

Resolution 2018-014

RESOLUTION TO APPOINT SPECIAL PROSECUTOR

Whereas, the Albany County & Prosecuting Attorney's Office has a conflict of interest in prosecuting the Defendant in the case of *State of Wyoming v. William H. Keller* in the Second Judicial Circuit Court of Albany County, Wyoming, Criminal Case No. 2017-0229 in violating the terms and conditions of his probation for the underlying criminal offense of *Violating an Order of Protection* due to the Defendant made threats to harm the Albany County & Prosecuting Attorney, Judge Castor and a Deputy with the Albany County Sheriff's Office.

Whereas, Wyo. Stats. § 18-3-302, §18-2-110, and §18-3-520, enables the County Commissioners of any County to employ one or more attorneys to appear and prosecute and assist the County and Prosecuting Attorney on behalf of the people of such County in any action or proceeding, whether civil or criminal;

Whereas, in such case the nature and necessity of employment shall appear in the records of the County Commissioners according to Wyo. Stat. § 18-3-302 and § 18-3-520;

Whereas, it appears to the Board of County Commissioners that a Special County & Prosecuting Attorney is needed to assist the Albany County & Prosecuting Attorney to carry out her duties due to the County & Prosecuting Attorney reporting a conflict of interest and an appearance of impropriety that may result should the Albany County & Prosecuting Attorney's Office handle the above matter;

Whereas, the office of Laramie District Attorney has agreed to assume the responsibilities and duties of Special Prosecutor in this matter, it being noted that Albany County and Prosecuting Attorney's Office will be responsible for expenses by the Special Prosecutor in carrying out his duties including but not limited to any expenses for travel.

NOW THEREFORE THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING, RESOLVES:

Section 1. That the foregoing recitals are incorporated in and made a part of this resolution by this reference.

Section 2. That the office of the Laramie District Attorney be and are hereby appointed and employed as Special County and Prosecuting Attorney in the above referenced criminal case to perform the official duties in this matter that would otherwise be performed by the Albany County & Prosecuting Attorney and her deputies and for that time and for this matter, the office of the Laramie District Attorney and his deputies shall have the same powers given by law to the Albany County & Prosecuting Attorney as is so provided by Wyo. Stat. § 18-3-105.

PASSED, APPROVED, AND ADOPTED THIS 1st day of May, 2018.

THE BOARD OF COUNTY COMMISSIONERS
OF ALBANY COUNTY, WYOMING

Alba Richardson, Commissioner
~~for~~ Fim Chesnut, Chairperson

ATTEST:

Jackie R. Gonzales, Deputy
~~for~~ Jackie R. Gonzales,
Albany County Clerk