

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 12-100

WHEREAS, the Honorable MARK A. OBER, State Attorney for the Thirteenth Judicial Circuit of Florida, has advised Governor RICK SCOTT that Brian Sean Lopez is under investigation for allegations involving a boating accident resulting in a death; and

WHEREAS, the Honorable MARK A. OBER has also advised the Governor that he is close personal friends with the defendant's parents, his father is a sitting circuit court judge and his mother is a former employee of the state attorney's office; and

WHEREAS, the Honorable MARK A. OBER, to avoid any appearance of conflict of interest or impropriety, has voluntarily disqualified himself and has requested the executive assignment of another State Attorney with respect to the investigation and potential prosecution of this case and all related matters; and

WHEREAS, the Honorable BERNIE MCCABE, State Attorney for the Sixth Judicial Circuit of Florida, has agreed to accept an executive assignment in this matter; and

WHEREAS, it is in the best interest of the State of Florida and of the ends of justice that the Honorable BERNIE MCCABE discharge the duties of the Honorable MARK A. OBER, 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 BERNIE MCCABE, State Attorney for the Sixth Judicial Circuit of Florida, referred to as the "Assigned State Attorney," is assigned to discharge the duties of the Honorable MARK A. OBER, State Attorney for the Thirteenth Judicial Circuit of Florida, as they relate to the investigation, potential prosecution and all matters related to Brian Sean Lopez.

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

Section 3.

All residents of the Thirteenth 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.

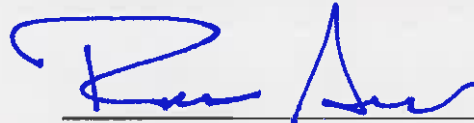
The period of this Executive Assignment shall be for one (1) year, to and including May 3, 2013.

Section 5.

The Assigned State Attorney shall notify the Governor on or before April 3, 2013, 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 3rd day of May, 2012.


GOVERNOR

ATTEST:


SECRETARY OF STATE

COMMISSIONER OF STATE
TALLAHASSEE, FLORIDA

2012 MAY -3 PM 1:39

FILED