

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 13-365
(Executive Order of Suspension)

WHEREAS, Alan Jay Newmark, is presently serving as a Notary Public of the State of Florida; and

WHEREAS, in April 2012, Alan Jay Newmark submitted a sworn application to the Florida Department of State to renew his commission as a Florida notary public, but did not disclose prior felony convictions in 2008 and 2009; and

WHEREAS, on or about May 12, 2008, Alan Jay Newmark was adjudicated guilty of Possession of Cocaine in Case Number 2007CF020809 in the circuit court of the 17th Judicial Circuit, in and for Broward County, a felony offense in violation of Section 893.03(2)(a)4., Florida Statutes; and

WHEREAS, on or about July 27, 2009, Alan Jay Newmark was adjudicated guilty of Trafficking Oxycodone in Case Number 2008CF014172 in the circuit court of the 17th Judicial Circuit, in and for Broward County, a felony offense in violation of Section 893.135(1)(c), Florida Statutes; and

WHEREAS, by refusing to disclose his prior criminal history, as required, Alan Jay Newmark made a material false statement on the sworn notary public application, which warrants the suspension of his notary commission pursuant to Section 117.01(4)(a), Florida Statutes; and

WHEREAS, by providing false information on the sworn notary public application, Alan Jay Newmark appears to be in violation of Sections 92.525(2) and (3), Florida Statutes, which pertain to perjury by false written declaration; and

WHEREAS, upon discovering the undisclosed criminal history of Alan Jay Newmark, this Office notified him by mail on November 20, 2013, and required that he submit a sworn written response explaining his omission of the required information on his application for appointment as a Florida notary public; and

WHEREAS, to date, this Office has not received the required sworn response from Alan Jay Newmark; and

WHEREAS, it is in the best interests of the citizens of the State of Florida that Alan Jay Newmark 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 Article IV, Section 7 of the Florida Constitution and Section 117.01(4), Florida Statutes, find and state as follows:

- A. Alan Jay Newmark is a duly appointed Notary Public of the State of Florida, pursuant to Section 117.01, Florida Statutes.
- B. Alan Jay Newmark is commissioned as a Florida notary public from April 2, 2012, through April 1, 2016.
- C. Alan Jay Newmark made a material false statement on his sworn notary public application submitted in January of 2012.
- D. Alan Jay Newmark refused to cooperate or respond to an investigation by the Executive Office of the Governor, as required by Section 117.01(4)(c), Florida Statutes.

BEING FULLY ADVISED in the premise, and in accordance with the Florida Constitution and the laws of the State of Florida, this Executive Order is issued

Section 1. Alan Jay Newmark is suspended from the public office which he now holds: Notary Public of the State of Florida.

Section 2. Alan Jay Newmark is prohibited from performing any official act, duty, or function of this public office; from receiving any pay or allowance; and from being entitled to any of the

emoluments or privileges of this public office during the period of suspension, which period shall begin, today, until further Executive Order is issued, or as otherwise provided by law.



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 19th day of December, 2013.

Handwritten signature of Rick Scott in black ink.

RICK SCOTT, GOVERNOR

ATTEST:

Handwritten signature of Ken Detzner in black ink.
SECRETARY OF STATE

FILED
2013 DEC 19 AM 10:11
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA