

December 7, 2020

From: Ernesto Behrens, DC#732564
Martin Correctional Institution
1150 S.W. Allapattah Rd.
Indiantown, Florida 34956

To: Honorable Michael A. Usan,
17th Judicial Circuit Judge.
Broward County Main Courthouse
201 S.E. 6th Street
Fort Lauderdale, Florida 33301

Honorable Judge Usan,

Your Honor, please receive the instant correspondence as my way to let you know that my case has been reassigned to your division after the Honorable Judge Andrew L. Siegel was recused by the 4th DCA from my case and that a motion is currently pending for your reconsideration.

On or about the 17th day of November 2020. I filed a pro se "Defendant's Motion To Quash Prior Rulings Made By Recused Judge After Motion For Recusal Was Deemed Granted; For Successor Judge To Reconsider Such Rulings Pursuant To Fla. R. Jud. Admin. 2.330 (h); And For Successor Judge To Enter Final Rulings On Currently Pending Motions Ignored By Recused Judge."

Because I was pressured by the 20 day time frame dictated by Fla. R. Jud. Admin. 2.330(h), and I did not know which judge was going to be assigned to my case. I submitted my motion within the required 20 days stated by the rule but addressed it to "the Successor Judge."

Nevertheless, on December 2, 2020, I was informed that my case was reassigned to your division. The reason for my writing is to let you know that this motion was mistakenly forwarded to the Honorable Judge Andrew L. Siegel by the Clerk of

Court, before you were appointed to this case. However, It was intended to be reviewed by you, not by Judge Andrew L. Siegel.

Your Honor, all I am doing now is exactly what I have been doing for the last 24 years of my life, presenting a claim of innocence. Of course, It has been denied over and over again.

However, I currently have a pro bono DNA consultant [Ms. Tiffany Roy] who has been patiently awaiting approximately 4 years for the State to produce their DNA test results on the sole inculpatory evidence of this case (a stain of seminal fluid). As you will be able to read in this case, after the State submitted the requested documents, testings and results related to the DNA evidence of this case, Ms. Roy submitted to the Court, her own preliminary independent Report which was attached to my Motion for Rehearing but summarily denied by recused Judge Andrew L. Siegel without any attachments refuting her findings/concerns.

Your Honor, please review this case with an open mind and with all do respect, if I may, focus yourself exclusively on whether justice has been served in this case. I am confident that after your review, you will be able to discern that justice has not been playing a part of this case.

Respectfully submitted,

Ernesto Behrens, pro se.

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