

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 17-188

WHEREAS, Callene Marcia Barton has been arrested and stands accused of committing First-Degree Felony Murder, a capital felony, Aggravated Child Abuse, and Tampering with a Witness to Hinder Communications to Law Enforcement in the Ninth Judicial Circuit Court, in and for Orange County, Florida, in case number 2017-CF-008694; and

WHEREAS, on March 16, 2017, newly-elected State Attorney ARAMIS D. AYALA publicly announced her blanket opposition to seeking the imposition of the death penalty in all pending and future capital felonies without consideration of the circumstances of the offenses and without regard for the presence of applicable statutory aggravators warranting the death penalty; and

WHEREAS, the presently known circumstances of the offenses for which Callene Marcia Barton has been arrested appear to warrant the investigation and presentation of this matter to a grand jury to determine whether Callene Marcia Barton should be indicted for a capital felony, and to further decide whether the circumstances of the capital felony warrant consideration of seeking the death penalty; and

WHEREAS, the unequivocal statements of State Attorney ARAMIS D. AYALA raise grave concerns regarding her willingness to abide by and uphold the uniform application of the laws of the State of Florida, and the ends of justice will be best served by the assignment of another state attorney to discharge the duties of State Attorney ARAMIS D. AYALA with

respect to the investigation, presentation to the grand jury, and all matters related to the above-referenced criminal charges against Callene Marcia Barton; and

WHEREAS, BRAD KING, State Attorney for the Fifth 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 State Attorney BRAD KING discharge the duties of State Attorney ARAMIS D. AYALA, 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.

BRAD KING, State Attorney for the Fifth Judicial Circuit of Florida, referred to as the “Assigned State Attorney,” is assigned to discharge the duties of ARAMIS D. AYALA, State Attorney for the Ninth Judicial Circuit of Florida, as they relate to the investigation, presentation to the grand jury, and all matters related to above-referenced criminal charges against Callene Marcia Barton.

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

Section 3.

All residents of the Ninth 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 17, 2018.

Section 5.

The Assigned State Attorney shall notify the Governor on or before June 17, 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 17th day of July, 2017.

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

RICK SCOTT, GOVERNOR

ATTEST:

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

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED