecution of this case and all related matters; and

WHEREAS, the Honorable MARK A. OBER, State Attorney for the Thirteenth Judicial Circuit of Florida, has agreed to accept an executive assignment in this matter; and

WHEREAS, it is in the best interest of the State of Florida and of the ends of justice that the Honorable MARK A. OBER discharge the duties of NICHOLAS D. COX, pursuant to Section 27.14, Florida Statutes;

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, in obedience to my solemn constitutional duty to "take care that the laws be faithfully executed," and pursuant

to the Constitution and laws of the State of Florida, issue the following Executive Order, effective immediately:

Section 1.

The Honorable MARK A. OBER, State Attorney for the Thirteenth Judicial Circuit of Florida, referred to as the "Assigned State Attorney," is assigned to discharge the duties of NICHOLAS COX, Statewide Prosecutor, Office of the Attorney General, as they relate to the investigation, potential prosecution and all matters related to John E. Kist.

Section 2.

The Assigned State Attorney or one or more Assistant State Attorneys and Investigators, who have been designated by the Assigned State Attorney, shall proceed immediately to any judicial circuit of the State where any act involved in the alleged offenses occurred, and are vested with the authority to perform the duties prescribed herein.

Section 3.

All residents of any circuit described in Section 2 are requested, and all public officials are directed, to cooperate and render whatever assistance is necessary to the Assigned State Attorney, so that justice may be served.

Section 4.


The period of this Executive Assignment shall be for one (1) year, to and including December 14, 2012.

Section 5.

The Assigned State Attorney shall notify the Governor on or before November 14, 2012, if additional time is required.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 14th day of December, 2011.


GOVERNOR

ATTEST:


SECRETARY OF STATE

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA