

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 17-157

WHEREAS, the Honorable STEPHEN B. RUSSELL, State Attorney for the Twentieth Judicial Circuit of Florida, has advised Governor RICK SCOTT that Phillip Bennett has a pending Stipulation to Travel related to his ongoing probation; and

WHEREAS, the original case, for which Phillip Bennett received a prison sentence followed by a term of probation, was assigned to and handled by the State Attorney for the Tenth Judicial Circuit of Florida under Executive Order 10-25, and extended by Executive Orders 10-278 and 12-12.

WHEREAS, the Honorable STEPHEN B. RUSSELL has also advised the Governor that the original conflict continues to exist as he and Phillip Bennett were members of the Fort Myers Rotary Club, which was the focus of the prior investigation and prosecution; 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 BRIAN HAAS, State Attorney for the Tenth 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 BRIAN HAAS 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 BRIAN HAAS, State Attorney for the Tenth 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 Phillip Bennett.

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 May 25, 2018.

Section 5.

The Assigned State Attorney shall notify the Governor on or before April 25, 2018, 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 25th day of May, 2017.

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

RICK SCOTT, GOVERNOR

ATTEST:

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

SECRETARY OF STATE

FILED
2017 MAY 25 AM 10:06
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA