STATE OF FLORIDA

OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 18-121

(Executive Order of Suspension)

WHEREAS, Nicholas William Nicholson (Nicholson) is currently serving as County Commissioner for District One of the Hernando Board of County Commissioners in Hernando County, Florida; and

WHEREAS, on April 19, 2018, Nicholson was arrested based on an arrest warrant alleging that he committed the following offenses: two counts of purchasing the services of any person engaged in prostitution and one count of owning, maintaining, or operating any place, structure, building, or conveyance for the purpose of lewdness, assignation, or prostitution; and

WHEREAS, on April 26, 2018, Nicholson was charged by information with two counts of purchasing the services of any person engaged in prostitution and one count of owning, maintaining, or operating any place, structure, building, or conveyance for the purpose of lewdness, assignation, or prostitution; and

WHEREAS, Article IV, Section 7, Florida Constitution, provides that the Governor may suspend from office any county officer for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform official duties, or commission of a felony; and

WHEREAS, it is in the best interests of the residents of Hernando County, and the citizens of the State of Florida, that Nicholson be immediately suspended from the public office 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, Florida Constitution, Florida Statues, find as follows:

A. Nicholas William Nicholson is, and at all times material hereto was, serving as County Commissioner in and for Hernando County, Florida.

B. The office of County Commissioner for Hernando County, Florida, is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, of the Florida Constitution.

C. On April 26, 2018, Nicholson was charged by information with two counts of purchasing the services of any person engaged in prostitution and one count of owning, maintaining, or operating any place, structure, building, or conveyance for the purpose of lewdness, assignation, or prostitution in violation of section 796.07, Florida Statutes,

D. Nicholson has committed malfeasance through the improper acts described above, as evidenced by the attached Information, which is incorporated as if fully stated in this Executive Order, necessitating his suspension from office.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective immediately:

Section 1. Nicholas William Nicholson is suspended from the public office that he now holds, to wit: County Commissioner, Hernando County, Florida.

Section 2. Nicholas William Nicholson is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until a further Executive Order is issued, or as otherwise provided by law.

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 26th day of April, 2018.

RICK SCOTT, GOVERNOR

FILED
2018 APR 26 PM 5:47
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

ATTEST:

SECRETARY OF STATE

IN THE COUNTY COURT OF THE FIFTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR HERNANDO COUNTY

THE STATE OF FLORIDA CASE NO. 2018-MM-001328-A

vs **INFORMATION**

NICHOLAS W. NICHOLSON

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA:

BRAD KING, State Attorney of the Fifth Judicial Circuit of the State of Florida, in and for Hernando County prosecuting for the State of Florida, by and through the undersigned Assistant State Attorney, in the said County, under oath, information makes that: NICHOLAS W NICHOLSON (R/G: W/M, DOB: 02/17/1947) in the County of Hernando, and the State of Florida, on or about the 1st day of November in the year of Our Lord, twenty-seventeen through the 25th day of March in the year of Our Lord, twenty-eighteen:

COUNT I
PURCHASING THE SERVICES OF A PROSTITUTE (M2)
796.07(2)(i)

and the Assistant State Attorney upon her oath aforesaid, further information makes that NICHOLAS W NICHOLSON (R/G: W/M, DOB: 02/17/1947) in the County of Hernando, and the State of Florida, on or about the 1st day of November in the year of Our Lord, twenty-seventeen through the 12th day of March in the year of Our Lord, twenty-eighteen, in the County and State aforesaid did unlawfully purchase the services of a person engaged in prostitution, to-wit: Valerie Surette, in violation of Florida Statute 796.07(2)(i);

COUNT II
PURCHASING THE SERVICES OF A PROSTITUTE (M2)
796.07(2)(i)

and the Assistant State Attorney upon her oath aforesaid, further information makes that NICHOLAS W NICHOLSON (R/G: W/M, DOB: 02/17/1947) in the County of Hernando, and the State of Florida, on or about the 1st day of November in the year of Our Lord, twenty-seventeen through the 12th day of March in the year of Our Lord, twenty-eighteen, in the County and State aforesaid did unlawfully purchase the services of a person engaged in prostitution, to-wit: Melinda Baker, in violation of Florida Statute 796.07(2)(i);

COUNT III
KEEPING A PLACE FOR PROSTITUTION OR LEWDNESS (M2)
796.07(2)(a)

and the Assistant State Attorney upon her oath aforesaid, further information makes that NICHOLAS W NICHOLSON (R/G: W/M, DOB: 02/17/1947) in the County of Hernando, and the

State of Florida, on or about the 1st day of November in the year of Our Lord, twenty-seventeen through the 19th day of March in the year of Our Lord, twenty-eighteen, in the County and State aforesaid did unlawfully keep, set up, maintain or operate any place, structure, building or conveyance, to-wit: 4580 TIburon Avenue, Spring Hill, Florida 34608., for the purpose of lewdness, assignation or prostitution, in violation of Florida Statute 796.07(2)(a);

contrary to the form of the statute in such cases made and provided and against the peace and dignity of the State of Florida.

STATE OF FLORIDA, COUNTY OF HERNANDO

Personally appeared before me, BRAD KING, State Attorney for the Fifth Judicial Circuit, State of Florida, in and for Hernando County, State of Florida, or his duly designated Assistant State Attorney, who first being sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged. Prosecution instituted in good faith and subscribed under oath, certifying he has received testimony under oath from the material witness or witnesses of the offense.

Meredith Elizabeth Poisson, Assistant to BRAD KING
State Attorney,
Fifth Judicial Circuit of Florida
Florida Bar No. 92969

Sworn to and subscribed before me this 26 day of April, 2018.

Suzanne M. Kenney
Affiant Personally Known to Notary Public

SUZANNE M. KENNEY
Commission # FF 130266
Expires July 23, 2018
Bonded Thru Troy Fain Insurance 800-385-7019