

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 17-276

WHEREAS, the Honorable BRUCE H. COLTON, State Attorney for the Nineteenth Judicial Circuit of Florida, has advised Governor RICK SCOTT that Kenneth P. Kennedy has filed a petition to expunge; and

WHEREAS, the Honorable PHIL ARCHER, State Attorney for the Eighteenth Judicial Circuit, handled the original case for which Kenneth P. Kennedy is now requesting expungement under Executive Order 16-02; and

WHEREAS, the Honorable BRUCE H. COLTON has also advised the Governor that the original conflict continues to exist as the victims in the case are employees and relatives of employees of the state attorney's office; and

WHEREAS, the Honorable BRUCE H. COLTON, 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 petition to expunge and all related matters; and

WHEREAS, the Honorable PHIL ARCHER, State Attorney for the Eighteenth 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 PHIL ARCHER discharge the duties of the Honorable BRUCE H. COLTON, 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 PHIL ARCHER, State Attorney for the Eighteenth Judicial Circuit of Florida, referred to as the “Assigned State Attorney,” is assigned to discharge the duties of the Honorable BRUCE H. COLTON, State Attorney for the Nineteenth Judicial Circuit of Florida, as they relate to the petition to expunge and all matters related to Kenneth P. Kennedy.

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

Section 3.

All residents of the Nineteenth 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 October 26, 2018.

Section 5.

The Assigned State Attorney shall notify the Governor on or before September 26, 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 26th day of October, 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

2017 OCT 26 PM 4:01
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED