

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 11-28

(Executive Order of Suspension and Removal)

WHEREAS, on May 17, 2010, an information was filed in the Tenth Judicial Circuit in and for Hardee County, Florida, charging Daniel Ashley Graham, City Commissioner for the City of Wauchula, Florida, with two counts of violation of Florida's Government in the Sunshine Law, violations of section 286.011, Florida Statutes, both misdemeanors; and

WHEREAS, on June 30, 2010, Daniel Ashley Graham pled nolo contendere, the state entered a nolle prosequi on one count and the court withheld adjudication on the other count of violation of Florida's Government in the Sunshine Law, a misdemeanor violation of section 286.011, Florida Statutes; and

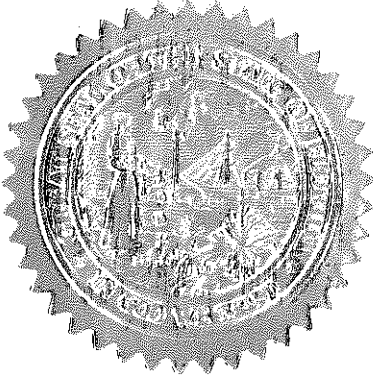
WHEREAS, section 112.51(2), Florida Statutes, provides that the Governor may suspend from office any elected municipal official informed against for the commission of a misdemeanor; and

WHEREAS, section 112.51(5), Florida Statutes, authorizes the Governor to remove a municipal official who is convicted of any charge contained in an information by reason of which the official was suspended under the provisions of section 112.51, a plea of nolo contendere being deemed a conviction pursuant to section 112.51(5), notwithstanding a withholding of adjudication.

NOW, THEREFORE, I, RICK SCOTT, Governor of Florida, pursuant to section 112.51, Florida Statutes, issue the following executive order, effective immediately:

Section 1. Daniel Ashley Graham is hereby suspended from public office, to wit:
City Commissioner for the City of Wauchula, Florida; and

Section 2. Daniel Ashley Graham is hereby removed from public office, to wit: City
Commissioner for the City of Wauchula, Florida.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 11th day of February, 2011.

Handwritten signature of the Governor of Florida.

GOVERNOR

ATTEST:

Handwritten signature of the Secretary of State.
SECRETARY OF STATE

FILED
2011 FEB 11 PM 4:49
TALLAHASSEE FLORIDA

DWS

IN THE COUNTY COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HARDEE COUNTY, STATE OF FLORIDA

STATE OF FLORIDA

VS.

CASE #: 252010mm000362

DANIEL ASHLEY GRAHAM, W/M, 06/04/1953,
[REDACTED]

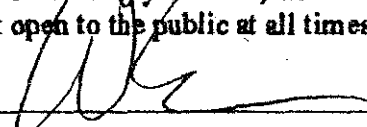
INFORMATION FOR:

- 1) VIOLATION OF FLORIDA'S GOVERNMENT IN THE SUNSHINE LAW
- 2) VIOLATION OF FLORIDA'S GOVERNMENT IN THE SUNSHINE LAW

In the Name and by Authority of the State of Florida:

JERRY HILL, State Attorney for the Tenth Judicial Circuit, by and through his undersigned Assistant State Attorney, charges that DANIEL A. GRAHAM, on SEPTEMBER 14, 2009, in the County of Hardee and State of Florida, as a member of a board or commission of a state agency or authority or of any agency or authority of a county, municipal corporation, or political subdivision, to wit: the Wauchula City Commission, did knowingly conduct, attend or participate in a meeting at which official acts were to be taken, in a manner not open to the public at all times, in violation of Section 286.011, Florida Statutes. (2 DEG MISD)

COUNT 2: Informant aforesaid, under oath, further information makes that DANIEL A. GRAHAM, on MARCH 1, 2010, in the County of Hardee and State of Florida, as a member of a board or commission of a state agency or authority or of any agency or authority of a county, municipal corporation, or political subdivision, to wit: the Wauchula City Commission, did knowingly conduct, attend or participate in a meeting at which official acts were to be taken, in a manner not open to the public at all times, in violation of Section 286.011, Florida Statutes. (2 DEG MISD)



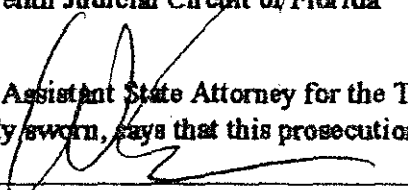
WAYNE M. DURDEN
FL. BAR NO. 0350362
Assistant State Attorney
Tenth Judicial Circuit of Florida

STATE OF FLORIDA
COUNTY OF POLK

Appeared before me, WAYNE M. DURDEN, Assistant State Attorney for the Tenth Judicial Circuit of Florida, personally known to me, who, being first duly sworn, says that this prosecution is in good faith.



DEBORAH G. COLSON
MY COMMISSION # DD 814280
EXPIRES: September 18, 2012
Boasted This Budget History Services



Assistant State Attorney

Sworn to and subscribed to before me this 12 day of May, 2010.

NOTARY PUBLIC, State of Florida

IN THE COUNTY COURT - MISDEMEANOR DIVISION
HARDEE COUNTY, STATE OF FLORIDA

Defendant Present Not Present / Appearance Waived
DATE: 06/30/2010

Bond Summons

DEFENDANT: GRAHAM, DANIEL ASHLEY

LOCATION: M

CASE NUMBER 10-000362 MM MA *** TYPE OF HEARING / CHARGES ARRAIGNMENT SAO

- 1. VIOLATION OF FLORIDAS GOVERNMENT IN THE SUNSHINE LAW (MS)
- 2. VIOLATION OF FLORIDAS GOVERNMENT IN THE SUNSHINE LAW (MS)

JUDGE: JEFF J MCKIBBEN
DA: SELF

PA: JONI L BATTIEMCGREW

AND ENTERING A PLEA:

Not Guilty Written Guilty CT(s) Nolo Contendre CT(s) 2
 Admits VOP Denies VOP

The court accepts defendant's plea(s) as voluntarily given, on the factual basis in the file or as the State announced and ADJUDICATES defendant as follows:

Not Guilty CT(s) Guilty CT(s) Withheld CT(s) 2
 Dismissed by Court CT(s) State to Nolle Prosequi / No Bill CT(s) 1

Trial Before Court Found Guilty Found Not Guilty
 FTA/Capias Ordered Bond Set at \$ _____ or _____ Days Jail Capias Withdrawn Bond Estreated
 Defendant Waives Speedy Trial

REFERRED FOR: Diversionary Program 4 Hr Anger Management 12 Hr Domestic Violence Class
 26 Week Batter's Intervention Program No Alcohol or Bars No Violent Contact W/Victim(s)
 No Contact W/Victim(s) No Weapons or Firearms Alcohol/Drug Evaluation & Treatment if recommended
 Random Urinalysis at Def. expense Warrantless Searches and Seizures 2 Year Driver License Suspension

FINE	1.\$ _____	2.\$ _____	3.\$ _____	4.\$ _____	5.\$ _____
COST	1.\$ _____	2.\$ _____	3.\$ _____	4.\$ _____	5.\$ _____
TOTAL	1.\$ <u>325.00</u>	2.\$ _____	3.\$ _____	4.\$ _____	5.\$ _____

PD FEE \$ _____ INV COST \$ _____ OTHER: COO FEE \$ 300.00

Public Defender Appointed \$ 40 PD APPLICATION FEE Restitution Ordered/Reserved 60 Days SAPC \$50

Monetary Obligations Reduced to: Judgment/Order Lien(s) Cash Bond to be Applied Will pay today

Referred to Clerk's Office to enter into Partial Payment Contract (If defendant fails to report to Clerk's Office or enter into contract for partial payment, a capias will be issued for defendant to be taken into custody to be released for amount due r to see 1st appearance judge.)

OTHER ACTION: defendant waives counsel

Probation Revoked Reinstated

Community Service _____ Hours through probation w/in _____ Days/Months

Count _____ Probation Jail _____ Days/Months/Years

Count _____ Probation Jail _____ Days/Months/Years

Count _____ Probation Jail _____ Days/Months/Years

Count _____ Probation Jail _____ Days/Months/Years

Count _____ Probation Jail _____ Days/Months/Years

Mail Payments to:
PO Drawer 1749 Wauchula, FL 33873
Cashiers Check or Money Order Only

Credit Time Served Remanded to Custody on _____

Count(s) _____ to Run Concurrent Consecutive to Count(s) _____

Case No: _____ to Run Concurrent Consecutive to Case No: _____

Continued: DATE: 7-28-10 TIME: 8:45AM for PH

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, the provision of certain assistance. Please contact the Office of the Court Administrator, (1) 534-4690, within two (2) working days of you receipt of this instrument, if you are hearing or voice impaired, TDD (863) 534-7777 of Florida Relay Service (800) 955-8770

By: Norma Edenfield Deputy Clerk

Jeff J McKibben Judge, Hardee County on the date herein.