

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 17-198

WHEREAS, the Honorable MELISSA W. NELSON, State Attorney for the Fourth Judicial Circuit of Florida, has advised Governor RICK SCOTT that Terrance J. Graham has filed a motion to correct sentence to provide for judicial review; and

WHEREAS, the Honorable MELISSA W. NELSON has also advised the Governor that, prior to taking office, she and her Chief Assistant, L.E. Hutton, assisted Graham's defense attorney in preparation for a re-sentencing proceeding in 2013 following the decision of the U.S. Supreme Court in *Graham v. Florida*; and

WHEREAS, the Honorable MELISSA W. NELSON, to avoid a conflict of interest or any appearance of impropriety, has voluntarily disqualified herself and has requested the executive assignment of another State Attorney with respect to the defendant's motion to correct sentence to provide for judicial review and all related matters; and

WHEREAS, the Honorable WILLIAM P. CERVONE, State Attorney for the Eighth 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 WILLIAM P. CERVONE discharge the duties of the Honorable MELISSA W. NELSON, 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 WILLIAM P. CERVONE, State Attorney for the Eighth Judicial Circuit of Florida, referred to as the “Assigned State Attorney,” is assigned to discharge the duties of the Honorable MELISSA W. NELSON, State Attorney for the Fourth Judicial Circuit of Florida, as they relate to the defendant’s motion to correct sentence to provide for judicial review and all other related matters to Terrance J. Graham.

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

Section 3.

All residents of the Fourth 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 July 20, 2018.

Section 5.

The Assigned State Attorney shall notify the Governor on or before June 20, 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 20th day of July, 2017.

A blue ink signature of Rick Scott, written in a cursive style.

RICK SCOTT, GOVERNOR

ATTEST:

A blue ink signature of Ken Ritzman, written in a cursive style.
SECRETARY OF STATE

2017 JUL 20 PM 4: 14
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED