

# Exhibit A



MICHAEL J. SATZ
STATE ATTORNEY
SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA
BROWARD COUNTY COURTHOUSE
201 SE SIXTH STREET, SUITE 660 A, FORT LAUDERDALE, FL 33301-3360
PUBLIC RECORDS REQUEST

closed
N/S

Contact Mrs. Seltzer at (954) 831-7228 / SSeltzer@sao17.state.fl.us

Requestor: LUYSER, ESQ. V. JULIA
Company:
Address: 1205 N. FEDERAL HIGHWAY
City, State, Zip LAKE WORTH, FL - 33460
Email: JULIA@LUYSERLAW.COM

Request Reference #: 8089
Phone:
Fax:
Date: 3/10/2017

Pursuant to Chapter 119, Florida Statutes, request is made for
Request Type: COPIES
Record Type: Public Records Request
Defendant: BEHRENS, ERNESTO
CfNum: 98005739CF10A
Description: the documents listed in the Motion to Compel and Addendum
YOU ARE ADVISED that the State Attorney's Office is not the custodian of the official court records. The records you have requested are only those in the custody of the State Attorney, subject to all legal exceptions and/or redactions. For a copy of the complete and official record and/certified copies, contact the office of Howard Forman, Clerk of the Court, 17th Judicial Circuit of Florida, at (954) 831-6565

Letter acknowledging request sent by
Active Discovery provided by
Reviewed/Redacted by
Approved/Disapproved by Susan Seltzer
File unable to be located by Unit
Date
Date
Date
Date 3-10-17
Date

See Notes/Exemptions/Redactions indicated below

Request Withdrawn--Date
SAO record was destroyed per §119.021(2)(d),
SAO has no record as requested

Notes/Exemptions from Public Record Disclosure (For Reviewing ASA use only)

- Active internal affairs investigation -> exempt, §112 533, FS, §655.057(1)(a), FS
Attorney notes -> confidential and exempt, Lopez v State 696 So. 2d 725 (Fla. 1997), Arbelaez v State, 775 So 2d 909 (Fla.2000)
Confession by Defendant on active cases -> exempt, §119 071(2)(e), FS
Bank account numbers, debit, charge and credit account numbers and social security numbers -> exempt, §215.322(6)1, FS, §119 071(5)(a)(b), FS, §655 057, FS; §655.059, FS
Biometric ID information -> exempt, §119 071(5)(g), FS
information revealing id of Confidential Informant or confidential source -> exempt, §119 071(2)(f), FS
Defendant not entitled to free copy of file -> Roesch v State, 633 So 2d 1 (Fla. 1993)
Criminal History Data -> exempt, §943.0525, FS
Department of Corrections Records & Investigations -> exempt, §945.10, FS
Autopsy Photographs -> exempt, §406.135(1), FS
E.M.S Reports -> exempt, §395.51, FS
Home Addresses, etc., of current or former prosecutors, law enforcement personnel, firefighters, judges and code inspectors -> exempt, §119 071(4)(d)1, FS
Traffic Crash Report exempt for 60 days after report is filed -> exempt, §316 066(5)(a), FS
Videotaped statement of minor victim of sexual battery -> exempt, §119 071(2)2a, FS
DL and DMV records -> exempt, §119 071(2), FS
Other exemptions ->
Photo/video/audio recording that depicts or records the killing of a human being -> exempt, F S 406 136
Security video/surveillance -> exempt 281 301, F S and/or F S 119 071(3)(a)
Mental Health records -> exempt, §394 4615(1), FS, §456 057, FS
On active, pending cases, information not disclosed to defense in discovery -> exempt, Satz v Blankenship, 407 So 2d 396 (Fla. 4DCA 1981); Tribune Co v Public Records, 493 So 2d 480 (Fla. 2nd DCA, 1986)
Personal assets of crime victim -> exempt, §119 071(2)(i), FS
Personal victim information in cases of sexual offense, child abuse, lewd & lascivious offense -> exempt, §119 071(2)(h), FS; §794 024
Medical Records -> exempt, §395.3025(4), FS, §395 3025(8), FS, §456 057, FS
PSI, PII, pre-plea, post-sentence investigative records -> exempt, §945 10(1)(b), FS
Reports of abuse of vulnerable adult -> exempt, §415 107, FS
Department of Children & Families Reports of child abuse -> exempt, §39 0132(4)(a), FS, §39.202, FS
School records -> exempt, §1002.22, FS
Photograph of victim of sexual offense -> exempt, §119 071(2)(h)
Active criminal intelligence and investigative information -> exempt, §119 071(2)(e), FS
Identity of caller requesting or reporting "911" emergency -> exempt, §365 171(15), FS
Juvenile Records -> exempt, §985 04, FS
Drivers License digital imaging -> exempt, §322 142(4), FS
Telecommunications records -> exempt, §119 071(5)(d)
Pharmacy Records -> exempt, §465 017(2)
Federal Tax Information -> exempt- 26 USC 1603

BSO CRIME LABORATORY/DNA UNIT/FINAL ZING

SAMPLE	D1S7	D2S44	D4S139	D10S28	D5S110	D722
K562	4505 4843	2105 1784	6442 3431	1748 1178	3711 2916	2746
GREEN SHEET 1 ♂	7876 3172	2105 2655	7744 3358	4019 2752	4137 2144	2756
GREEN SHEET 1 ♀	—	—	—	—	—	—
GREEN SHEET 3 ♂	—	—	—	—	—	—
GREEN SHEET 3 ♀	—	—	—	—	—	—
GREEN SHEET 4 ♂	—	—	—	—	—	—
GREEN SHEET 4 ♀	—	—	—	—	—	—
- V	6205 5710	2178 1928	9235 5105	2588 1047	2147 1956	2750
PS 95-118	9074 4340	3117 1720	8617 4307	1895 1592	3778 3014	2750
2178E	2498 1/9/96					001
EMERSON PULVERIS	7704 3140	2994 2653	7621 3533	3988 2722	4347 2120	2752
200 21224 07-09-96 21224 07-06-1996						0

MEMBRANE # 95-10-151

CASE # 9186F

CLDNA 9(3/94)

ANALYZED BY: D. J. [unclear]

VICTIM: \_\_\_\_\_

DATE ANALYZED: 10 July 95

SUSPECT: \_\_\_\_\_

SUBMITTED BY: Quarregan

OTHER: \_\_\_\_\_

AGENCY: Plantation

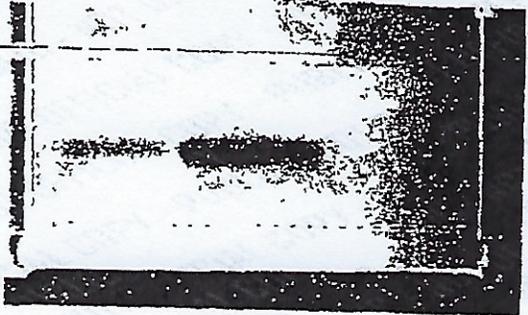
AGENCY #: 1164-95-05

LAB #: 9186 E

ITEM/DESCRIPTION	CHEMICAL TEST	SPECIES	SPERM	P-30	REMARKS
1) Control swab	⊖ PH ⊖ PD				2 swabs clean
2) Saliva swab	⊖ PH ⊖ PD				2 swabs yellow stains
3) Oral swab	⊖ PH ⊖ PD				6 swabs 2 pocket yellow stains
4) Leg swab	⊖ PH ⊖ PD				2 swabs yellow stains
5) Oral smear			⊖		2 slides
6) One purple top blood vial					Dry blood <del>stains</del>
7) One black 1/2 white paint dext	⊖				No visible sperm - 100% of results - 0% paint
8) One green top swab	⊖ PD				100% sperm with 100% of results Hatched fibers covered - 100% of results
9) One green (control) set	⊖ PH ⊖ PD ⊖ PH ⊖ PD		⊖		4 sperm found # 1, 3, 4 ⊕ + 2 ⊖
10) Oral swabs - E. Coli					20 PH <del>results</del>

BSO CRIME LABORATORY/DNA UNIT  
YIELD GEL DATA

LANE	SAMPLE	ng DNA/LANE	ng DNA/SAMPLE	DNA SPECIALIST
CATHODAL ORIGIN				<i>J. J. [Signature]</i>
1	BLANK		LOT #	DATE 3 04 95
2	STANDARD	500 ng	F19004	POWER SUPPLY P-1
3	STANDARD	250 ng	CC3	TANK VOLTAGE 200 VOLTS
4	STANDARD	125 ng	CC4	TIME ON 3:45
5	STANDARD	63 ng	CC5	TIME OFF 4:00
6	STANDARD	31 ng	CC6	
7	STANDARD	15 ng	CC7	
8	9186F Green coat 107		x8	step 1 lane
9	Green coat 107		x8	
10	Green coat 307		x8	
11	Green coat 307		x8	
12	Green coat 407		x8	
13	Green coat 407		x8	
14	Green coat 407		x8	
15	TS 95-118		x8	
16			x8	
17			x8	
18			x8	
19			x8	
20			x8	
21			x8	
22			x8	
23			x8	
24			x8	
25	BLANK			
MIDDLE ORIGIN				
26	BLANK			
27			x8	
28			x8	
29			x8	
30			x8	
31			x8	
32			x8	
33			x8	
34			x8	
35			x8	
36			x8	
37			x8	
38			x8	
39			x8	
40			x8	
41			x8	
42			x8	
43			x8	
44			x8	
45			x8	
46			x8	
47			x8	
48			x8	
49			x8	



BSC CRIME LABORATORY (DNA UNIT)  
DIGESTION OF BODY FLUID STAIN WITH HAE III

Case #: 9186F DNA Specialist: Tom DATE: 300495

Digestion Control Lot Number: DMTC01 Source: BRL

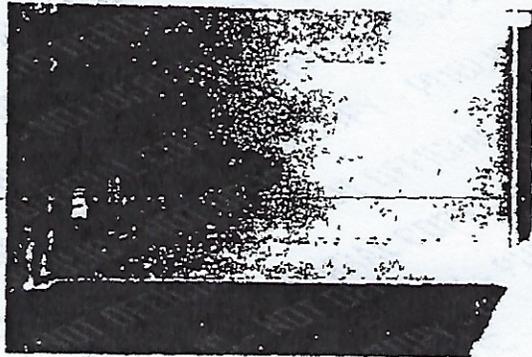
REAGENT	VOL(ul)	LOT#	
TE-4	189	10-10-95	
SPERMIDINE	9.6	1-27-96	
HAE III BUFFER	25	EJA403	
HAE III ENZYME	1	SOURCE <u>BRL</u>	LOT# <u>EJA402</u>
AMMONIUM ACETATE	83	1-18-96	
ABSOLUTE RGT. ALCOHOL	666	952110-36	
70 % REAGENT ALCOHOL	1000	28-96	
TE-4	16	10-10-95	
TIME		START: <u>4:30P</u>	END: <u>10:00A</u>

DATE			
SAMPLES			
REAGENT	VOL(ul)	REDIGEST/LOT	REDIGEST/LOT
TE-4	212		
SPERMIDINE (OPTIONAL)	9.6		
HAE III BUFFER	25		
HAE III ENZYME	1		
AMMONIUM ACETATE	83		
ABSOLUTE RGT. ALCOHOL	666		
70 % REAGENT ALCOHOL	500		
TE-4	16		
TIME		START:	END:

TEST GEL PREPARATION

DNA SAMPLES	2ul	XXXXXXXXXXXXXXXXXXXX	REDIGEST	REDIGEST
LOADING SOL.	2ul	<u>10-27-95</u>		
AGAROSE	1.0 gm	<u>90K8C53</u>		
GEL/TANK BUFFER	100mLs	<u>3-13-96</u>		
EtBr	10ul	<u>11-2-95</u>		

	SAMPLE	LOT #	SOURCE	DATE
1				4 OCT 95
2	VISUAL MARKER			ANALYST
3	DIGEST CONTROL	3-5-96	Powega	CASE#S
4	TEST GEL CONTROL	CONTROL	ETL	9186F
5		EEARDI	ORL	
6	9186F Green spot 1			
7				
8	Green spot 1			Tank voltage 200 volts
9	Green spot 3			Time on 2:30
10	Green spot 4			Time off 2:50
11	Green spot 4			
12	DL001			
13	75 95-118			
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25	BLANK			
	MIDDLE ORIGIN			
26	BLANK			
27	VISUAL MARKER			
	LOT#			
28				
29				
30				
31				
32				
33				
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PSO CRIME LABORATORY/DNA UNIT  
ANALYTICAL GEL DATA

CASE # 9186 F DNA SPECIALIST [Signature] DATE 10-4-95 TIME ON 5:05 P  
 POWER SUPPLY 2-1 TRAY # 6-7 GEL LENGTH 12 X 20 CM TIME OFF 9:15  
 VOLTAGE(GEL) 30 VOLTS MEMBRANE # 95-10-151

SIZING	LANE	SAMPLE	VOL (ul)	SOURCE
	1	VISUAL/LOT EBE001	10ul	↑
1	2	SIZE MARKER/LOT EBA001/003	10ul	BLK
2	3	CELL LINE/LOT Q50.09 EEA001	10ul	↓
3	4	9186 F Green shirt 1 M	10ul	
4	5	9186 F Green shirt 1 F	10ul	
5	6	SIZE MARKER	10ul	
6	7	9186 F Green shirt 3 M	10ul	
7	8	9186 F Green shirt 3 F	10ul	
8	9			
9	10	9186 F Drizzle wood	10ul	
10	11	SIZE MARKER	10ul	
11	12	TS 95-118	10ul	
12	13	9186 F Green shirt 4 M	10ul	
13	14	9186 F Green shirt 4 F	10ul	
14	15			
15	16	SIZE MARKER	10ul	
	17	BLANK		

WITNESS: kn

GEL PREPARATION		
REAGENT	VOLUME	LOT NUMBER
LOADING SOLUTION	4.0ul	10 27-95
AGAROSE	2.0 GRAM	EBA001
GEL/TANK BUFFER	200 ml	3-13-96

PLACE RANDOM SAMPLES BETWEEN LANES 11 & 16



# Exhibit B

1.  Trial Evidence  Safekeeping  Found Property  Lab Evidence  Recovered Property

2 CASE NO: 16199505  
 3. DATE - TIME RECEIVED: 5/12/95 0900  
 4 BIN NO: (P33) (B3)  
 5 TYPE OF CASE: Sexual Battery 9/186F  
 6. ADDRESS WHERE PROPERTY IMPOUNDED (GIVE EXACT LOCATION WHERE FOUND):  
 7. FOUND BY: M. Lawton  
 8. SUSPECT(S) (GIVE FULL NAME): UNKNOWN  
 9. VICTIM: Denise Wood  
 10. OWNER'S NAME: SAME AS #9

11 ITEM NO	12 QTY	13 DESCRIPTION
1	1	Multicolored Envelope - folded inward Envelope
2	1	Pillow Case - removed inside out
3	1	Top Sheet - (Green) folded inward Envelope
4	1	Fitted Sheet Green folded inward Envelope
		Sheet ret to PD 10-18-95 10:30 K. Amabile

14 SPECIAL INSTRUCTIONS  
 PROCESS FOR FINGERPRINTS  
 DESTRUCTION PURPOSE ONLY  
 OTHER (Specify) Check for semen hairs and fib  
 RELEASE UPON PROOF OF OWNERSHIP

15 I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt  
 S. Geller / Discovery / 12/1/99  
 Redwood / Redwood / Ret to Pmp 12/1/99 0900 1300  
 Signature (X) \_\_\_\_\_

18 I hereby acknowledge that the above list represents all property impounded by me in the official performance of my duty as a Police Officer  
 Division: JD PL # 8820  
 Impounding Officer Signature: MARGORIE HANSON  
 Print Name: MARGORIE HANSON

RECEIVED BY	Print Name	Signature	REASON	DATE AND TIME RECEIVED
K Amabile	K. Amabile	K. Amabile	Evid	5-15-95 11:15
Sheet	K. Amabile	K. Amabile	to + BSO Lab	5-18-95 11:15
J Kattal	J Kattal	J Kattal	IS	5/18/95 1140
J Kattal	J Kattal	J Kattal	Analysis	6-13-95
K Amabile	K Amabile	K Amabile	ret. to P.D.	6-21-95 11:50
SHEET ONLY M KEENAN	M KEENAN	M Keenan	DOT LAB	6-30-95 11:30
J Kattal	J Kattal	J Kattal	AUTHORITY	6/30/95 1230

NAME	REASON	START	END
John K. Amabile	Lab	2-1-50	11:30
Steve Geller	Lab #4	2/1/00	11:56
Steve Geller	Return to PPD	6:29:00	1350

POLICE DEPARTMENT  
PLANTATION, FLORIDA

(NOTE: BOX 2 (CONTAINS CONTAINER "1" ONLY)

PROPERTY RECEIPT

Trial Evidence  Safekeeping  Found Property  Lab Evidence (Attach Memo)  Recovered Property

2 CASE NO: 1699505 3. DATE - TIME RECEIVED: 5/12/95 0900 4 BIN NO: (P33) (B3) 5 TYPE OF CASE: Sexual Battery 9/186F

6 ADDRESS WHERE PROPERTY IMPOUNDED (GIVE EXACT LOCATION WHERE FOUND): [REDACTED]

7 FOUND BY: M. Lawton

8 SUSPECT(S) (GIVE FULL NAME): Unknown RACE/SEX: [REDACTED] DOB: [REDACTED] ARRESTED:  YES  NO NTA:  YES  NO CITATIONS:  YES  NO  PENDING

VICTIM: Denise Wood ADDRESS: [REDACTED] CITY: [REDACTED] STATE: [REDACTED] TEL: [REDACTED]

10 OWNER'S NAME: JANE AS#9 ADDRESS: [REDACTED] CITY: [REDACTED] STATE: [REDACTED] TEL: [REDACTED]

11 ITEM NO	12 QTY	13 DESCRIPTION
1	1	Multicolored Comforter - folded inward Envelope
2	1	Pillow Case - <del>reversed</del> inside out
3	1	Top Sheet - (Green) - folded inward Envelope
4	1	Fitted Sheet - Green - folded inward Envelope
		[REDACTED]
		Sheet ret to PD 12-18-95 10:30 K. Amabile
		<del>Redwood / Redwood</del>
		Denise Wood Analysis 9-18-95

14 SPECIAL INSTRUCTIONS  
 PROCESS FOR FINGERPRINTS  
 DESTRUCTION PURPOSE ONLY  
 OTHER (Specify) Check for semen hairs and fit  
 RELEASE UPON PROOF OF OWNERSHIP

15 I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt  
S. Geller / Discovery / 12/1/99  
Redwood / Redwood / Ret to Pmp 12/1/99 0900  
 Signature (X) \_\_\_\_\_

18 I hereby acknowledge that the above list represents all property impounded by me in the official performance of my duty as a Police Officer.  
 Division: DD PL # 8020  
 Impounding Officer Signature: MARJORIE HANSON  
 X \_\_\_\_\_  
 Print Name: MARJORIE HANSON

17. RECEIVED BY	Signature	REASON	DATE AND TIME RECEIVED
<u>K. Amabile</u>	<u>K. Amabile</u>	<u>Evid</u>	<u>5-15-95 11:15</u>
<u>Sheet K. Amabile</u>	<u>*. Amabile</u>	<u>to 850 Lab</u>	<u>5-18-95 11:45</u>
<u>J Kattel</u>		<u>IS</u>	<u>5/18/95 1140</u>
<u>[REDACTED]</u>		<u>Analysis</u>	<u>6-13-95</u>
<u>K Amabile</u>		<u>ret. to P.D.</u>	<u>6-21-95 11:50</u>
<u>SHEET ONLY M KERNAN</u>	<u>M Kernan</u>	<u>DOT LAB</u>	<u>6-30-95 11:50</u>
<u>J Kattel</u>		<u>[REDACTED]</u>	<u>6/30/95 1230</u>

18 FINAL DISPOSITION  
 DATE AND TIME OF DISPOSITION: 6/30/95 1230

Item #	BY	DESCRIPTION	DATE	TIME
1	K. Amabile	tot Lab	2-1-00	11:30
<del>2</del>	<del>K. Amabile</del>	<del>tot Lab</del>	<del>2/1/00</del>	<del>11:56</del>
3	K. Amabile	tot Lab	6-28-00	0900
	Steve Geller	Return to PRD	6-29-00	1350

1,2,3

POLICE DEPARTMENT  
PLANTATION, FLORIDA

PROPERTY RECEIPT

9/18/95

Trial Evidence  Safekeeping  Found Property  Lab Evidence  Recovered Property

2 CASE NO: 1169-9505  
 3 DATE - TIME RECEIVED: [Redacted]  
 4 BIN NO: P33 B3  
 5 TYPE OF CASE: Sexual Battery  
 6 ADDRESS WHERE PROPERTY IMPOUNDED (GIVE EXACT LOCATION WHERE FOUND): [Redacted]  
 7. FOUND BY: [Redacted]  
 8 SUSPECT(S) (GIVE FULL NAME): Denise Wood, RACE/SEX: w/f, DOB: Unknown, ARRESTED: YES, NTA: YES, CITATIONS: YES  
 9 VICTIM: Denise Wood, ADDRESS: [Redacted], CITY: [Redacted], STATE: [Redacted], TEL #: [Redacted]  
 10 OWNER'S NAME: Same as #9, ADDRESS: [Redacted], CITY: [Redacted], STATE: [Redacted], TEL #: [Redacted]

11 ITEM NO	12 QTY	13 DESCRIPTION
1	1	Black and white print dress (used to cleanup semen)
[Redacted]		

14 SPECIAL INSTRUCTIONS: Dr. Wood advised Ret to Prop 2/1/99 1300  
 PROCESS FOR FINGERPRINTS  
 DESTRUCTION PURPOSE ONLY  
 OTHER (Specify): Check for Semen, hairs, fibers  
 RELEASE UPON PROOF OF OWNERSHIP

15 I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt  
 Signature (X): \_\_\_\_\_  
 16 I hereby acknowledge that the above list represents all property impounded by me in the official performance of my duty as a Police Officer  
 Division: 10, PL #: 8820  
 Impounding Officer Signature: X [Signature]  
 Print Name: Majorie Hanton

17 RECEIVED BY	Print Name	Signature	REASON	DATE AND TIME RECEIVED
RECEIVED BY	K Amabile	[Signature]	Evid.	5-15-95 11:15
RECEIVED BY	K Amabile	[Signature]	tot BSO Lab	5-18-95 11:15
RECEIVED BY	J Kattel	[Signature]	WS	5/18/95 1140
RECEIVED BY	[Redacted]	[Signature]	Analysis	6-13-95
RECEIVED BY	K. Amabile	[Signature]	ret. to P.D.	6-21-95 11:50
RECEIVED BY	S. Sellen	[Signature]	D. Sweeney	12/1/99 2900
18 FINAL DISPOSITION			AUTHORITY	DATE AND TIME OF DISPOSITION

NAME	REASON	DATE	TIME
K Amabile	to B50 Lab	6-28-00	0900
Diana J. Moushe	Lab	6-28-00	0930
Steve Caerber	Return to PED	6-29-00	1350

# Exhibit C

**To:** Ernesto Behrens c/o Franziska Kaltenbach

**Date:** September 25, 2020

**RE:** Review of DNA Analysis results from Broward County Sheriff's Office DNA Lab in the matter of the State of Florida v. Ernesto Behrens Case Number 98-5739CF10A Lab Number 09186F.

**Samples associated:**

Sexual Assault Kit from Denise Wood  
Black and White print dress  
Green top sheet  
Green fitted sheet  
Multicolored comforter  
Pillowcase

**Scope of review:**

Documents reviewed in relation to this case were;

- Peer-reviewed, published literature, standards and guidelines which form the best practices for forensic DNA analysis in the United States,
- The case file notes which detail DNA testing performed on the evidence in this case,
- Reports detailing the opinions of the analyst who reviewed and interpreted those results.

Mr. Behrens,

During the review of the files provided in response to a court order for disclosure of "All DNA physical evidence handled and tested by laboratory technician Donna Marchese and/or DNA Consultant Martin Tracey; lab number 95-9186F Agency number 1619-95-05 (Plantation Police Department/Detective Steven Geller); Criminal case number 95-5739CF10A" I developed several concerns.

There are several pages in the file that give rise to these concerns. In his case, the victim reported being assaulted in her bed and wiping herself with a black and white dress. The black and white dress and SAEK were sent to the laboratory, and the laboratory (via analyst Marchese) determined there was nothing of value detected on those items at that time. The evidence examination then moved on to the bedding, specifically a green fitted sheet. Four cuttings were taken of the sheet, one of them (cutting #1) produced a 5 locus RFLP profile that "hit" in the local database to Behrens in 1995-1997. This local database preceded the national CODIS database we recognize today, which is federally administrated and regulated.

All of the evidence related to this matter was then returned to Plantation PD in 1995. Ernesto Behrens stands trial, is convicted and sentenced for the sexual assault of Denise Wood in 2000.

For some unknown and undocumented reason, Donna Marchese and some unknown lab authority recalled the evidence from the Plantation PD for re-examination in the lab. This occurred in June before the trial of Behrens and the evidence remained at the BSO Crime lab until September of 2000. I have no idea why they would have done this, as it was not documented in the file. It appears to be some kind of "double check" of the green fitted sheet compared to the cuttings to ascertain if/where the cuttings originated from. I have attached to this report the note that exists in the file for easy reference, these cuttings clearly existed and were maintained by the lab such that Marchese and analyst X accessed them in the 90's then again in 6/2000. Note language "for me and Marchese to review" and "conforms with..." it appears they are fitting the cuttings back in the sheet like a puzzle. If there was some reason to suspect an error occurred that necessitated this review, this should have been explained in the case file and described for defense counsel and the court.

The note does not state who the author is, and the note does not describe re-packaging of evidence.

In the case file, there are clear chain of custody logs showing that, not only the green fitted sheet (subject of the attached note regarding re-examination), but the rest of the bedding were submitted back to the lab in 2/2000 and returned to the PD in 6/2000. The black and white dress was returned to the lab separately in 6/2000 and presumably re-examined by Marchese on 6/28/2000 in a fashion consistent with the examination of the green sheet. Chain of custody documents detail that the item was returned to the PD 6/29/00. No notes exist to describe what examinations were performed on the dress or why it was resubmitted to the crime lab just before trial. No report was ever issued regarding this re-examination and it is unclear if Behrens defense attorney was discovered this information at the time of trial. No notations were made on the custody logs to describe that the cuttings were returned, and on paper they remained in the custody of the crime lab.

Behrens, representing himself, requested the location of the cuttings in a public records request, in an email (attached) George Duncan asserts he can no longer find the cuttings and that means they were returned to the Plantation PD. Obviously this isn't how chain of custody works.

There are gaps in the paperwork and chain of custody that make me concerned. The black and white dress is the best evidence to link a perpetrator to the crime, though it was never tested. The dress still exists and has never been tested for DNA. The state asserts in their most recent filing that full discovery of all the documents that exist have been provided to Behrens, and therefore to me. Notes regarding this re-examination and chain of custody documents demonstrating the location of the cutting actually used convict Behrens are missing. Originally, my objective was re-testing the original cutting with updated technology to confirm or refute previously reported link to Behrens. The scientific basis for this is that the technology is much more robust and



The technology has advanced so much that it would likely be possible to test the SAEK or the dress and obtain results. The case file notes make me concerned that an error may have been committed in the DNA testing in this case. This error may have been recognized by individuals at BSO prior to the trial and never disclosed to Behrens defense team. The existence of the "review" note from the DNA file suggest that re-testing the DNA evidence in this case is warranted and necessary.

This report represents my opinion at the time this review was performed.

Respectfully signed,

Tiffany A. Roy, ABC-MB

discriminating. Modern STR testing examines 24 loci instead of 5. At the time of the testing in this case RFLP was relatively new and history has shown us it was prone to error and subjectivity. I have concerns the original results were reported incorrectly and that it was presented in the report as a single source match, but the notes table in the file appear to show the profile obtained from the green fitted sheet was mixed. The apparent loss of the cuttings make that impossible.

Finally, an ambiguous DNA database "hit" report was contained in the file. I have attached the language from the concerning hit report here:

The evidence listed below was submitted to this laboratory:

6. One purple top blood vial - Unoc  
9. Green sheet spot 1

High molecular weight DNA was obtained from items 6 and 9.  
Hae III was used as a restriction enzyme.

**CONCLUSIONS:**

The DNA profile from item 9 matched the DNA profiles from the following case:

Victim: Renee Ahladis  
Lab #: 100270  
Agency: Coral Springs Police Dept.  
Agency Case #: 95-10-4615

The foregoing instrument was respectfully submitted,  
acknowledged before me this day of June, 1996  
by Donna J. Marchese,  
who is personally known to me  
and who did take an oath.

*Donna J. Marchese*  
Donna J. Marchese  
DNA Laboratory

*Diana M. Edwards*  
Diana M. Edwards  
CC290759  
STATE OF FLORIDA, COUNTY OF BROWARD

This report shows the DNA profile obtained from item 9, the green fitted sheet spot 1, matched the DNA profiles from a previous case processed by BSO. In this report, the only individual mentioned in the victim for the listed case, Renee Ahladis. In the case listed, Ernesto Behrens was suspect and acquitted of a sexual assault crime. On its face, this report appears to link Renee Ahladis' DNA profile to item 9. At the very least, this is confusing.

Meeting w/ Donna Marchese at Lab - 6/7/00

12/1/99 - repackaged 12/1/99 w/ Zeller initials  
on tape over original packaging

new package opened 6/7/00 for me & Marchese  
to review sheet

4 cuttings

#2 is smallest cutting & is negative

manilla envelope holding cutting cut open

#1 is small circular cutting - conforms w/ outer ring  
shape - middle cut out for testing

#3 is long narrow strip - conforms w/ section cut out

#4 is biggest cutting - conforms w/ section cut out

#1 - whole stain cut out

#3 - majority stain cut out

#4 - much stain left on sheet

#1 is ~~possibly~~ positive one

original bag int. has run & suggests long gut mesh

sheet has section that looks like removed with

#3 + #4 positive for AP + green, but no DNA profile  
came up - probably insufficient sample for RFLP testing

**Duncan, George**

---

**From:** Duncan, George  
**Sent:** Monday, July 03, 2017 11:01 AM  
**To:** Edwards, Diana  
**Cc:** Koval, Roman  
**Subject:** 9186F

Here is the particulars for the public records request of Mr. Ernesto Behrens

- >This is an RFLP case; NOT a case where CPI calculation were performed
- >We have searched our freezers for any cutting we may have had but cannot find any which means we did not save cuttings and gave it all back to the Plantation Pd which occurred on 6-29-2000
- >We do not have nor do we keep records for the State Witness; Dr. Martin Tracey

George Duncan

# Exhibit D

Re: Ernesto Behrens, Case # 98-5739-CF-10-A; Lab # 9186F; Offense # 1619-95-05

Dear Ms. Edwards,

Please accept this letter as my public record request pursuant to §119.07, Fla. Stat. (2018), requesting to purchase one copy of the following documents in relation to this case:

- 1) I am requesting a copy of Donna Marchese's Internal Affairs File, and the reasons for her not currently working with BSO Crime Lab;
- 2) I am requesting a copy of the BSO Crime Lab's internal Evidence Vault log showing:
  - a. Each piece of evidence related to this case, that arrived at your Laboratory from Plantation Police Department on May 18, 1995;
  - b. Each piece of evidence obtained from the Evidence Vault by Donna Marchesse on June 13, 1995, for the purposes of analyzing it for DNA;
  - c. Each piece of evidence that was returned from your Evidence Vault to the Plantation Police Department on June 21, 1995;
  - d. Each piece of evidence that arrived at your Laboratory from Plantation Police Department on June 30, 1995.

Should you have any questions or concerns with this record request please advise me at your earliest convenience. Also, advise me of the total cost of your research and purchase of the record, and the person or entity to remit payment to my email address provided below.

Sincerely,

Franziska Kaltenbach.

Your request will be forwarded to the relevant department(s) to locate the information you seek and to determine the volume and any costs associated with satisfying your request. You will be contacted about the availability and/or provided with copies of the records in question.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

Broward County Sheriff's Office Crime Lab

To monitor the progress or update this request please log into the [BCSO Crime Lab Public Records Center](#).

Please find attached copies of property receipts for this case

**b. Each piece of evidence obtained from the Evidence Vault by Donna Marchese on June 13, 1995, for the purposes of analyzing it for DNA;**

No such records exist

**c. Each piece of evidence that was returned from your Evidence Vault to the Plantation Police Department on June 21, 1995;**

No such records exist

**d. Each piece of evidence that arrived at your Laboratory from Plantation Police Department on June 30, 1995.**

There were two evidence submissions from Plantation PD on June 30, 1995. These were both drug cases. Enclosed is a computer printout reflecting these submissions. The Crime Lab is unable to produce copies of the actual evidence submissions because these records have met the statutorily required public records retention period and are no longer available.

**Your request has been completed and referenced documents will be available for download through the public portal.**

If you have any questions or need additional information, please feel free to contact my office at 9548316427

Sincerely,

Diana Edwards

Admin Coordinator

Please note that Florida has a broad public records law, and that all correspondence sent to me via email may be subject to disclosure

How are we doing? Please provide us with your feedback <https://www.surveymonkey.com/t/bsocrimelab>



Sheriff Scott Israel

On 12/29/2018 5:23:32 PM, Broward County Sheriff Crime Lab wrote:

Dear Franziska Kaltenbach:

Thank you for your interest in public records of Broward County Crime Lab. Your request has been received and is being processed. Your request was received in this office on 12/29/2018 and given the reference number R000293-122918 for tracking purposes.

Records Requested: Attn: Diana M. Edwards, Administrative Coordinator Crime Laboratory.

# Broward Country Crime Laboratory

## Cases Per Agency - All Case Types

Cases submitted between 06/30/1995 and 06/30/1995

<u>Agency Id</u>	<u>Agency Name</u>	<u># Of Cases</u>
CS	Coral Springs Police Department	5
LL	BSO District 04 (Lauderdale Lakes)	4
BS	Broward Sheriff's Office	4
PP	Pembroke Pines Police Department	4
HW	Hollywood Police Department	3
PB	Pompano Beach Police Department	3
PL	Plantation Police Department	2
PK	BSO District 01 (Pembroke Park)	1
DR	BSO District 10 (Deerfield)	1
BS01	BSO District 01 (South Broward)	1
BS08	BSO District 8 - West Broward	1
BSJS	BSO Judicial Services	1
CK	Coconut Creek Public Safety Dept	1
<b>Total of All Case Types :</b>		<b>31</b>

# Exhibit E

↩ On 2/7/2019 12:55:11 AM, Franziska Kaltenbach wrote:

TO: "Broward County Sheriff Crime Lab"[browardcountysoc@mycusthelp.net]

Dear Ms. Edwards,

Thanking you again for your response. I do understand that you are not able to provide me with the DNA related records I requested, based on Flat. Stat. 943.325(14) (2018). Nevertheless, as my last request to you concerning Ernesto's case. Please, provide me with:

~ The Broward County Crime Laboratory Cases per Agency--All Cases Type~ Cases Submitted Between February 1, 2000 and February 1, 2000, depicting each piece of evidence that arrived at your Laboratory from Plantation Police Department on that date.

Each piece of evidence that was returned from your Evidence Vault to the Plantation Police Department on June 29, 2000.

Which type of analysis was conducted on the green fitted sheet (item # 4) and what type of DNA methodology was employed on it while analyzing it on February 2, 2000.

Ms. Edwards, consider this as my last request. I am concluding my research and investigation. I really thank you for your patience and for your assistance in this important matter.

Gratefully,

Franziska Kaltenbach.

On Wed, Feb 6, 2019, 1:05 PM Broward County Sheriff Crime Lab

✉ On 2/6/2019 1:05:11 PM, Broward County Sheriff Crime Lab wrote

RE: PUBLIC RECORDS REQUEST of January 14, 2019, Reference # R000307-011419

Dear Franziska Kaltenbach,

The Broward County Sheriff Crime Lab received a public records request from you on January 14, 2019. Your request mentioned:

**Please accept this letter as being my second Public Records Request pursuant to §119.07, Fla. Stat. (2018). Ernesto's DNA consultant, Tiffany Roy, just requested to see and review the following necessary additional evidence in possession of the BSO Crime Laboratory (DNA Unit), in order to effectively assist him in this case:**

✉ On 2/7/2019 7:56:23 AM, Broward County Sheriff Crime Lab wrote:

RE PUBLIC RECORDS REQUEST of January 14, 2019, Reference # R000307-011419

Good Morning Ms Kaltenbach.

Your request mentioned the following items.

The Broward County Crime Laboratory Cases per Agency--All Cases Type" Cases Submitted Between February 1, 2000 and February 1, 2000, depicting each piece of evidence that arrived at your Laboratory from Plantation Police Department on that date

Attached for download is the Cases Per Agency for 02/01/2000 There were three cases submitted,

- 00-2363 (Drug)
- 00-2350 (Latent Prints)
- 00-2349 (Latent Prints)

The documents requested are not available. The Crime Laboratory governs itself by the State of Florida General Records Schedule for Law Enforcement Agencies. The documents requested exceed the retention period.

**GENERAL RECORDS SCHEDULE GS2 FOR LAW ENFORCEMENT, CORRECTIONAL FACILITIES AND DISTRICT MEDICAL EXAMINERS. CRIMINAL INVESTIGATIVE RECORDS: FIRST DEGREE FELONY. Item # 125.**

Each piece of evidence that was returned from your Evidence Vault to the Plantation Police Department on June 29, 2000.

No such record exists

Which type of analysis was conducted on the green fitted sheet (item # 4) and what type of DNA methodology was employed on it while analyzing it on February 2, 2000

Please be advised that the Public Records Act (PRA) does not require an agency to answer questions about its operations. Rather, the PRA allows any person to inspect, or request copies of, records in the possession of an agency upon payment of costs associated with such inspection or copying.

Please let me know if you require any additional information

Sincerely,

Diana Edwards

Admin Coordinator

Please note that Florida has a broad public records law, and that all correspondence sent to me via email may be subject to disclosure

How are we doing? Please provide us with your feedback <https://www.surveymonkey.com/t/bsocrimelab>



# Broward Country Crime Laboratory

## Cases Per Agency - All Case Types

Cases submitted between 02/01/2000 and 02/01/2000

<u>Agency Id</u>	<u>Agency Name</u>	<u># Of Cases</u>
BS	Broward Sheriff's Office	18
BS01	BSO District 01 (South Broward)	14
BS11	BSO District 11 (Pompano Beach)	13
CS	Coral Springs Police Department	10
DV	Davie Police Department	10
OP	Oakland Park Police Department	9
PP	Pembroke Pines Police Department	8
LL	BSO District 04 (Lauderdale Lakes)	5
BS05	BSO District 05 (Central Broward)	4
PL	Plantation Police Department	3
DR	BSO District 10 (Deerfield)	3
HW	Hollywood Police Department	3
TM	BSO District 07 (Tamarac)	3
CC	Cooper City Police Department	2
DN	BSO District 02 (Dania Beach)	1
BS08	BSO District 8 - West Broward	1
BS03	BSO District 03 (Int'l Airport)	1
FH	Florida Highway Patrol (Ft Laud)	1
OAG	Office of the Attorney General	1
<b>Total of All Case Types :</b>		<b>110</b>

# Exhibit F

**SWORN AFFIDAVIT**

**Mr. Ernesto Behrens-732564 [G-1110U]  
Calhoun Correctional Institution  
19562 S.E. Institution Drive  
Blountstown, Florida 32424**

**TO: The Seventeenth Judicial Circuit Court In And For Broward County, Florida**

**REF.: STATE OF FLORIDA v. ERNESTO BEHRENS CASE NO.: 98-5739 CF10A**

To The Honorable Court,

This sworn affidavit is being submitted in conjunction with the instant DNA Post Conviction Motion in support of and to notify this Honorable Court of such material witnesses are willing to corroborate via testimonial statement [s] as to the specific facts therein the instant (DNA) motion.

1. On December 17, 1999 an "Arthur" hearing was held where the Honorable Judge: Ronald J. Rostchild presided over, this specific hearing.
2. During this "Arthur" hearing there were several key individual [s] present, and they are listed as follows: State Attorney- Mr. Dennis Siegel, State's Expert Witness- Serologist- Ms. Donna Marchese, Honorable Court's Bailiff- (Male), Defense Attorney-Mr. Ty Terrel and Ms. Andrea Shelowitz, and the defendant- Mr. Ernesto Behrens.
3. During such review of the specific evidence that the State of Florida intended to present at trial. There was a conversation that ensued between the State's Expert Witness Ms. Donna Marchese and the defense concerning a specific exhibit, a spot cut from the" victim's fitted sheet."
4. Ms. Donna Marchese, Serologist, made the following statement:  

"While using my microscope I was able to find one (1) spermatozoa cell, that was entwined into the fiber of the fitted sheet". She further stated the she pulled the cell from the fabric, and performed a (RFLP) DNA testing. That resulted into a match of this defendant's DNA make-up.
5. In preparation of my post-trial DNA motion I have been able to obtained sworn statement [s] from the DNA/ Forensic Community. That has stated it is scientifically impossible to conduct a (RFLP) DNA testing with a single spermatozoa cell. Indicating apparent variance to the State's Expert witness testimony' resulting into "questionable" evidence in this instant case.

6. Hereafter, I contacted Mr. Ty Terrel, my trial attorney on September 5, 2003 round about [1:40 p.m.] by phone, inquiring as to his recollection of the 12-17-99 "Arthur" hearing. Upon him affirming that he recall such proceeding, I further inquired as to his specific recollection of the State of Florida's Expert Witness specific testimony pertaining to the spermatozoa cell that was allegedly a "match" to my (DNA) make-up?

7. Mr. Ty Terrel, quoted back to me via this phone call essentially verbatim as to Ms. Donna Marchese previous testimony, however, Mr. Terrel used words and phrases during our call such as i.e.:

**"I clearly remember talking about testing one (1) single spermatozoa cell, and how it the (cell) was intertwined within the fabric of the sheet and her using a microscope to pull the cell from... But, as to Ms. Marchese exact words that she used during the latter portion of her statement then...I (Mr. Terrel) cannot remember."**

8. Also, see attached correspondence dated October 6, 2003, where Mr. Terrel has stated the following:

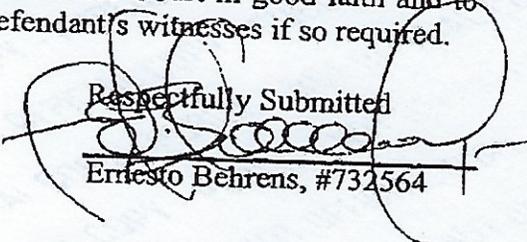
**"Ernesto, I clearly remember talking about testing one (1) single spermatozoa cell, and how it the (cell) was intertwined within the fabric of the sheet..."**

9. The defendant now states to this Honorable Court that based upon such holding and whereas the defendant continuously asserts his innocent to this specific crime. Not to exclude that the (DNA) community as a whole does not agree with the particularities proffered by the State of Florida's Expert Witness pertaining to the facts of such procedural tested. See attached sworn affidavit.

9. Also, whereas Mr. Ty Terrel and Ms. Andrea Shelowitz, Attorneys-at-Law, located at 1801 S. Perimeter Road Suite 180, Fort Lauderdale, Florida 33309. Will proffer their individual and professional recollection ... of the State of Florida's Expert testimony if this court requires it.

10. This sworn affidavit is being submitted to this Honorable Court in good faith and to provide the court such opportunity to subpoena the defendant's witnesses if so required.

Respectfully Submitted

  
Ernesto Behrens, #732564

NOTARY

Before, me the undersigned authority, this day personally appeared, Ernesto Behren  
Who first being duly sworn, stated that he is the individual that has provided the information  
herein, and such facts are true. Thereby, certifying that the forgoing has been thoroughly read and  
having personal knowledge of the facts herein are true and correct.

Ernesto Behren  
/s/ Ernesto Behren

Sworn to and subscribed before me this 2nd day of October 2003.

/s/ Thomas M. Woodham

My Commission Expires: 9-9-07

Notary No.: DD248679

Notary Public, State of FLORIDA

Type of identification used? Personally known \_\_\_\_\_, or produced identification ✓

Department of Correction  
Trinity



Thomas M. Woodham  
Commission #DD248679  
Expires: Sep 09, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.



# SHELOWITZ, SHELOWITZ & TERRELL, P.A.

1801 SOUTH PERIMETER ROAD, SUITE 180 • FORT LAUDERDALE, FLORIDA 33309

TELEPHONE 954.489.2204 • FAX 954.489.0637  
WWW.SSTLAWOFFICE.COM

MARC A. SHELOWITZ\*  
ANDREA SHELOWITZ  
TY TERRELL  
DONALD GEUN  
ANDREW M. COFFEY  
\*Admitted to New York Bar

October 6, 2003

Ernesto J. Behrens  
D.C. # 732564  
Mailing No.: G110U  
Caihoun Correctional Institution  
19562 S.E. Institution Drive  
Blountstown, Florida 32424

Dear Ernesto:

I am in receipt of your letter wherein you are requesting an affidavit from me regarding statements from Donna Marchese regarding spermatozoa and DNA testing. First of all, I have reviewed the statute you speak of (3.853) and feel you do have a viable claim for relief under that statute. Although I intend to help you where I can, I don't see where you need an affidavit from me in order to proceed forward with the post conviction relief.

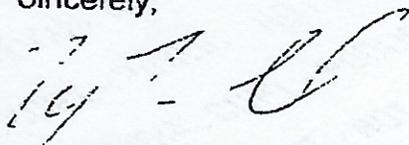
As for the affidavit, I am very uncomfortable signing an affidavit that could end up in the Supreme Court which details a conversation that I may have had with Donna Machese in 1999 when I simply don't remember the "verbatim" words she used during one of our many conversations. Ernesto, I clearly remember her talking about testing one single Spermatozoa and how it was intertwined within the fabric of the sheet, but I do not remember exactly what words she used and the rest of our conversation on the issue. I spoke with Donna Marchese several times and we spoke about DNA testing several times while viewing the sheet, both in and out of court. I can not positively remember if I first saw the sheets in court the day of the Arthur Hearing or if it was in the jail while they were being shown to you. I spent a lot of time on your case including meetings with experts, viewing the physical evidence, taking many trips to the jail, and a

week of trial and I just can not remember the specific time and place and words used when Donna Marchese was talking about the single spermatozoa.

I don't mean to be an obstacle in your quest for freedom, and I will help where I can, but the exact content of an affidavit that you want me to produce, I just can't do. On the other hand, if you want an affidavit with the information contained in this letter, I will be happy to provide you with that. Think it over and let me know if you still want an affidavit or some alternative assistance.

I am sorry this correspondence does not meet with your expectations.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyrone A. Terrell". The signature is stylized and somewhat cursive, with a large initial "T" and "A".

Tyrone A. Terrell, Esquire

# Exhibit G

September 11, 2003

EBN, INC.  
MRS. HOLDER, CEO  
P.O. BOX 1562  
POMPANO BEACH, FLORIDA 33061  
PHONE NO.: (954) 786-8619

LAB CORP, LABORATORY CORPORATION OF AMERICA  
MRS. EISENBERG, PH.D  
P. O. BOX 13973  
1912 ALEXANDER DRIVE  
RESEARCH TRIANGLE PARK, NORTH CAROLINA 27709

REF.: ON BEHALF OF MR. ERNESTO BEHRENS # 0-732564  
CASE NO.: 98-5739 CF10A

SUBJ.: SWORN AFFIDAVIT / UNIVERSAL INQUIRY AS TO THE DNA PROCEDURES  
/ CLARIFICATION AS TO THE DIFFERENCE IN (RFLP) DNA TESTING, AND (PCR)  
DNA TESTING.

MRS. Eisenberg,

As per our recent phone conference, whereby you spoke with Mr. Behrens and myself; this correspondence is forwarded to you by EBN, INC. EBN, will be the mediator and responsible for all current and future financial requirements between Lab Corp and Mr. Behrens, holding Mr. Behrens's interest in this matter.

#### SUMMARY

Mr. Behrens is currently incarcerated in the State of Florida on a crime of which he is claiming his complete innocence. The State of Florida proffered in support of Mr. Behrens's conviction alleged positive DNA results derived from partial tangible evidence collected from the crime scene. Mr. Behrens did not object to the DNA evidence presented by the State of Florida, including their DNA expert's testimony. Due to defense counsel insufficiency during trial

Mr. Behrens only option now is to file a DNA Post Conviction Motion (3.853), requesting the court to grant a new DNA testing per the new (PCR) test, on the actual evidence submitted at trial; as well as the evidence collected by the State of Florida but not tested for DNA.

## FACTS

In the case **STATE of Florida v. Ernesto Behrens**, case no.: 98-5739 CF10A, the defendant was formally charged with Armed Sexual Battery and Burglary of a Dwelling with a Battery on March 27, 1998. The defendant did proceed to trial and was found guilty by a jury in 2000. The State of Florida proffered to the court as evidence positive DNA results from partial evidence collected from the crime scene.

However, in Mr. Behrens's DNA Post Conviction Motion that he intends to present to the Florida 's Court as support for granting a new DNA testing on all of the evidence, with the sophisticated (PCR) test. Mr. Behrens's strategy is to illuminate the gross conflict and inconsistency as to the State's Expert Witness' Testimony and the DNA community, which transpired during a pre-trial hearing on the evidence that the State plans to proffer at trial and the evidence actually presented at trial.

The State's Expert Witness, (Broward County Crime Lab Tech), asserted that she received the victim's fitted sheets in the crime lab. During her examination for seminal fluid, she located four spots, which were assigned numeric numbers (i.e., spot-1, spot-2, spot-3 and spot-4). The State's expert witness asserted that (spot -1, spot-3 and spot-4) tested positive for seminal fluid, whereas, (spot-2) had a negative result. This witness additionally asserted that during such examination she discovered "hairs" on the victim's sheet and "dry-spots" on the victim's comforter, but did not perform any type of DNA testing on these specific items.

The expert further testified that upon a thorough examination of (spot-3 and spot-4), that she was unable to discover any DNA material on those pieces of evidence.<sup>1</sup> Concerning (spot-1) she stated (verbatim):

**"While using my microscope I was able to find one (1) spermatozoa cell that was entwined into the fiber of the fitted sheet".** She further asserted that she pulled the cell from the fabric, and performed a (RFLP) DNA testing that resulted into a match of Mr. Behrens's DNA make-up. During this testimony she explains to the jury that, "if you were to take a single piece of DNA from a single cell and stretch it out, it would be approximately (6) feet long. Which is really kind of hard to imagine, but the body has a wonderful way of twisting and compacting it to make it fit into each and every one of our cells."

Mrs. Eisenberg in accordance to our (9-11-03) phone conference and such clear-cut information shared during this call. Defining, spermatozoa cells and the difference in (RFLP) DNA testing as opposed to (PCR) DNA testing, also articulating the required weight and amount of cells that are needed to perform a reliable DNA test, ect...it is now imperative that I acquire the riches of your knowledge per our phone conference in a sworn written affidavit format. It has

---

<sup>1</sup> It is note worthy to point out that the State's (DNA) experts stated that spot-1 is approximately a "dime" in dimensional size, spot-3 is approximately "five" times bigger than spot-1, and spot-4 is approximately "ten" times bigger than spot-1. In spite of the exceeding dimensional size of spot-3 and spot-4, she was unable to find any (DNA) material thereon these specific spots.

become apparent that your expert statements; being highly recognizable in the DNA community, and the State of Florida's expert's testimony, have some sharp inconsistencies. Thus, resounding a prior statement quoted herein, Mr. Behrens's strategy is to illuminate the gross conflict and inconsistency as to the State's expert witness testimony in opposed to the overall DNA community.

### CONCLUSION

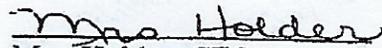
Considering the facts of this case at hand, the State of Florida by way of their expert witness presented to the trial court to support their theory, the results from a (RFLP) test using a single spermatozoa cell to produce an alleged positive DNA match of Mr. Behrens's DNA. We now inform you that Mr. Behrens is serving a life sentence in the Florida State Prison based solely from the (RFLP) test results and the State's Expert testimony, which by the way was not corroborated by any other DNA testing or expert testimony. We must mention herein that the investigation resulted into absolutely no independent evidence, i.e. (fingerprints, palm prints, foot casting nor victim' or witnesses identification). But most importantly there is an unrefuted alibi witness for Mr. Behrens, not to exclude that there were no DNA tests performed on the remaining evidence within the State of Florida possession i.e. ("hairs and dry-spots") found on the victim's sheets and comforter.

In holding Mr. Behrens interests, he has authorized us to voice on his behalf that he only seeks justice in this matter. He has continued to claim such innocence and will not relinquish in this fight to regain his freedom. Please, if you hold any additional comments or suggestions surrounding the DNA community that meet the facts of this case; that have not been covered herein, and you are of the opinion that such information would be fruitful to Mr. Behrens in his endeavor, we ask that you would freely share this such information.

Please place your answers and complete responses on a separate sheet, labeling this sheet answers and respond in numerical order, and then place these documents in the following order.

- Our cover letter detailing the facts and summary of this case should be first.
- Our questions should be second.
- This corporation's answers and detail responses to the requested questions should be third.
- Finally the signed certificate of service and the signed sworn oath making this document authentic should be fourth and the last sheet herein.

Sincerely

  
Mrs. Holder, CEO  
EBN, INC.  
P.O. Box 1562  
Pompano Beach, Florida 33061  
(954) 786-8619

SWORN AFFIDAVIT

**FROM: LAB CORP, LABORATORY CORPORATION OF AMERICA  
MRS. EISENBERG, PH.D  
P. O. BOX 13973  
1912 ALEXANDER DRIVE  
RESEARCH TRIANGLE PARK, NORTH CAROLINA 27709**

**TO: IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CURCUIT IN  
AND FOR BROWARD COUNTY, FLORIDA**

**REF.: STATE OF FLORIDA v. ERNESTO BEHRENS CASE NO.: 98-5739 CF10A**

**To Whom It May Concerns:**

The following questions have been presented to us for explicit answers by Mr. Ernesto Behrens, therefore, based on Lab Corp's exclusive pride and mission statement, we answer the following questions in their entirety.

1. Would it be scientifically possible and reliable to conduct a (RFLP) DNA testing and a (PCR) DNA testing using one single spermatozoa cell? Yes or No, Please explain your answer.
2. What is the size of one spermatozoa cell?
3. What is the nanogram or picogram weight of one spermatozoa cell?
4. What is the minimum amount of spermatozoa cell [s] required to perform a reliable scientific test using (RFLP) and (PCR)? Please explain your answer.
5. Is there a minimum required size of DNA sample[s] needed to perform a (RFLP) DNA test versus a (PCR) DNA test? Yes or No, Please explain your answer.
6. Upon a normal, healthy male ejaculation, approximately how many spermatozoa cells are released?
7. Based upon the DNA protocol community is it possible to recheck/retest evidence that has been (RFLP) tested, with the new (PCR) test? Please explain your answer.
8. When viewing (RFLP) or (PCR) DNA forms of tests individually, the National Resource Council recommends the use of which test when the forensic evidence is old, small, and partially degraded? Please explain your answer.
9. Is its possible to extract DNA from human hair? Yes or No

10. What is the specific type of DNA test that must be used when the evidence is human hair? Please explain your answer.

11. Is the (PCR) test a more sophisticated test in opposed to the (RFLP) test? Yes or No, Please explain your answer.

12. Would it be safe to say that this company recommends that all evidence collected from the crime scene be DNA tested, and not just partial evidence? Please explain your answer.

**Based on the articulate facts therein the cover letter attached to this questionnaire it would be wise and parallel to this corporation recommendation to perform a (PCR) DNA test on the remaining untested evidence, to corroborate the reliability of the previous?**



Laboratory Corporation of America® Holdings  
P.O. Box 13973  
1912 Alexander Drive  
Research Triangle Park, North Carolina 27709

Telephone: 800-533-0567  
Fax: 919-361-7737

September 30, 2003

ENB, INC.  
2740 NE 47 Street  
Lighthouse Point, FL 33064  
Attn: Mrs. Holder

RE: Mr. Ernesto Behrens #0-732564  
Case No.: 98-5739 CF10A  
FS Lab #F03-4525

Dear Mrs. Holder:

Pursuant to your request for answers to the questions that you provided, I am providing the following responses:

1. Based on the DNA quantity requirements for RFLP and PCR analysis it is my opinion that it is not scientifically possible to obtain reliable results from one single spermatozoa cell using traditional published methodologies.
2. The human sperm cell consists of a head 0.005 by .003 mm and a tail .05 mm long.
3. The weight of a spermatozoa cell is not a determining fact in RFLP or PCR analysis.
4. The minimum amount of spermatozoa required for RFLP and PCR analysis would depend on the quantity of DNA in each sperm cell. The average amount of DNA in a single sperm cell is approximately 3.5 pg.
5. The average minimum amount of DNA required for RFLP is approximately 50 ng and the average minimum amount of DNA required for PCR is approximately .1 ng. It is possible to get results from samples with less DNA than the suggested amounts of DNA depending on the quality of the DNA.
6. The average amount of seminal fluid in a normal healthy male ejaculation is 2.5 to 3.5 ml containing 200 to 300 million sperm cells.

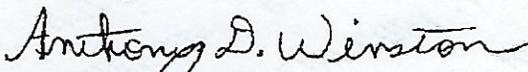
7. If there is enough evidence remaining, you can retest the evidence with PCR using excepted protocols.
8. Do to the lower DNA quantity and quality requirements associated with PCR analysis PCR would be the best method of analysis for old, small and partially degraded samples. Few labs if any are still using RFLP methods.
9. Yes it is possible to extract DNA from human hair.
10. There are two types of PCR methodologies that can be used for hair analysis. If the hair has an intact root it can be tested using nuclear DNA methods, if there is not a root present on the hair mitochondrial DNA method must be used.
11. No I would not say that PCR testing is more sophisticated than RFLP. They are simply two different types of methodologies used in forensic identity testing. RFLP is an older method of analysis requiring higher quality and quantity of DNA than the PCR method. PCR produces results in days vs. RFLP, which takes months.
12. LabCorp can not suggest to a client that all evidence collected from a crime scene be tested. The type and number samples tested would depend on the particular circumstances involved with that particular case.

Advancements in DNA testing technology have made it possible to obtain results from evidence that in the pass yielded none. Due to the lower DNA quantity and quality requirements for PCR analysis evidence previously analyzed using RFLP yielding no results may now yield results using PCR technology.

Once a case has been accepted for testing the details of that particular case will be reviewed at that time. It is not the policy of LabCorp to suggest to clients what samples they should submit for testing.

Should you need additional information or have any questions, please give me a call at 1-800-533-0567 ext. 3209.

Sincerely,



Anthony D. Winston  
Associate Technical Director  
Forensic Identity Testing

CERTIFICATE OF SERVICE

I, Anthony D. Winston, the preparer of the answers herein, certify that a copy of this entire document has been placed in Lab Corp's file and the original signed and sworn copy has been placed in the United States Postal Service possession to be delivered to the following individuals:

Mrs. Holder, in the interest State of Florida v. Ernesto Behrens, Case No.: 98-5739CF10A  
EBN, INC.  
P.O. Box 1592  
Pompano Beach, Florida 33061  
(954) 786-8619

on this, 1 day of October 2003.

/s/ Anthony D. Winston  
Anthony D. Winston  
Print Name  
LAB CORP, I. D. No.: NA  
P. O. BOX 13973  
1912 ALEXANDER DRIVE  
RESEARCH TRIANGLE PARK,  
NORTH CAROLINA 27709

NOTARY

Before, me the undersigned authority, this day personally appeared,  
Anthony D. Winston, Associate Technical Director  
NAME Title I.D. No.

Who first being duly sworn, states that he or she is the individual that provided the answers and responses outlined on the answers sheet[s]. Based on the facts and summary provided in the cover letter from EBN INC, in the interest of Mr. Ernesto Behrens, case no.: 98-5739-CF10A. Thereby, certifying that the answers and responses have been thoroughly read and having personal/professional knowledge of the forgoing herein are true and correct.

/s/ Anthony D. Winston

Sworn to and subscribed before me this 1<sup>st</sup> day of October 2003.

/s/ Julie A. Hnat  
Julie A. Hnat  
Notary Public, State of North Carolina

My Commission Expires: Oct 31, 2004  
Notary No.: \_\_\_\_\_

Type of identification used? Personally known X, or produced identification \_\_\_\_\_



# Exhibit H

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA



STATE OF FLORIDA	CASE NO:	98005739CF10A
	JUDGE	ANDREW SIEGEL
	:	
v.	Plaintiff	:
	:	
ERNESTO BEHRENS	:	
	Defendant	:

NOTICE PURSUANT TO RULE 3.220(b)(4)

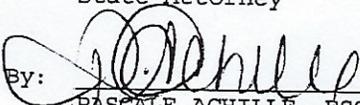
COMES NOW the State of Florida, by and through the undersigned Assistant State Attorney, pursuant to Rule 3.220(b)(4), Florida Rules of Criminal Procedure, submits the following information which is in the State's possession or control which may fall within the purview of Brady v. Maryland and/or Rule 3.220(b)(4):

→ Please be advised that on April 12, 2016, the Broward Sheriff's Office (BSO) DNA Crime Laboratory was advised by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board that there was, "(I)nappropriate use of the statistic known as the Combined Probability of Inclusion (CPI) to calculate statistical significance of occurrence of genetic profiles when allelic dropout is known and/or suspected to have occurred." We have been advised that CPI calculations were only used by the BSO DNA Crime Lab in complex DNA mixture cases. Documents regarding this matter may be found at <http://www.sao17.state.fl.us/BSODNA ASCLD.pdf>

This notice is being sent to you because our records indicate that you were a party in this case and there may have been DNA evidence tested by the Broward Sheriff's Office Crime Laboratory. If there was DNA evidence in your case, there has not been a determination whether the CPI calculations were utilized or whether the evidence was relevant in your particular case. This matter is being brought to your attention because the DNA population genetic calculations may have been inaccurately tabulated. Please contact your attorney to further discuss this information. ←

I HEREBY CERTIFY that a true copy hereof has been furnished Electronically/ U.S. Mail/Hand-Delivery/Fax this 27<sup>th</sup> day of October, 2016, to counsel for the defense: Bernard Daley, Esquire, 901 N Gadsden St, Tallahassee, FL 32303-6315  
CC: Defendant DC# 732564, Martin C.I., 1150 S.W. Allapattah Road, Indiantown, Florida 34956

MICHAEL J SATZ  
State Attorney

BY:   
PASCALE ACHILLE, ESQ.  
Assistant State Attorney  
Fl Bar 013403  
201 S.E. 6th Street  
Unit SBU  
Ft Lauderdale, FL 33301  
Service Email: CourtDocs@sao17.state.fl.us

48338054

# Exhibit I



NAME	REASON	DATE	AMOUNT
R. Amabile	to + Bio Lab	6-28-00	0900
<del>Donald Marquis</del>	draw	6-28-00	0950
Steve Gueller	Return to PPD	6-29-00	1350

[Handwritten scribbles and illegible marks, possibly including a signature or initials.]

✉ On 2/26/2019 7:06 09 AM, Broward County Sheriff Crime Lab wrote:

**Subject:** BCSO Crime Lab Public Records Request :: R000307-011419

**Body:**

RE PUBLIC RECORDS REQUEST of January 14, 2019 Reference # R000307-011419

Dear Franziska Kaltenbach,

The Broward County Sheriff Crime Lab received a public information request from you on January 14, 2019. Your request mentioned

*"Based on your response and my complicated schedule, Ms. Edwards, I would like to make a formal request to either have an appointment to go to your Lab and inspect the requested analysis associated with any (PCR or RFLP) DNA testing conducted on this case on February 2, 2000 (Which I could do on February 28, 2019, between 9:00 and 10:00 a.m, if possible) or in fact, it would be a lot more convenient for me to just be informed of the associated costs attached to having copies of the these requested records, so that I can immediately submit payment."*

*This request has been marked closed, please submit this as a separate request and I will forward it to BSO Legal for review.*

*Additionally, I would need also the Broward County Crime Laboratory "Cases per Agency--All Cases Type" Cases Submitted Between May 15, 1995 and May 15, 1995, depicting each piece of evidence that arrived at your Laboratory from Plantation Police Department on that date. has been marked closed, please submit this question on a separate request and I will forward it to BSO Legal for review.*

Your request has been completed and the document is available for download through the public portal.

This request is now considered completed and closed, any additional requests should be submitted on a separate request.

Sincerely,

Diana Edwards

Admin Coordinator

Please note that Florida has a broad public records law, and that all correspondence sent to me via email may be subject to disclosure.

How are we doing? Please provide us with your feedback <https://www.surveymonkey.com/r/bsocrimelab>



↩ On 2/25/2019 9:06:46 PM, Franziska Kaltenbach wrote:

TO: "Broward County Sheriff Crime Lab"[browardcountysoc@mycusthelp.net]

February 25, 2019

RE: PUBLIC RECORDS REQUEST of January 14, 2019., Reference # R000307-011419.

# R000307-011419 - Public Records Request

## Message History (14)

On 2/26/2019 1:07:59 PM, Broward County Sheriff Crime Lab wrote.

**Subject:** BCSO Crime Lab Public Records Request :: R000307-011419  
**Body:**

RE PUBLIC RECORDS REQUEST of January 14, 2019 . Reference # R000307-011419

Dear Franziska Kaltenbach,

The Broward County Sheriff Crime Lab received a public information request from you on January 14, 2019 . Your request mentioned

**Could you tell me if any of those five (5) cases involved BSO LAB Number: 9186F or PPD Case Number: 1619-95-05 ?**

**Yes, that case was submitted on that day.**

If you have any questions or need additional information, please feel free to contact my office at 9548316427

Sincerely,

Diana Edwards

Admin Coordinator

Please note that Florida has a broad public records law, and that all correspondence sent to me via email may be subject to disclosure

How are we doing? Please provide us with your feedback <https://www.surveymonkey.com/r/bsocrimelab>



On 2/26/2019 12:08:23 PM, Franziska Kaltenbach wrote:

TO: "Broward County Sheriff Crime Lab"[browardcountysoc@mycusthelp.net]

Okay Ms. Edwards, I understand. I am submitting a separate request on that topic.

However, on the one you responded depicting the cases logged into your Lab on May 15, 1995. Could you tell me if any of those five (5) cases involved BSO LAB Number: 9186F or PPD Case Number: 1619-95-05 ?

Thank you!

Franziska Kaltenbach.

On Tue, Feb 26, 2019, 7:06 AM Broward County Sheriff Crime Lab

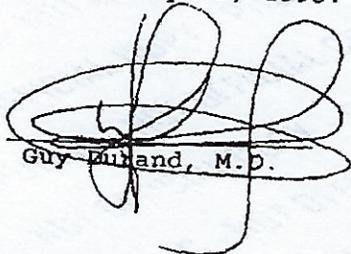
# Exhibit J

COUNTY OF BROWARD)

I, Guy Durand, M.D., affirmatively state that:

- 1) I am a physician duly licensed by the State of Florida with an established practice in the City of Plantation, Florida.
- 2) I have been the defendant Ernesto Behrens' personal physician since July 1988.
- 3) On May 08, 1995 said Mr. Behrens underwent excision of two growths from his torso, one from the front and another one from the back. Photocopy of the pathology report is hereto attached.
- 4) The involvement of both the front and the back and the extent of the dissection required the prescription of the painkiller Darvocet N-100 in the quantity of 10 as photocopy of the original script shows.
- 5) In the post-operative period, from May 08, 1995 to May 15, 1995, Mr. Behrens has had a wound check and dressing change every other day, as it is the routine in my practice.
- 6) Two weeks after the surgery there was also a follow-up visit when no abnormality was observed.
- 7) During that post-operative period, Mr. Behrens' whole torso was routinely visualized.
- 8) During those visits (wound checks and dressing changes) there was no disruption of the sutures or any other sign or wound abnormality that would indicate physical stress or trauma that could have resulted from exertion, violent physical contacts or struggle. That would have been against my postoperative instructions.
- 9) In my professional opinion anyone of such circumstances should and would have undoubtedly adversely affected the incision sites to the point of showing signs of trauma or dehiscence that would be manifest to me.
- 10) In conclusion Mr. Behrens was not likely to have been involved in any strenuous activity during the period extending from May 08, 1995 to May 25, 1995.

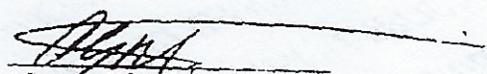
Affiant further sayeth not.

  
Guy Durand, M.D.

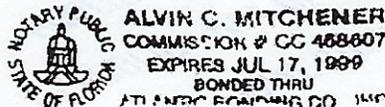
Sworn this 31st Day of March, 1999

Before me, personally appeared, Dr Guy Durand whose identity is known to me by his State of Florida driving license No. D653-280-40-098-0 and who, under oath, acknowledges that his signature appears above

Sworn to and subscribed before me this 31<sup>st</sup> day of March, 1999

  
Alvin Mitchener  
Notary Public

My Commission expires:



FINAL REPORT

Date Received: 05/09/95  
Date Reported: 05/11/95

Doctor:

GUY DURAND, M.D.  
8251 WEST BROWARD BLVD.  
PLANTATION, FL 33324

Unit#:

Patient: BEHRENS, ERNESTO

Age: 30

CLINICAL HISTORY/SPECIMEN LOCATION:

Inclusion cysts back.

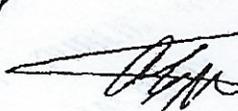
GROSS DESCRIPTION:

Specimen designated back. Submitted are two white grey tan to brown irregularly shaped soft cystic appearing, tissue fragments that measure up to 1.5 cm. Representative sections submitted. bt/em

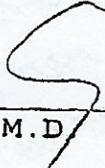
DIAGNOSIS:

Back, biopsy:  
INFUNDIBULAR CYST, BENIGN.

*This is to certify that this document is a true copy of the original*



NOTARY PUBLIC  
STATE OF FLORIDA  
ALVIN C. MITCHENER  
COMMISSION # CC 468607  
EXPIRES JUL 17, 1999  
BONDED THRU  
ATLANTIC SURETY CO., INC

  
\_\_\_\_\_  
Ramon E. Gallego, M.D.

NAME 1.0.4.0000, C.0.0.5

PHONE NUMBER

ADDRESS

SHEET NUMBER

DATE / PROBLEMS  
(Number and Brief Description)

FINDINGS (S = Subjective; O = Objective)

TESTS ORDERED and/or PLANN

5/28/51

Rt is here for removal lump left  
part a posterior lobe

Procedure: (pt in supine position)  
The left paravertebral areas prepped  
& draped in sterile manner - sterile  
drapes. A 3.5 cm incision was  
made following skin incision over  
an area corresponding to the  
X or XI rib in the left upper quadrant.  
Dissection was carried down thru  
the subcutaneous in blunt  
fashion by spreading &  
hooking McEwen scissors.

The peri capsular tissue was  
grasped & two mosquito clamps  
and incised. That allowed  
identification of a pulsatile mass  
& a large, sharply demarcated  
a body with sharp margins  
demonstrated the cyst under force  
from surrounding tissue and  
"blacked" the incision and  
wound "in situ"

Subsequent to the excision of the  
lesion & the McEwen scissors  
applied

It was noted to be a well circumscribed  
epithelium prepped & draped in sterile  
fashion. Dissection & closure were  
identical. A 10 cc syringe was used  
with for epifascium in an area  
1/2 inch from umbilicus slightly left of  
midline. Rt to be a 1/2 inch post-  
op. Blood loss was insignificant  
by amount of 1-2 cc. 4-10

Wound in 2 days. Should keep wound  
dry and clean

5/28/51  
J. J. J.  
of

DATE / PROBLEMS  
(Number and Brief Description)

FINDINGS (S = Subjective; O = Objective)

TESTS ORDERED and/or PLANNED

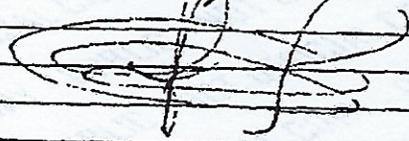
05/10/91

S. no complaint. T28 has healed  
~~to show~~. E/A not seen - St.

O. Wound clean, dry - healed.

A. ST 2 days removal inclusion cysts

P. Encouraged to be patient  
Smelling dressing removed  
wound applied 3 dressings  
to reduce. Will see patient  
on Friday



05/12/91

S = Stuttering. No complaint

O = Wound clean & dry - Healed

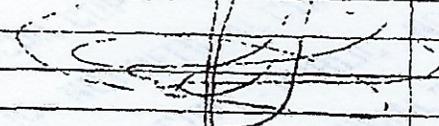
A: ST 4 days removal cysts  
from back & epistaxis

P. Wound cleaned & botulinum  
a BOTOX applied - Will have  
to change dressing on his own  
week end. St given. Covered for  
pre change any change. Was advised  
to ~~change~~ dressing on and to  
change bandage, & show.  
Will remove stiletion bandage



05/17/91

Wound clean & dry. Skin rub  
& massed - St. - ST applied  
Elastic bandage. Pt advised  
to be clean for all on this  
RTD in 24h



TYPEWRITTEN TRANSCRIPTION FROM EXCERPTS OF MR. ERNESTO BEHRENS' MEDICAL RECORD PERTAINING TO THE 05/08/95 EXCISION BIOPSY OF INCLUSION CYSTS FROM HIS TORSO (05/08 to 05/15/95). (Done for the sake of legibility).

Behrens, Ernesto

05/08/95:

"Pt is here for removal lumps left post and anterior torso.

Procedure: C ("cum" = with) Pt. in supine position the left para-vertebral area was prepped and draped c (with) Betadine and sterile drapes. A 3.5 cm incision was made following a skin crease over an area corresponding to the X or XI rib in the left upper back. Dissection was carried down thru the subcutaneous in blunt fashion by spreading c (with) a baby Metzenbaum.

The peri-capsular tissue was grasped c (with) two mosquito clamps and incised. That allowed identification of a pinkish gray 2 cm irregularly shaped nodule.

The capsule was grasped c (with) a baby Allis. C (with) sharp scissors dissection the cyst freed from surrounding tissue and delivered thru incision and excised "in toto".

Sub/q (subcutaneous) closed c (with) 4/0 chr (chromic) catgut. Skin closure c (with) 5/0 Nylon & sterile dressing applied.

Pt. was asked to turn over and the epigastrium prepped & draped in similar fashion. Dissection and closure were identical. A 1cm plus cyst was removed from epigastrium in an area 15 cm above the umbilicus slightly to left of midline. Pt tolerated procedures well. Blood loss was insignificant.

Rx. Darvocet 1 (one) q (every) 4-6° (° = hours) prn (as needed) # 10.

Will see in two days. Advised to keep wound dry and clean".

(Writing in right-hand "TESTS ORDERED and/or PLANED" column reads: "biopsy pathology cysts x 2")

(SIGNATURE)

05/10/95.

S. no complaint, took his med. (Erasure) C/o (complains of) not being able to shower

O: Wounds clean & dry - Nad ("nothing abnormal detected")

A (assessment). S/P (status post) 2 days removal inclusion cysts.

P (plan) Encouraged to be patient. Bulky dressing removed. Coverlet (dressing) applied p (after) cleansing c (with) betadine. Will see again on Friday

(SIGNATURE)

05/12/95:

S= Status quo. No complaint.

O= wound clean & dry – No drainage.

A: S/P (*status post*) 4 days removal cysts from back & epigastrium.

P: wounds cleansed c (*with*) betadine & DSD (*dry sterile dressing*) applied. – Will have to change dressing on his own over weekend. Pt was given coverlet pads for dressing change. Was advised to shower c (*with*) dressing on and to change same p (*after*) shower.

Will remove stitches on Monday.

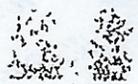
(SIGNATURE)

05/15/95:

Wound clean & dry – Skin sutures removed – Steri-strip applied p (*with*) Benzoin spray. Pt advised to let them fall on their own.

RTO (*return to office*) in 2 wks.

(SIGNATURE)



# Exhibit K

17  
NAME Conrad Beltrus

ADDRESS \_\_\_\_\_ DATE 05/08/78

R. Darvocet 100  
7 94-60 Jan  
+ 10

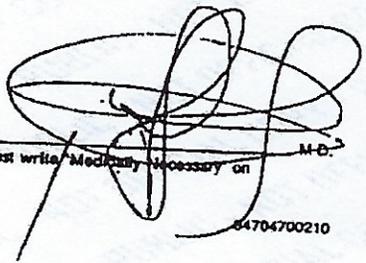
Indicate Drug Expiration Date on Label

Label

Refill \_\_\_\_\_ times PRN NR

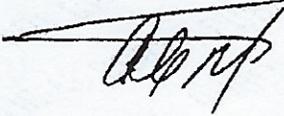
To insure brand name dispensing, prescriber must write "Medically Necessary" on \_\_\_\_\_ M.D.  
the prescription.

06/27/89



64704700210

*This is to certify that this document is  
a true copy of the archive copy*



ALVIN C. MITCHENER  
COMMISSION # CC 486607  
EXPIRES JUL 17, 1989  
BONDED THRU  
AT AND CROWNING CO., INC.