

DEPARTMENT OF MOTOR VEHICLES
LICENSING OPERATIONS DIVISION
Driver Safety Branch
6150 Van Nuys Boulevard, Suite 205
Van Nuys, CA 91401-3344

Telephone: (818) 376-4217 FAX: (818) 376-4215



ADMINISTRATIVE PER SE - .08% BAC
NOTIFICATION OF FINDINGS AND DECISION & ORDER OF SET ASIDE

DRIVER LICENSE OR FILE NO.
[REDACTED]
ARREST DATE
July 03, 2017

The stay of the suspension against your driving privilege has been ended. The suspension resulting from the arrest on July 03, 2017, is hereby set aside.

[REDACTED] is hereinafter also known as "Respondent."

The following findings and determinations are the results of your hearing on **March 21, 2018.**

FINDINGS OF FACT

Probable Cause:

On or about Monday, July 03, 2017 at 1:34 AM, Officer Reynaga, Badge # 21395, of the Newhall CHP, contacted Respondent as a result of a traffic collision and, upon investigation, had determined that Respondent was a suspect driver involved in the collision and that Respondent had fled the scene of the collision in violation of California law.

The determination of driving was based on: Respondent's admission of driving to Officer

The time of the collision is determined to have been 1:05 AM, based on:

- ° An admission by respondent to arresting officer.

The evidentiary basis for the finding on the probable cause issue is:

- ° DMV Exhibits: Accident Report, Arrest Report, DS-367 & Supplemental Report.

II

Objective Symptoms:

Subsequent to making contact with Respondent, Officer formed the belief that Respondent was intoxicated after having observed the following objective symptoms of intoxication:

- ° Bloodshot and watery eyes.
- ° Odor of alcoholic beverage.

Officer also considered the following as contributing factors in forming the belief of intoxication:

- ° Unsatisfactory Field Sobriety Tests.
- ° An admission of alcohol consumption.

The evidentiary basis for the finding on the objective symptoms of intoxication issue is:

- ° The DS-367 (Officer's Sworn Statement).
- ° The Arrest Report.
- ° The Supplemental Report.



- ° The Accident Report.
- ° The testimony at the hearing by Officer Reynaga that Respondent admitted at the scene to having consumed an alcoholic beverage.

III

Reasonable Cause:

Based on the preceding findings concerning probable cause, Officer's determination of driving, the Officer's belief that Respondent was intoxicated because of the objective symptom of intoxication, and the additional reported factors that the Officer used to form the belief of intoxication, it is hereby determined that Officer had reasonable cause to believe that Respondent was driving a motor vehicle while under the influence of alcohol.

IV

Lawful Arrest:

On 7/3/2017, at 2:15 AM Respondent was arrested for violation of Vehicle Code Section 23152, 23153, or 23140.

The determination that Respondent was arrested under the charge of driving under the influence, Vehicle Code Section 23152, 23153, or 23140 is based on:

- ° Explicit statements in DMV's documentary evidence.
- ° The testimony of Officer Reynaga at the hearing that Respondent was verbally informed of the charge at the time of the arrest.

The authority to arrest Respondent was granted to Officer under Section 40300.5 of the California Vehicle Code.

As a result of the reasonable cause determination and the subsequent findings of an arrest taking place, it is hereby determined that Respondent was lawfully arrested for a violation of Vehicle Code Section 23152, 23153, or 23140.

V

Chemical Test:

As based on the evidence presented for this matter, it is hereby determined that Respondent submitted to and completed a chemical test of his blood, with a result of 0.08 % B.A.C. at 03:23 AM on 7/3/17.

Counsel for Respondent contends the chemical test result does not reflect the true blood alcohol content (BAC) at the time of driving because high readings with the BAC Blood testing equipment used and this is supported based on the following: Testimony of Expert D. Beckner that according to Exhibit #4 LASD Blood Test Final Run Report the Quality Control Sample Target are reading higher by .001% -.003%. Although the target sample test are within acceptable range according to Title 17 the variance of the quality test samples reading has significant impact on respondent's test results which would put his BAC below .08%. Relying upon the information contained in the printout, the driver's expert witness a forensic toxicologist opined that his actual BAC level could have been .079-.077% not meeting the legal threshold of .08%.

In this case although high readings are within the permissible variance the fact that respondent's BAC- Blood .080% it is reasonable to believe this high readings could impact his true test results below .08%. Counsel further supported the expert's opinion by citing Brenner Case Law.

There is no other evidence for the department to rely upon in efforts of proving respondent's BAC was greater than .08% at the time of driving. No PAS test samples obtained according to the arresting officer.

As a result of the preceding finding the administrative action against Respondent's driving privilege cannot be upheld in this case.

VI

Driving With B.A.C. At Or Above 0.08%:

Based on the preceding it is determined that the preponderance of evidence in this case supports that Respondent was not driving a motor vehicle at the time that the concentration of alcohol in his blood was at or above 0.08%.

DETERMINATION OF ISSUES

- 1) The peace officer had reasonable cause to believe you were driving a motor vehicle in violation of Vehicle Code Section 23140, 23152, or 23153.
- 2) You were placed under lawful arrest.

3) You were not driving a motor vehicle when you had .08% or more by weight of alcohol in your blood.

DECISION

As a result of the preceding Findings & Determination, suspension of your driving privilege is hereby set aside as specified here in these documents.

Dated: April 02, 2018 _____

 - Driver Safety Officer

THIS ACTION IS INDEPENDENT OF ANY OTHER ACTION TAKEN BY THE COURT OR THIS DEPARTMENT

DATE 4/2/2018	SIGNATURE OF AUTHORIZED DMV EMPLOYEE 
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California Relay Telephone Service for the deaf or hearing impaired from TDD Phones: 1-800-735-2929; From Voice Phones: 1-800-735-2922

cc: Ann Gottesman, Attorney at Law
740 E. Colorado Blvd. Ste. 204
Pasadena, Ca 91101

DEPARTMENT OF MOTOR VEHICLES
LICENSING OPERATIONS DIVISION
Driver Safety Branch
1365 N. Grand Ave., Suite 101
COVINA, CA 91724-1016

Telephone: (626) 974-7137 FAX: (626) 974-7118



ADMINISTRATIVE PER SE - .08% BAC
NOTIFICATION OF FINDINGS AND DECISION & ORDER OF SET ASIDE

DRIVER LICENSE OR FILE NO. [REDACTED]
ARREST DATE May 31, 2018

The stay of the suspension against your driving privilege has been ended. The suspension resulting from the arrest on May 31, 2018, is hereby set aside.

Daniel K. [REDACTED] is hereinafter also known as "Respondent."

The following findings and determinations are the results of your hearing on **November 13, 2018.**

FINDINGS OF FACT

Probable Cause:

On or about Thursday, May 31, 2018 at 10:59 PM, Officer Foulks, of the Arcadia Police Department, observed Respondent driving a motor vehicle to collide with center medium as he was responding to a call for service. This information was conveyed to Officer Hoefflin, Badge # 732, of the Arcadia Police Department. Consequently, Officer Hoefflin made contact with the Respondent.

The evidentiary basis for the finding on the probable cause issue is:
° DMV Exhibits: Arrest Report, DS-367 & Supplemental Report.

II

Objective Symptoms:

Subsequent to making contact with Respondent, Officer Hoefflin formed the belief that Respondent was intoxicated after having observed the following objective symptoms of intoxication:

- ° Bloodshot and watery eyes.
- ° Odor of alcoholic beverage.
- ° Unsteady gait.
- ° Slurred speech.

Officer Hoefflin also considered the following as contributing factors in forming the belief of intoxication:
° An admission of alcohol consumption.

The evidentiary basis for the finding on the objective symptoms of intoxication issue is:
° The DS-367 (Officer's Sworn Statement).

III

Reasonable Cause:

Based on the preceding findings concerning probable cause, Officer Hoefflin's determination of driving, the Officer's belief that Respondent was intoxicated because of the objective symptom of intoxication, and the additional reported factors that



the Officer used to form the belief of intoxication, it is hereby determined that Officer Hoefflin did not have reasonable cause to believe that Respondent was driving a motor vehicle while under the influence of alcohol.

IV

Chemical Admonition:

Contention: Counsel contends the Respondent was not properly admonished.
Determination: Counsel submitted the audio recording of the chemical admonishment. The arresting officer is clearly heard reading the admonition on the back of the DS-367 and the officer read the respondent's driving privilege may be suspended if he refused to submit to, or fail to complete a chemical test.
As a result of the findings contained herein, the administrative action against Respondent's driving privilege cannot be upheld in this case.

DETERMINATION OF ISSUES

1) The peace officer had reasonable cause to believe you were driving a motor vehicle in violation of Vehicle Code Section 23140, 23152, or 23153.

DECISION

As a result of the preceding Findings & Determination, suspension of your driving privilege is hereby set aside as specified here in these documents.

Dated: November 14, 2018


 Driver Safety Officer

THIS ACTION IS INDEPENDENT OF ANY OTHER ACTION TAKEN BY THE COURT OR THIS DEPARTMENT

Before a driver license can be issued or returned to you, you must complete the following:

- Apply for a no-fee duplicate of your License.

DATE

11/14/2018

SIGNATURE OF AUTHORIZED DMV EMPLOYEE


California Relay Telephone Service for the deaf or hearing impaired from TDD Phones: 1-800-735-2929; From Voice Phones: 1-800-735-2922

cc: Ann Gottesman, Attorney at Law
740 E Colorado Blvd Ste 204
Pasadena, Ca 91101

DEPARTMENT OF MOTOR VEHICLES
LICENSING OPERATIONS DIVISION
Driver Safety Branch
5801 E. Slauson Ave. Flr 2, Ste 250
Commerce, CA 90040-3050

Telephone: (323) 724-4000 FAX: (323) 724-9262

DMV USE ONLY

- ☒ Applicant cleared by Driver Safety. OK to process.
☐ Law ☐ Vision ☐ Drive Test(s) Passed
Date _____ Initials _____

ORDER OF SET ASIDE
OR REINSTATEMENT

DRIVER LICENSE NUMBER
DATE OF THIS ORDER December 3, 2018
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

Ann Gottesman-Attny At Law

- ☒ After a review of the information on file, including any evidence which you may have presented, the action(s) effective **November 5, 2018**, pursuant to §13353 and §_____ of the Vehicle Code (VC), ☒ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ In compliance with your request, a Department Review of the information and evidence submitted at your hearing has been completed, pursuant to §14105.5 VC. The action effective _____, pursuant to §_____, of the Vehicle Code (VC), ☐ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ You were issued an Order of Suspension effective _____, from a DUI arrest occurring on _____. Following receipt of certified court orders of acquittal pursuant to §13353.2(e) VC, the Order of Suspension has been **VACATED** and **SET ASIDE** pursuant to §13551 VC.
- ☐ The APS DUI probation violation action effective _____, pursuant to §13353.2 or §13353.1 VC remains in effect.
- ☐ The APS action pursuant to §13353.2 VC or §13353 VC effective _____, remains in effect.
- ☐ **DO NOT** return to the DMV field office, your license will be mailed to you.

REINSTATEMENT REQUIREMENTS

Your driving privilege may be reinstated on _____, provided that you:

- ☐ File proof of your financial responsibility as provided in §16430 VC (see reverse or attached).
☐ Pay a reissue fee to the department ☐ \$55 ☐ \$100 ☐ \$125.
☐ Obtain a Notice of Completion Certification (DL 101) from a California State Department of Alcohol and Drug Programs approved alcohol treatment program.
☐ Clear the ☐ suspension ☐ revocation pursuant to §_____ VC.
☐ Clear the ☐ failure to appear in court ☐ failure to pay a court fine.

You may:

- ☐ Retain any valid license which you have in your possession.
☐ Use the enclosed temporary license. Your photo license will be mailed to you.
☒ Apply for a ☐ duplicate license ☒ no-fee duplicate license at the nearest DMV field office.
☐ Renew your license at the nearest DMV field office.
☐ Return to the nearest DMV field office to complete your driver license application.

Online appointment information may be obtained at the DMV website at: <http://www.dmv.ca.gov/fo/fotoc.htm>, or call 1-800-921-1117. Call 1-800-777-0133 to schedule drive test appointments.

THIS ACTION IS INDEPENDENT OF ANY OTHER ACTION TAKEN BY THE COURT OR THIS DEPARTMENT

DATE December 3, 2018	NAME OF AUTHORIZED DMV EMPLOYEE [Redacted]	SIGNATURE OF AUTHORIZED DMV EMPLOYEE X [Signature]
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California Relay Telephone Service for the deaf or hearing impaired from TDD Phones: 1-800-735-2929; from Voice Phones: 1-800-735-2922



DEPARTMENT OF MOTOR VEHICLES

LICENSING OPERATIONS DIVISION

Driver Safety Branch

5801 E. Slauson Ave. Flr 2, Ste 250

Commerce, CA 90040-3050

Telephone: (323) 724-4000 FAX: (323) 724-9262



ADMINISTRATIVE PER SE - .08% BAC
NOTIFICATION OF FINDINGS AND DECISION & ORDER OF SET ASIDE

DRIVER LICENSE OR FILE NO.

ARREST DATE

July 21, 2018

The stay of the suspension against your driving privilege has been ended. The suspension resulting from the arrest on July 21, 2018, is hereby set aside.

_____ is hereinafter also known as "Respondent."

The following findings and determinations are the results of your hearing on November 01, 2018.

FINDINGS OF FACT

I

Probable Cause:

On or about Saturday, July 21, 2018 at 10:13 PM, Officer D. Fiorella, Badge # 20521, of the California Highway Patrol (CHP), Altadena Station, contacted Respondent as a result of a traffic collision and, upon investigation, had determined that Respondent was a suspect driver involved in the collision and that Respondent had fled the scene of the collision in violation of California law.

The determination of driving was based on: Respondent's admission of driving to O Fiorella

The time of the collision is determined to have been 10:05 PM, based on:

- ° An admission by respondent to arresting officer.

The evidentiary basis for the finding on the probable cause issue is:

- ° DMV Exhibits: Accident Report, Arrest Report & DS-367.

II

Objective Symptoms:

Subsequent to making contact with Respondent, Officer Fiorella formed the belief that Respondent was intoxicated after having observed the following objective symptoms of intoxication:

- ° Bloodshot and watery eyes.
- ° Odor of alcoholic beverage.
- ° Slurred speech.

Officer Fiorella also considered the following as contributing factors in forming the belief of intoxication:

- ° Unsatisfactory Field Sobriety Tests.
- ° PAS result indicated intoxication.
- ° An admission of alcohol consumption.

The evidentiary basis for the finding on the objective symptoms of intoxication issue is:

- ° The DS-367 (Officer's Sworn Statement).
- ° The Arrest Report.
- ° The Supplemental Report.



III

Reasonable Cause:

Based on the preceding findings concerning probable cause, Officer Fiorella's determination of driving, the Officer's belief that Respondent was intoxicated because of the objective symptom of intoxication, and the additional reported factors that the Officer used to form the belief of intoxication, it is hereby determined that Officer Fiorella had reasonable cause to believe that Respondent was driving a motor vehicle while under the influence of alcohol.

IV

Lawful Arrest:

On 7/21/2018, at 11:40 PM Respondent was arrested for violation of Vehicle Code Section 23152, 23153, or 23140.

The determination that Respondent was arrested under the charge of driving under the influence, Vehicle Code Section 23152, 23153, or 23140 is based on:

- ° Explicit statements in DMV's documentary evidence.

The authority to arrest Respondent was granted to O Fiorella under Section 40300.5 of the California Vehicle Code.

As a result of the reasonable cause determination and the subsequent findings of an arrest taking place, it is hereby determined that Respondent was lawfully arrested for a violation of Vehicle Code Section 23152, 23153, or 23140.

V

Chemical Test:

As based on the evidence presented for this matter, it is hereby determined that Respondent submitted to and completed a chemical test of his breath, with results of 0.08 % B.A.C. at 12:43 AM on 7/22/18 and 0.08 % B.A.C. at 12:46 AM on 7/22/18.

The claim that the chemical test result does not reflect the true blood alcohol content (BAC) at the time of driving because of a rising BAC is supported based on the following: Counsel's contention that Respondent's BAC was under 0.08% when driving is given merit; based on Respondent's Expert Dewayne Beckner, and the Department's exhibits. Expert's testimony as to time PAS tests being 0.086% and 0.104% BAC an hour and thirty five minutes from time of event, and breath tests being 0.08% and 0.08% over two hours and 38 minutes from time of accident. Expert Beckner's testimony revealed that Respondent's BAC more likely was at 0.05% at either time of driving, and thereby below a 0.08% BAC while either Respondent was operating a motor vehicle or at time of the collision. As a result of the preceding finding the administrative action against Respondent's driving privilege cannot be upheld in this case.

VI

Other Findings:

° Dewayne Beckner's testimony is deemed credible in that the information testified to be his own area of expertise, therefore his opinion can be relied up on to support the contentions presented in this case and rebuts the Department's evidence. As a result the administrative action in this case cannot be upheld.

VII

Driving With B.A.C. At Or Above 0.08%:

Based on the preceding it is determined that the preponderance of evidence in this case supports that Respondent was not driving a motor vehicle at the time that the concentration of alcohol in his blood was at or above 0.08%.

DETERMINATION OF ISSUES

- 1) The peace officer had reasonable cause to believe you were driving a motor vehicle in violation of Vehicle Code Section 23140, 23152, or 23153.
- 2) You were placed under lawful arrest.
- 3) You were not driving a motor vehicle when you had .08% or more by weight of alcohol in your blood.

DECISION

As a result of the preceding Findings & Determination, suspension of your driving privilege is hereby set aside as specified here in these documents.

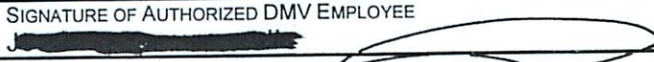
Dated: November 26, 2018 _____



Driver Safety Officer

THIS ACTION IS INDEPENDENT OF ANY OTHER ACTION TAKEN BY THE COURT OR THIS DEPARTMENT

Before a driver license can be issued or returned to you, you must complete the following:
A \$55.00 (§§14904 and 14906 VC) reissue fee must be paid to DMV.

DATE 11/26/2018	SIGNATURE OF AUTHORIZED DMV EMPLOYEE 
--------------------	--

California Relay Telephone Service for the deaf or hearing impaired from TDD Phones: 1-800-735-2929; From Voice Phones: 1-800-735-2922

cc: Ann Gottesman, Attorney at Law
Law Office of Ann Gottesman
740 E. Colorado Blvd Ste 204
Pasadena, Ca 91101

DEPARTMENT OF MOTOR VEHICLES
 LICENSING OPERATIONS DIVISION
 Driver Safety Branch
 5801 E. Slauson Ave. Flr 2, Ste 250
 Commerce, CA 90040-3050

Telephone: (323) 724-4000 FAX: (323) 724-9262

DMV USE ONLY

☐ Applicant cleared by Driver Safety. **OK**
 to process.
☐ Law ☐ Vision ☐ Drive Test(s) Passed
 Date _____ Initials _____



ORDER OF SET ASIDE OR REINSTATEMENT

DRIVER LICENSE NUMBER [REDACTED]
DATE OF THIS ORDER May 28, 2019
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

Cc: Ann Gottesman, Attorney At Law

- ☒ After a review of the information on file, including any evidence which you may have presented, the action(s) effective **January 29, 2019**, pursuant to §13353.2 and §_____ of the Vehicle Code (VC), ☒ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ In compliance with your request, a Department Review of the information and evidence submitted at your hearing has been completed, pursuant to §14105.5 VC. The action effective _____, pursuant to §_____, of the Vehicle Code (VC), ☐ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ You were issued an Order of Suspension effective _____, from a DUI arrest occurring on _____. Following receipt of certified court orders of acquittal pursuant to §13353.2(e) VC, the Order of Suspension has been **VACATED** and **SET ASIDE** pursuant to §13551 VC.
- ☐ The APS DUI probation violation action effective _____, pursuant to §13353.2 or §13353.1 VC remains in effect.
- ☐ The APS action pursuant to §13353.2 VC or §13353 VC effective _____, remains in effect.
- ☐ **DO NOT** return to the DMV field office, your license will be mailed to you.

REINSTATEMENT REQUIREMENTS

Your driving privilege may be reinstated on _____, provided that you:

- ☐ File proof of your financial responsibility as provided in §16430 VC (see reverse or attached).
- ☐ Pay a reissue fee to the department ☐ \$55 ☐ \$100 ☐ \$125.
- ☐ Obtain a Notice of Completion Certification (DL 101) from a California State Department of Alcohol and Drug Programs approved alcohol treatment program.
- ☐ Clear the ☐ suspension ☐ revocation pursuant to §_____ VC.
- ☐ Clear the ☐ failure to appear in court ☐ failure to pay a court fine.
- ☐

You may:

- ☐ Retain any valid license which you have in your possession.
- ☐ Use the enclosed temporary license. Your photo license will be mailed to you.
- ☒ Apply for a ☐ duplicate license ☒ no-fee duplicate license at the nearest DMV field office.
- ☐ Renew your license at the nearest DMV field office.
- ☐ Return to the nearest DMV field office to complete your driver license application.
- ☐

Online appointment information may be obtained at the DMV website at: <http://www.dmv.ca.gov/fo/fotoc.htm>, or call 1-800-921-1117. Call 1-800-777-0133 to schedule drive test appointments.

