

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 12-218

WHEREAS, the Honorable DENNIS WARD, State Attorney for the Sixteenth Judicial Circuit of Florida, has advised Governor RICK SCOTT that John R. Perry, Jr. has filed a Rule 3.800 petition to vacate, set aside or correct his sentence; and

WHEREAS, the Honorable DENNIS WARD has also advised the Governor that an assistant state attorney in his office, while a private defense attorney, represented John R. Perry, Jr. in a different case. This assistant state attorney wrote a response to the defendant's 3.850 Motion which would disqualify the entire state attorney's office from further prosecution of the case; and

WHEREAS, the Honorable DENNIS WARD, to avoid any appearance of conflict of interest or impropriety, has voluntarily disqualified himself and has requested the executive assignment of another State Attorney with respect to the Rule 3.800 petition to vacate, set aside, or correct his sentence; and

WHEREAS, the Honorable KATHERINE FERNANDEZ RUNDLE, State Attorney for the Eleventh 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 KATHERINE FERNANDEZ RUNDLE discharge the duties of the Honorable DENNIS WARD, 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, do hereby promulgate the following Executive Order, effective immediately:

Section 1.

The Honorable KATHERINE FERNANDEZ RUNDLE, State Attorney for the Eleventh Judicial Circuit of Florida, hereinafter referred to as the “Assigned State Attorney,” is hereby assigned to discharge the duties of the Honorable DENNIS WARD, State Attorney for the Sixteenth Judicial Circuit of Florida, as they relate to the Rule 3.800 petition to vacate, set aside, or correct his sentence and all matters related to John R. Perry, Jr.

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 forthwith to the Sixteenth Judicial Circuit of Florida, and are hereby vested with the authority to perform the duties prescribed herein.

Section 3.

All residents of the Sixteenth Judicial Circuit are requested, and all public officials are directed, to cooperate and render whatever assistance is necessary to the Assigned State Attorney, to the end that justice may be served.

Section 4.

The period of this Executive Assignment shall be for one (1) year, to and including September 20, 2013.

Section 5.

The Assigned State Attorney shall notify the Governor on or before August 20, 2013, 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 20th day of September, 2012.



A handwritten signature in black ink, appearing to be "Rick Scott", written over a horizontal line.

GOVERNOR

ATTEST:

A handwritten signature in black ink, appearing to be "Ken Detzner", written over a horizontal line.

SECRETARY OF STATE

FILED
2012 SEP 20 AM 9:05
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA