

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 21-147

(Executive Order Declaring a Vacancy)

WHEREAS, Diyonne McGraw was elected to the District 2 School Board seat of the Alachua County School Board in the November 2020 election; and

WHEREAS, Article X, Section 3, of the Florida Constitution, and section 114.01(1)(g), Florida Statutes, provide that a vacancy in office shall occur upon an officer's failure to maintain the residence required of him or her by law; and

WHEREAS, a declaratory action was filed in the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Case No. 01-2021-CA-1594, alleging that Diyonne McGraw has not maintained the residency required for the District 2 School Board seat of the Alachua County School Board; and

WHEREAS, the Circuit Court held a hearing at which McGraw did not present any evidence to contest the allegations against her regarding her residency; and

WHEREAS, on June 15, 2021, the Circuit Court ruled on a preliminary basis that "there appears to be a substantial likelihood of success of the merits" of the declaratory action against McGraw, because McGraw does not reside in the district for which she was elected; and

WHEREAS, the Circuit Court's findings support the conclusion that a vacancy occurred pursuant to Article X, Section 3, of the Florida Constitution, and section 114.01(1)(g), Florida Statutes; and

WHEREAS, section 114.01(2), Florida Statutes, provides that the Governor shall file an Executive Order with the Secretary of State setting forth the facts giving rise to the vacancy in office.

NOW, THEREFORE, I, RON DESANTIS, Governor of Florida, by virtue of the authority vested in me by the Constitution and laws of the State of Florida, declare that due to Dyonne McGraw's failure to maintain the residence required of her by law a vacancy exists on the Alachua County School Board, District 2, which I shall fill in compliance with the law.



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 17th day of June, 2021.

  
RON DESANTIS, GOVERNOR

ATTEST:

  
SECRETARY OF STATE

DEPARTMENT OF STATE  
TALLAHASSEE, FL

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FILED