

Resolution 2023-012
RESOLUTION TO APPOINT SPECIAL PROSECUTOR

Whereas, the Albany County & Prosecuting Attorney's Office has a conflict of interest in reviewing and prosecuting a criminal action, wherein R.H. is the accused, due to a relationship between one or more of the parties and members of the Albany County & Prosecuting Attorney's Office.

Whereas, Wyo. Stat. Ann. § 18-3-302 and § 18-3-520, enables the County Commissioners of any County to employ one or more attorneys to appear and prosecute and assist the Albany 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. Ann. § 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 the duties due to the Albany 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 Natrona County District Attorney's Office, by and through Natrona County District Attorney, Daniel Itzen, or any of his designees, has agreed to assume the responsibilities and duties of Special Prosecutor in this matter, it being noted that the 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 Natrona County District Attorney's Office, by and through Natrona County District Attorney, Daniel Itzen, or any of his designees, be and are hereby appointed and employed as Special County and Prosecuting Attorney in the above-referenced criminal matter to perform the official duties in this matter that would otherwise be performed by the Albany County & Prosecuting Attorney and his deputies and for that time and for this matter, the Natrona District Attorney's Office, by and through Natrona County District Attorney, Daniel Itzen, or any of his designated deputies, shall have the same powers given by law to the Albany County & Prosecuting Attorney as is so provided by Wyo. Stat. Ann. § 18-3-105.

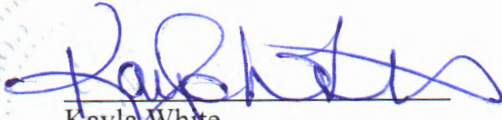
PASSED, APPROVED, AND ADOPTED THIS 16th day of May, 2023.

THE BOARD OF COUNTY COMMISSIONERS
OF ALBANY COUNTY, WYOMING



Pete Gosar, Chairperson

ATTEST:



Kayla White,
Albany County Clerk