

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 17-05

WHEREAS, the Honorable ED BRODSKY, State Attorney for the Twelfth Judicial Circuit of Florida, has advised Governor RICK SCOTT that Melvin Trotter has filed a successive motion to vacate death sentence; and

WHEREAS, the Honorable BERNIE MCCABE, State Attorney for the Sixth Judicial Circuit handled the new sentencing phase of this case under Executive Order 92-30 and all successive Executive Orders through Executive Order 08-221; and

WHEREAS, the Honorable ED BRODSKY has also advised the Governor that the original conflict for the original executive assignment and successive Executive Orders was based on the fact that the State Attorney at that time, Earl Moreland, had previously represented the defendant in provide practice;

WHEREAS, the Honorable ED BRODSKY, has advised that because of the singular familiarity that the State Attorney's Office in the Sixth Judicial Circuit retains concerning the facts of the case, he is requesting the executive assignment of the Honorable BERNIE MCCABE, State Attorney for the Sixth Judicial Circuit of Florida, with respect to Melvin Trotter's successive motion to vacate death sentence and all related matters; and

WHEREAS, the Honorable BERNIE MCCABE, State Attorney for the Sixth 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 BERNIE MCCABE discharge the duties of the Honorable ED BRODSKY, 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 BERNIE MCCABE, State Attorney for the Sixth Judicial Circuit of Florida, referred to as the “Assigned State Attorney,” is assigned to discharge the duties of the Honorable ED BRODSKY, State Attorney for the Twelfth Judicial Circuit of Florida, as they relate to the successive motion to vacate death sentence and all matters related to Melvin Trotter.

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

Section 3.

All residents of the Twelfth 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 January 12, 2018.

Section 5.

The Assigned State Attorney shall notify the Governor on or before December 12, 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 12th day of January, 2017.

  
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RICK SCOTT, GOVERNOR

ATTEST:

  
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SECRETARY OF STATE

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DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA