



THE FLORIDA SENATE
SENATOR WILTON SIMPSON
President

MEMORANDUM

TO: All Senators
FROM: Wilton Simpson
SUBJECT: Update Re: Executive Order of Suspension 22-176, State Attorney Andrew Warren
DATE: August 17, 2022

Executive Order of Suspension 22-176 was challenged today by way of a Complaint for Injunctive and Declaratory Relief in the United States District Court, Northern District of Florida, Tallahassee Division.

As you are aware from prior correspondence on this matter, the Senate's process for acting on the matter of Mr. Warren's reinstatement to or removal from office is governed by Part V, Chapter 112, Florida Statutes and Senate Rule 12.

Senate Rule 12.9 states, in relevant part, that the Senate process shall be held in abeyance and the matter shall not be considered by the Senate until final determination of a court challenge and the exhaustion of all appellate remedies.

In considering the application of Senate Rule 12.9, Senate counsel notes the pending litigation challenges the entirety of the executive order. Therefore, the basis for any future Senate proceeding will be impacted by the current litigation. As such, I have directed that any Senate proceedings regarding Executive Order of Suspension 22-176 be held in abeyance until a final determination in this pending litigation has been rendered.

As I have said previously, given our constitutional role in this process, I believe Senators should refrain from speaking publicly about the merits or substance of any executive suspension. Thank you for your attention to this important constitutional responsibility of the Senate.