

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 16-224

WHEREAS, the Honorable STEPHEN B. RUSSELL, State Attorney for the Twentieth Judicial Circuit of Florida, has advised Governor RICK SCOTT that allegations have been made against Hendry County Sheriff Stephen H. Whidden and Chief Deputy Sheriff Kevin Nelson for misfeasance, malfeasance, and gross misconduct regarding the investigation of a hit and run accident with injury to a person; and

WHEREAS, the Honorable STEPHEN B. RUSSELL has also advised the Governor that his office has a working relationship with the Hendry County Sheriff's Office and the complainant is a former law partner of his chief assistant state attorney; and

WHEREAS, the Honorable STEPHEN B. RUSSELL, to avoid a conflict of interest or any appearance of impropriety, has voluntarily disqualified himself and has requested the executive assignment of another State Attorney with respect to the investigation and prosecution of this case and all related matters; and

WHEREAS, the Honorable DAVID ARONBERG, State Attorney for the Fifteenth Judicial Circuit of Florida, has agreed to accept an executive assignment in this matter; and

WHEREAS, it is in the best interests of the State of Florida and of the ends of justice that the Honorable DAVID ARONBERG discharge the duties of the Honorable STEPHEN B. RUSSELL, 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 DAVID ARONBERG, State Attorney for the Fifteenth Judicial Circuit of Florida, referred to as the "Assigned State Attorney," is assigned to discharge the duties of the Honorable STEPHEN B. RUSSELL, State Attorney for the Twentieth Judicial Circuit of Florida, as they relate to the investigation, prosecution, and all matters related to the complaint made regarding Sheriff Stephen Whidden and Deputy Sheriff Kevin Nelson.

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

Section 3.

All residents of the Twentieth Judicial Circuit 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 September 29, 2017.

Section 5.

The Assigned State Attorney shall notify the Governor on or before August 29, 2017,  
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 29th day of September, 2016.

  
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RICK SCOTT, GOVERNOR

ATTEST:

  
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SECRETARY OF STATE

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DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

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