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ANGELA B. COREY
STATE ATTORNEY

July 25, 2016

The Honorable Rick Scott
Governor, The State of Florida
ATTN: SUSAN SMITH
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001

RE: Request of Executive Assignment
Demand for Grand Jury Investigation
of Melissa Nelson Campaign

Dear Governor Scott:

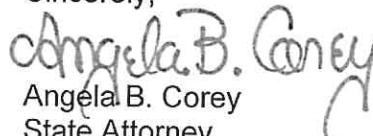
On July 25, 2016, at 10:29 a.m., I received the attached email and letter from Wesley F. White, candidate for State Attorney, Fourth Judicial Circuit, in which he makes a "request/demand for a grand jury investigation pursuant to FS104.43."

Mr. White requests immediate attention to this matter.

Due to the fact that Melissa Nelson and Wesley White are candidates running in the race for which I am seeking re-election, I must recuse myself and our office from handling this investigation. I hereby request this investigation be reassigned immediately to another Judicial Circuit.

Thank you in advance for your consideration in this matter.

Sincerely,


Angela B. Corey
State Attorney
Fourth Judicial Circuit

ABC/dkf

Wesley F. White, Esq.

2579 Oak Street, Jacksonville, Florida 32204
Telephone: 904.586.3400 Email: wfwwhite@gmail.com

July 25, 2016

(via email to acorey@coj.net)

The Honorable Angela Corey
Office of the State Attorney
Ed Austin Building
311 West Monroe Street
Jacksonville, Florida 32202

Dear Ms. Corey:

Please allow this letter is to serve as a request / demand for a grand jury investigation pursuant to FS 104.43 {*Grand juries; special investigation.—The grand jury in any circuit shall, upon the request of any candidate or qualified voter, make a special investigation when it convenes during a campaign preceding any election day to determine whether there is any violation of the provisions of this code, and shall return indictments when sufficient ground is found.*}.

As you are aware, I am a candidate for the office which you now hold. On April 22nd of this year, I was invited to attend, and did attend, a meeting in Jacksonville with Ms. Melissa Nelson and a few of the financial backers and political operatives of her campaign. During that meeting, I was informed that Ms. Nelson would be entering the race as a candidate, I was asked to consider withdrawing from the race, and I was warned that my failure to withdraw from the race would necessitate the publication of knowingly false information regarding my personal and professional character. Tellingly, Ms. Nelson's political advisers offered their choreographed calculation as to the cost of their effort to destroy my candidacy to be approximately \$250,000. Her financial backers then followed up and left little doubt that they would raise and then spend the sums necessary for that purpose. In the manner of a gloved fist, it was thus suggested that I should join Ms. Nelson's campaign.

The essence of the meeting can best be summarized by a brief interchange between Ms. Nelson and myself wherein I asked, "Are you willing to burn down my house to become the next State Attorney?" Her response was emphatic, "I will do whatever it takes." Parenthetically, I can think of no response which could have demonstrated more succinctly her unfitness to hold the Office of State Attorney.

I am well aware that the number of persons who could confirm my account of what transpired is eclipsed by the number of persons who would offer a different account. In my experience as a prosecutor, a grand jury with its attendant investigatory powers is the only means to ferret out the truth. Subpoenas can and should be issued to obtain any and all relevant email and other communications (taking place both before and after the meeting) of all those involved.

I have set forth below various statutes which may or may not be implicated in the well-orchestrated carrot and stick meeting with Ms. Nelson. I do not offer an opinion as to whether or not these laws were broken, or whether or not there was a conspiracy to violate the election laws of the State of Florida — I am too close to the matter. And, since I realize that your office will undoubtedly recuse itself in this matter (as it must), I will leave those determinations to an independent prosecutor in conjunction with a grand jury. Rhetorically however, I can't think of a better way to deny a voter the right to vote for the candidate of his or her choice than by attempting to intimidate that candidate into leaving a race.

Sincerely,



Wesley F. White, Esq.

Cc: Robert Riegel, Esq. (via email)

104.0515 Voting rights; deprivation of, or interference with, prohibited; penalty.—

- (1) All citizens of this state who are otherwise qualified by law to vote at any election by the people in this state or in any district, county, city, town, municipality, school district, or other subdivision of this state shall be entitled and allowed to vote at all such elections without distinction according to race, color, or previous condition of servitude, notwithstanding any law, ordinance, regulation, custom, or usage to the contrary.
- (2) No person acting under color of law shall:
 - (a) In determining whether any individual is qualified under law to vote in any election, apply any standard, practice, or procedure different from the standards, practices, or procedures applied under law to other individuals within the same political subdivision who have been found to be qualified to vote; or
 - (b) Deny the right of any individual to vote in any election because of an error or omission on any record or paper relating to any application, registration, or other act requisite to voting, if such error or omission is not material in determining whether such individual is qualified under law to vote in such election. This paragraph shall apply to vote-by-mail ballots only if there is a pattern or history of discrimination on the basis of race, color, or previous condition of servitude in regard to vote-by-mail ballots.
- (3) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or not to vote as that person may choose, or for the purpose of causing such other person to vote for, or not vote for, any candidate for any office at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.
- (4) No voting qualification or prerequisite to voting, and no standard, practice, or procedure, shall be imposed or applied by any political subdivision of this state to deny or abridge the right of any citizen to vote on account of race or color.
- (5) Any person who violates the provisions of this section is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

104.0615 Voter intimidation or suppression prohibited; criminal penalties.—

(1) This section may be cited as the "Voter Protection Act." (2) A person may not directly or indirectly use or threaten to use force, violence, or intimidation or any tactic of coercion or intimidation to induce or compel an individual to:

- (a) Vote or refrain from voting;
 - (b) Vote or refrain from voting for any particular individual or ballot measure;
 - (c) Refrain from registering to vote; or
 - (d) Refrain from acting as a legally authorized election official or poll watcher.
- (3) A person may not knowingly use false information to:
- (a) Challenge an individual's right to vote;
 - (b) Induce or attempt to induce an individual to refrain from voting or registering to vote; or
 - (c) Induce or attempt to induce an individual to refrain from acting as a legally authorized election official or poll watcher.
- (4) A person may not knowingly destroy, mutilate, or deface a voter registration form or election ballot or obstruct or delay the delivery of a voter registration form or election ballot.
- (5) A person who violates subsection (2), subsection (3), or subsection (4) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

104.271 False or malicious charges against, or false statements about, opposing candidates; penalty.—

- (1) Any candidate who, in a primary election or other election, willfully charges an opposing candidate participating in such election with a violation of any provision of this code, which charge is known by the candidate making such charge to be false or malicious, is guilty of a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083 and, in addition, after conviction shall be disqualified to hold office.
- (2) Any candidate who, in a primary election or other election, with actual malice makes or causes to be made any statement about an opposing candidate which is false is guilty of a violation of this code. An aggrieved candidate may file a complaint with the Florida Elections Commission pursuant to s. 106.25. The commission shall adopt rules to provide an expedited hearing of complaints filed under this subsection. Notwithstanding any other provision of law, the commission shall assess a civil penalty of up to \$5,000 against any candidate found in violation of this subsection, which shall be deposited to the account of the General Revenue Fund of the state.