

**STATE OF FLORIDA**  
**OFFICE OF THE GOVERNOR**  
**EXECUTIVE ORDER NUMBER 13-101**

WHEREAS, the Honorable MARK A. OBER, State Attorney for the Thirteenth Judicial Circuit of Florida, has advised Governor RICK SCOTT that Donald Lee Ellingsworth is under investigation for battery – child abuse; and

WHEREAS, the Honorable MARK A. OBER has also advised the Governor that Donald Lee Ellingsworth is the ex-husband of an employee of his 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 Donald Lee Ellingsworth.

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 April 9, 2014.

Section 5.

The Assigned State Attorney shall notify the Governor on or before March 9, 2014,  
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 9th day of April,  
2013.

A handwritten signature in blue ink, appearing to read "Rick Scott", written over a horizontal line.

GOVERNOR

ATTEST:

A handwritten signature in black ink, appearing to read "Ken Retzner", written over a horizontal line.  
SECRETARY OF STATE

2013 APR -9 AM 9:36  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

FILED