

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 18-243

WHEREAS, the Honorable R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of Florida, has advised Governor RICK SCOTT that Afeez Ali has filed a motion for post-conviction DNA testing; and

WHEREAS, the State Attorney for the Fourth Judicial Circuit of Florida, was assigned by Executive Order 09-26, and extended by Executive Order 10-17 to handle a post-conviction motion filed by Afeez Ali; and

WHEREAS, the Honorable R.J. LARIZZA has also advised the Governor that the same conflict continues to exist as he represented this defendant in the original case while in private practice; and

WHEREAS, the Honorable R.J. LARIZZA, 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 motion for post-conviction DNA testing and all related matters; and

WHEREAS, the Honorable MELISSA W. NELSON, State Attorney for the Fourth 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 MELISSA W. NELSON discharge the duties of the Honorable R.J. LARIZZA, 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 MELISSA W. NELSON, State Attorney for the Fourth Judicial Circuit of Florida, referred to as the “Assigned State Attorney,” is assigned to discharge the duties of the Honorable R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of Florida, as they relate to the motion for post-conviction DNA testing and all matters related to Afeez Ali.

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

Section 3.

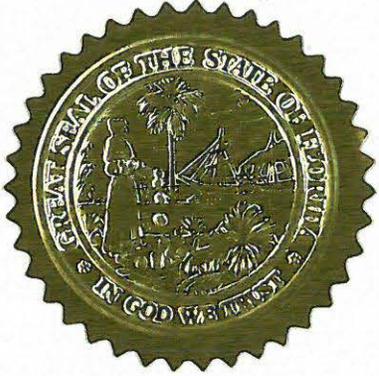
All residents of the Seventh Judicial Circuit are requested, and all public officials are directed, to cooperate and render whatever assistance is necessary to the Assigned State Attorney, so that justice may be served.

Section 4.

The period of this Executive Assignment shall be for one (1) year, to and including August 31, 2019.

Section 5.

The Assigned State Attorney shall notify the Governor on or before July 31, 2019, 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 31st day of August, 2018.



RICK SCOTT, GOVERNOR

ATTEST:



SECRETARY OF STATE

2018 AUG 31 PM 12:41
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED