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MARTIN CORRECTIONAL INSTITUTION  
ON 2/13/18  
FOR MAILING

**DISTRICT COURT OF APPEAL  
FOURTH DISTRICT  
STATE OF FLORIDA**

ERNESTO BEHRENS,  
Petitioner,

v.

Case No: 4D17-2938  
L.T. Case No: 98-5739 CF 10A

STATE OF FLORIDA,  
Respondent. /

**MOTION TO ENFORCE THE TRANSFERRED  
PETITION FOR WRIT OF MANDAMUS**

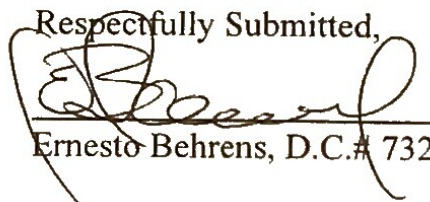
COMES NOW, the Petitioner, Ernesto Behrens, *pro-se*, and respectfully moves this Honorable Court to act on Petitioner's Petition for Writ of Mandamus transferred by Order of this Court on 10/11/2017. In furtherance thereof, Petitioner states as follows:

1. On June 16, 2017, Petitioner submitted a "Public Records Request," pursuant to § 119.07, Fla. Stat. (2016), requesting the Clerk of Court for Broward County, Florida to disclose the existence, location and availability of the physical evidence that was introduced at Petitioner's trial (which contain DNA).
2. On September 13, 2017, Petitioner filed his Petition for Writ of Mandamus against the Clerk of Court for Broward County, Florida.
3. On October 11, 2017, this Honorable Court issued an Order transferring the Petition for Writ of Mandamus to the lower court (see Exhibit A).

4. Nonetheless, as to the date of filing the instant motion, the lower court has not taken any action on the transferred petition (four months later).

**WHEREFORE**, Petitioner respectfully requests for this Honorable Court to enforce upon the lower court to act in a timely fashion on Petitioner's Petition for Writ of Mandamus transferred by this Court on October 11, 2017. Furthermore, Petitioner reminds the Court that Petitioner's DNA consultant, Tiffany Roy, cannot pursue further research/investigation and/or testing without the requested physical evidence.


Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Ernesto Behrens', is written over a horizontal line.

Ernesto Behrens, D.C.# 732564

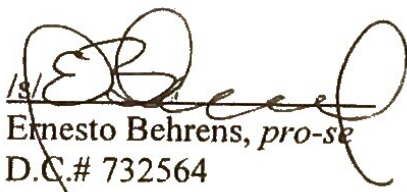
### OATH

UNDER PENALTIES OF PERJURY, and administrative sanctions from the Department of Corrections, including forfeiture of gain time if this motion is to be found frivolous or made in bad faith, I certify that I understand the contents of the foregoing motion, that the facts contained in this motion are true and correct, and that I have a reasonable belief that the motion is timely filed. I certify that this motion does not duplicate previous motions that have been disposed of by the Court. I further certify that I understand English and have read the following Motion.

  
/s/ Ernesto Behrens, *pro-se*  
D.C.# 732564

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: Office of the Attorney General, 1515 N. Flagler Ave., Suite 900, West Palm Beach, FL 33401, by U.S. Mail this 15 day of FEB, 2018.

  
/s/ Ernesto Behrens, *pro-se*  
D.C.# 732564  
Martin Correctional Institution  
1150 S.W. Allapattah Road  
Indiantown, Florida 34956