

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 12-31 (Executive Order of Suspension)

**WHEREAS**, Mark D. Ruben is presently serving as a Commissioner of the Southern Manatee Fire & Rescue District; and

**WHEREAS**, on January 19, 2012, the State Attorney's Office for the Twelfth Judicial Circuit, Monroe County, Florida, filed an information charging Mark D. Ruben with two counts of sexual battery by a person 18 years of age or older upon a child less than 12 years of age, in violation of section 794.011(2)(a), Florida Statutes; three counts of lewd or lascivious molestation by a person 18 years of age or older upon a child less than 12 years of age, in violation of section 800.04(5)(b), Florida Statutes; two counts of sexual battery upon a person 12 years of age or older but less than 18 years of age by a person in familial/custodial authority, in violation of section 794.011(8)(b), and one count of lewd or lascivious molestation by a person 18 years of age or older upon a child 12 years of age or older by less than 16 years of age, in violation of section 800.04(5)(c)2, Florida Statutes; and

**WHEREAS**, a violation of section 794.011(2)(a), Florida Statutes, constitutes a capital felony; a violation of section 800.04(5)(b), Florida Statutes, constitutes a life felony; a violation of section 794.011(b)(b) constitutes a felony in the first degree, and a violation of section 800.04(5)(c)2 constitutes a felony in the second degree; and

**WHEREAS**, it is in the best interests of the residents of Manatee County, and the citizens of the State of Florida, that Mark D. Ruben be immediately suspended from the public office, which he now holds, upon the grounds set forth in this executive order;

**NOW, THEREFORE, I, RICK SCOTT**, Governor of Florida, pursuant to section 112.52, Florida Statutes, find and state as follows:

A. Mark D. Ruben is, and at all times material was, a Commissioner of the South Manatee Fire & Rescue District.

B. The office of the Southern Manatee Fire & Rescue is within the purview of the suspension powers of the Governor, pursuant to section 112.52, Florida Statutes.


C. The attached information alleges that Mark D. Ruben committed acts in violation of the Laws of the State of Florida, which acts constitute the commission of felonies. This suspension is predicated upon the attached information which is incorporated as if fully set forth in this executive order.

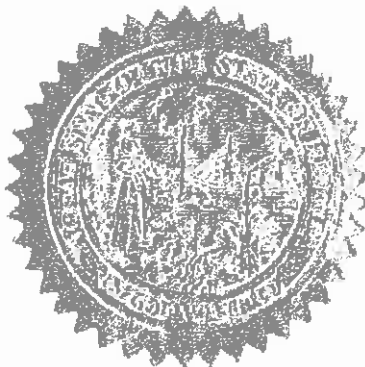
**BEING FULLY ADVISED**, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. Mark D. Ruben is suspended from the public office, which he now holds: Commissioner for the South Manatee Fire & Rescue District.

Section 2. Mark D. Ruben is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.

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 31st day of January, 2012.

  
GOVERNOR



ATTEST:

  
SECRETARY OF STATE

FILED  
2012 JAN 31 PM 2:28  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

IN THE CIRCUIT COURT IN AND FOR MANATEE COUNTY, FLORIDA  
In the Year of Our Lord Two Thousand Twelve

STATE OF FLORIDA

vs.

CASE NO.

12CF283

MARK D RUBEN

INFORMATION FOR:

COUNT 1

SEXUAL BATTERY BY PERSON 18 YEARS OF AGE OR OLDER UPON CHILD LESS THAN 12 YEARS OF AGE

794.011(2) (a)

Capital Felony

COUNT 2

SEXUAL BATTERY BY PERSON 18 YEARS OF AGE OR OLDER UPON CHILD LESS THAN 12 YEARS OF AGE

794.011(2) (a)

Capital Felony

COUNT 3

LEWD OR LASCIVIOUS MOLESTATION BY PERSON 18 YEARS OF AGE OR OLDER UPON CHILD LESS THAN 12 YEARS OF AGE

800.04(5) (b)

Life Felony

COUNT 4

LEWD OR LASCIVIOUS MOLESTATION BY PERSON 18 YEARS OF AGE OR OLDER UPON CHILD LESS THAN 12 YEARS OF AGE

800.04(5) (b)

Life Felony

COUNT 5

LEWD OR LASCIVIOUS MOLESTATION BY PERSON 18 YEARS OF AGE OR OLDER UPON CHILD LESS THAN 12 YEARS OF AGE

800.04(5) (b)

Life Felony

COUNT 6

SEXUAL BATTERY UPON A PERSON 12 OR OLDER BUT LESS THAN 18 BY PERSON IN FAMILIAL/CUSTODIAL AUTHORITY

794.011(8) (b)

First Degree Felony

COUNT 7

SEXUAL BATTERY UPON A PERSON 12 OR OLDER BUT LESS THAN 18 BY PERSON IN FAMILIAL/CUSTODIAL AUTHORITY

794.011(8) (b)

First Degree Felony

COUNT 8

LEWD OR LASCIVIOUS MOLESTATION BY PERSON 18 YEARS OF AGE OR OLDER UPON CHILD 12 OR OLDER BUT LESS THAN 16 YEARS OF AGE

800.04(5) (c)2

Second Degree Felony

FILED  
JAN 23 PM 3:43  
CLERK OF COURT  
MANATEE COUNTY, FLORIDA

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

EARL MORELAND, State Attorney of the Twelfth Judicial Circuit of the State of Florida, by and through his undersigned Assistant State Attorney, prosecuting for the State of Florida in the Circuit Court in and for the County of Manatee, Florida, under oath information makes that

MARK D RUBEN, 2823 57TH DRIVE EAST, BRADENTON, FL 34203 RACE: CAUCASIAN SEX: M DOB: 03/30/1966 SS#: [REDACTED] HGT: 5`11` WGT: HAIR: BLACK EYES: BROWN

COUNT 1

MARK D RUBEN

on one or more occasions between the date of 06/15/2008 through 04/14/2010,

late of the County and State aforesaid, in the County and State aforesaid, did on one or more occasions while being over the age of eighteen years, commit a sexual battery upon A.R. a minor child (DOB: 04/14/1998), a child less than twelve years of age, to-wit: the defendant, with his sexual organ, had union with the mouth of A.R. a minor child (DOB: 04/14/1998) and/or the defendant, with his mouth/tongue, had oral union with the sexual organ of A.R. a minor child (DOB: 04/14/1998), contrary to Section 794.011(2)(a), Florida Statutes, in such case made, and provided and against the peace and dignity of the State of Florida.

COUNT 2

MARK D RUBEN

on one or more occasions between the date of 06/15/2008 through 04/13/2010,

late of the County and State aforesaid, in the County and State aforesaid, did on one or more occasions while being over the age of eighteen years, commit a sexual battery upon A.R. a minor child (DOB: 04/14/1998), a child less than twelve years of age, to-wit: the defendant, with his sexual organ, penetrated or had union with the anus of A.R. a minor child (DOB: 04/14/1998) and/or A.R. a minor child (DOB: 04/14/1998) with his sexual organ penetrated or had union with the anus of the defendant, contrary to Section 794.011(2)(a), Florida Statutes, in such case made, and provided and against the peace and dignity of the State of Florida.

COUNT 3

MARK D RUBEN

on one or more occasions between the date of 06/15/2008 through 04/13/2010,

late of the County and State aforesaid, in the County and State aforesaid, did on one or more occasions, while being eighteen years of age or older, unlawfully touch the penis of A.R. a minor child (DOB: 04/14/1998), a child less than 12 years of age, or forced or enticed A.R. a minor child (DOB: 04/14/1998) to so touch the perpetrator, in a lewd or lascivious manner,

contrary to Section 800.04(5)(b), Florida Statutes, in such case made, and provided and against the peace and dignity of the State of Florida.

COUNT 4

MARK D RUBEN

on one or more occasions between the date of 03/15/2005 through 03/14/2007,

late of the County and State aforesaid, in the County and State aforesaid, did on one or more occasions, while being eighteen years of age or older, unlawfully touch the sexual organ of N.R. a minor child (DOB: 03/15/2000), a child less than 12 years of age, or forced or enticed N.R. a minor child (DOB: 03/15/2000) to so touch the perpetrator, in a lewd or lascivious manner, contrary to Section 800.04(5)(b), Florida Statutes, in such case made, and provided and against the peace and dignity of the State of Florida.

COUNT 5

MARK D RUBEN

on one or more occasions between the date of 01/29/2007 through 01/04/2011,

late of the County and State aforesaid, in the County and State aforesaid, did on one or more occasions, while being eighteen years of age or older, unlawfully touch the vagina of M.R. a minor child (DOB: 01/02/2004), a child less than 12 years of age, or forced or enticed M.R. a minor child (DOB: 11/29/2004) to touch the sexual organ of the perpetrator, in a lewd or lascivious manner, contrary to Section 800.04(5)(b), Florida Statutes, in such case made, and provided and against the peace and dignity of the State of Florida.

COUNT 6

MARK D RUBEN

on one or more occasions between the date of 04/14/2010 through 07/31/2011,

late of the County and State aforesaid, in the County and State aforesaid, did on one or more occasions unlawfully, while standing in a position of familial or custodial authority to A.R. a minor child (DOB: 04/14/1998), a child twelve (12) years of age or older but less than eighteen (18) years of age, engage in any act with the said A.R. a minor child (DOB: 04/14/1998), which constitutes sexual battery as defined in 794.011(1)(h), to-wit: the defendant, with his sexual organ, had union with the mouth of A.R. a minor child (DOB: 04/14/1998) and/or the defendant, with his mouth/tongue, had union with the sexual organ of A.R. a minor child (DOB: 04/14/1998), contrary to Section 794.011(8)(b), Florida Statutes, in such case made, and provided and against the peace and dignity of the State of Florida.

COUNT 7

MARK D RUBEN

on one or more occasions between the date of 04/14/2010 through 07/31/2011, late of the County and State aforesaid, in the County and State aforesaid, did on one or more occasions unlawfully, while standing in a position of familial or custodial authority to A.R. a minor child (DOB: 04/14/1998), a child twelve (12) years of age or older but less than eighteen (18) years of age, engage in any act with the said A.R. a minor child (DOB: 04/14/1998), which constitutes sexual battery as defined in 794.011(1)(h), to-wit: the defendant, with his sexual organ, penetrated or had union with the anus of A.R. a minor child (DOB: 04/14/1998) and/or A.R. a minor child (DOB: 04/14/1998) with his sexual organ penetrated or had union with the anus of the defendant, contrary to Section 794.011(8)(b), Florida Statutes, in such case made, and provided and against the peace and dignity of the State of Florida.

COUNT 8

MARK D RUBEN

on one or more occasions between the date of 04/14/2010 through 07/31/2011, late of the County and State aforesaid, in the County and State aforesaid, did on one or more occasions, while being eighteen years of age or older, intentionally touch the penis of A.R. a minor child (DOB: 04/14/1998), a child 12 years of age or older but less than 16 years of age, or forced or enticed A.R. a minor child (DOB: 04/14/1998) to so touch the perpetrator, in a lewd or lascivious manner, contrary to Section 800.04(5)(c)2, Florida Statutes, in such case made, and provided and against the peace and dignity of the State of Florida.

STATE OF FLORIDA  
COUNTY OF MANATEE

Personally appeared before me, EARL MORELAND, the undersigned State Attorney of the Twelfth Judicial Circuit of the State of Florida, in and for Manatee County, or his duly designated Assistant State Attorney, who being duly sworn, says the allegations in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged, and that this information is filed in good faith in instituting this prosecution and that testimony was received under oath from a material witness or witnesses.

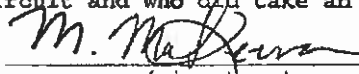
EARL MORRISLAND, STATE ATTORNEY  
TWELFTH JUDICIAL CIRCUIT

BY:



DANIEL W. YUTER  
FL Bar #: 0631620  
Assistant State Attorney  
P. O. 1000  
Bradenton, FL 34206

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of January, 2012 by the individual whose name and signature appear above, and who is personally known to me to be an Assistant State Attorney for the Twelfth Judicial Circuit and who did take an oath.

  
(signature)



NOTARY PUBLIC, STATE OF FLORIDA

SAO #: 2011 SA 013870  
MANATEE COUNTY SHERIFF'S OFFICE/2011C037152  
Detective Brad Patterson, Manatee County Sheriff's Office  
RET. DATE: CAPIAS  
OBTS #:  
BOOKING #:  
HABITUAL: NO  
10/20/LIFE: NO  
INFO/RUBEN, MARK (2011SA013870)