

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 12-39

WHEREAS, Secretary WANSLEY WALTERS, of the Florida Department of Juvenile Justice, has advised Governor RICK SCOTT that applicant F.B. has sought an exemption from employment disqualification under sections 435.07(3) and 985.644, Florida Statutes (2011); and

WHEREAS, Secretary WANSLEY WALTERS has also advised the Governor that on or before February 20, 2012, she is required to issue a Final Order on behalf of the Department granting or denying F.B.'s requested exemption; and

WHEREAS, Secretary WANSLEY WALTERS has also advised the Governor that she testified before the Division of Administrative Hearings in the proceeding where F.B. sought his requested exemption; and

WHEREAS, Secretary WANSLEY WALTERS, by virtue of having offered material testimony in the proceedings below, is disqualified from reviewing the administrative law judge's findings of fact and conclusions of law when issuing a final order, pursuant to *Ridgewood Properties, Inc. v. Dept. of Community Affairs*, 562 So.2d 322 (Fla. 1990); and *Verizon Business Network Servs., Inc. v. Dept. of Corrections*, 988 So.2d 1148 (Fla. 1st DCA 2008); and has requested the assignment of another with respect to the issuance of a Final Order granting or denying an exemption in this case; and

WHEREAS, THOMAS D. WINOKUR, Assistant General Counsel, Executive Office of the Governor, has agreed to accept an assignment in this matter; and

WHEREAS, it is in the best interest of the State of Florida and of the ends of justice that THOMAS D. WINOKUR discharge the duties of Secretary WANSLEY WALTERS in this matter;

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 the laws of the State of Florida, issue the following Executive Order, effective immediately:

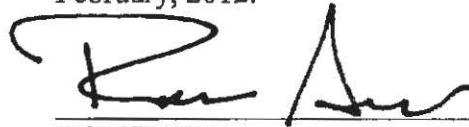
Section 1.

THOMAS D. WINOKUR, Assistant General Counsel, Executive Office of the Governor, is assigned to discharge the duties of Secretary WANSLEY WALTERS, as they relate to issuance of a Final Order in the case involving F.B.

Section 2.

The period of this Executive Assignment shall extend up to and including February 20, 2012, or upon entry of a Final Order, whichever first occurs.

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 10th day of February, 2012.


GOVERNOR



ATTEST:


SECRETARY OF STATE

FILED
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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA