

**IN THE CIRCUIT COURT FOR THE  
SECOND JUDICIAL CIRCUIT IN AND FOR  
LEON COUNTY, FLORIDA**

CARNELL STAPLES, DON MIZELL,  
LYNNE HUBBARD, and CHARLES  
RIDLEY,

Petitioners,

v.

Case No. 2021-CA-1781

RON DESANTIS, in his official  
capacity as Governor of Florida,

Respondent.

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**GOVERNOR DESANTIS' MOTION FOR JUDICIAL NOTICE**

Respondent, Governor DeSantis, submits this Motion for Judicial Notice under sections 90.202-.203, Florida Statutes, and asks the Court to take judicial notice of the following Executive Order, a copy of which is attached to this motion:

1. Exec. Order 21-224 (Oct. 27, 2021) (Special Elections – Senate District 33, House District 88, and House District 94).

Unless ordered otherwise, the Governor intends to file a written response to the “Complaint for Writ of Mandamus” showing cause why mandamus relief should not be granted on or before November 8, 2021, as directed by the Court’s “Order to Show Cause” issued October 19, 2021.

Respectfully submitted this 27th day of October,  
2021.

**RON DESANTIS  
GOVERNOR**

*/s/ Joshua E. Pratt*

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*Counsel for Governor Ron DeSantis*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been filed using the Florida Courts E-Filing Portal this 27th day of October, 2021, and will be electronically served to all counsels of record.

/s/ Joshua E Pratt

Deputy General Counsel

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# EXHIBIT A

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# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 21-224

(Special Elections – Senate District 33, House District 88, and House District 94)

**WHEREAS**, section 100.101(2), Florida Statutes, provides that a vacancy in the membership of the State Senate or the State House of Representatives shall be filled by special election; and

**WHEREAS**, pursuant to article X, section 3 of the Florida Constitution, and section 114.01(1)(d), Florida Statutes, vacancies now exist in the State Senate and the State House of Representatives due to the resignations of Senator Perry E. Thurston, Jr., Senate District 33, Representative Omari J. Hardy, House District 88, and Representative Bobby B. DuBose, House District 94; and

**WHEREAS**, pursuant to section 100.141(1), Florida Statutes, the Governor, after consultation with the Secretary of State, shall issue an order declaring the dates on which the special elections shall be held; and

**WHEREAS**, pursuant to section 100.111(2), Florida Statutes, prior to setting the special election dates, the Governor shall consider any upcoming elections in the jurisdictions where the special elections will be held; and

**WHEREAS**, an upcoming election is scheduled to be held in Congressional District 20, if necessary, on January 11, 2022; and

**WHEREAS**, upcoming elections are scheduled to be held in Broward County and Palm Beach County on March 8, 2022.

NOW, THEREFORE, I, RON DESANTIS, as 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, do hereby promulgate the following Executive Order, to take immediate effect:

Section 1. A Special Election shall be held in Senate District 33, House District 88, and House District 94 to fill the vacancies in the State Senate and the State House of Representatives.

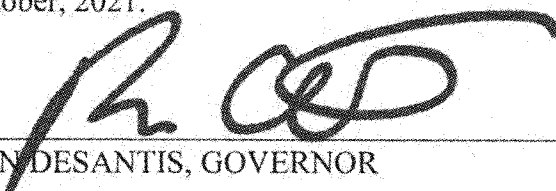
Section 2. A Special Primary Election shall be held on January 11, 2022.

Section 3. A Special Election shall be held on March 8, 2022, if necessary, to select the State Senator for Senate District 33, the State Representative for House District 88, and the State Representative for House District 94.

Section 4. The Secretary of State shall work to implement other scheduling requirements for these special elections.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 27th day of October, 2021.

  
RON DESANTIS, GOVERNOR

ATTEST:

  
SECRETARY OF STATE

DEPARTMENT OF STATE  
TALLAHASSEE, FL

2021 OCT 27 PM 5:16

FILED