THIS ACTION IS INDEPENDENT OF ANY OTHER ACTION TAKEN BY THE COURT OR THIS DEPARTMENT

DATE May 28, 2019	NAME OF AUTHORIZED DMV EMPLOYEE [REDACTED]	SIGNATURE OF AUTHORIZED DMV EMPLOYEE
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California Relay Telephone Service for the deaf or hard of hearing from TDD Phones: 1-800-735-2929; from Voice Phones: 1-800-735-2922



DEPARTMENT OF MOTOR VEHICLES

LICENSING OPERATIONS DIVISION

Driver Safety Branch

390 N. Pacific Coast Hwy, Ste 2075

El Segundo, CA 90245-4470

Telephone: (310) 615-3500 FAX: (310) 615-3581

DMV USE ONLY

☐ Applicant cleared by Driver Safety. OK to process.
☐ Law ☐ Vision ☐ Drive Test(s) Passed
Date _____ Initials _____

ORDER OF SET ASIDE
OR REINSTATEMENT

DRIVER LICENSE NUMBER [REDACTED]
DATE OF THIS ORDER August 19, 2019
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

Ann Gottesman-Attorney

- ☒ After a review of the information on file, including any evidence which you may have presented, the action(s) effective **March 25, 2019**, pursuant to §13353.2 and §_____ of the Vehicle Code (VC), ☒ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ In compliance with your request, a Department Review of the information and evidence submitted at your hearing has been completed, pursuant to §14105.5 VC. The action effective _____, pursuant to §_____, of the Vehicle Code (VC), ☐ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ You were issued an Order of Suspension effective _____, from a DUI arrest occurring on _____. Following receipt of certified court orders of acquittal pursuant to §13353.2(e) VC, the Order of Suspension has been **VACATED** and **SET ASIDE** pursuant to §13551 VC.
- ☐ The APS DUI probation violation action effective _____, pursuant to §13353.2 or §13353.1 VC remains in effect.
- ☐ The APS action pursuant to §13353.2 VC or §13353 VC effective _____, remains in effect.
- ☐ **DO NOT** return to the DMV field office, your license will be mailed to you.

REINSTATEMENT REQUIREMENTS

Your driving privilege may be reinstated on _____, provided that you:

- ☐ File proof of your financial responsibility as provided in §16430 VC (see reverse or attached).
- ☐ Pay a reissue fee to the department ☐ \$55 ☐ \$100 ☐ \$125.
- ☐ Obtain a Notice of Completion Certification (DL 101) from a California State Department of Alcohol and Drug Programs approved alcohol treatment program.
- ☐ Clear the ☐ suspension ☐ revocation pursuant to §_____ VC.
- ☐ Clear the ☐ failure to appear in court ☐ failure to pay a court fine.
- ☐

You may:

- ☐ Retain any valid license which you have in your possession.
- ☐ Use the enclosed temporary license. Your photo license will be mailed to you.
- ☐ Apply for a ☐ duplicate license ☐ no-fee duplicate license at the nearest DMV field office.
- ☒ Renew your license at the nearest DMV field office.
- ☐ Return to the nearest DMV field office to complete your driver license application.
- ☐

Online appointment information may be obtained at the DMV website at: <http://www.dmv.ca.gov/fo/fotoc.htm>, or call 1-800-921-1117. Call 1-800-777-0133 to schedule drive test appointments.

THIS ACTION IS INDEPENDENT OF ANY OTHER ACTION TAKEN BY THE COURT OR THIS DEPARTMENT

DATE August 19, 2019	NAME OF AUTHORIZED DMV EMPLOYEE [REDACTED]	SIGNATURE OF AUTHORIZED DMV EMPLOYEE X
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California Relay Telephone Service for the deaf or hard of hearing from TDD Phones: 1-800-735-2929; from Voice Phones: 1-800-735-2922



DEPARTMENT OF MOTOR VEHICLES

LICENSING OPERATIONS DIVISION

Driver Safety Branch

390 N. Pacific Coast Hwy, Ste 2075

El Segundo, CA 90245-4470

Telephone: (310) 615-3500 FAX: (310) 615-3581

DMV USE ONLY

- ☐ Applicant cleared by Driver Safety. OK to process.
- ☐ Law ☐ Vision ☐ Drive Test(s) Passed
- Date _____ Initials _____

ORDER OF SET ASIDE
OR REINSTATEMENT

DRIVER LICENSE NUMBER [REDACTED]
DATE OF THIS ORDER September 23, 2019
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

Ann Gottesman-Attorney

- ☒ After a review of the information on file, including any evidence which you may have presented, the action(s) effective **May 18, 2019**, pursuant to §13353.2 and §_____ of the Vehicle Code (VC), ☒ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ In compliance with your request, a Department Review of the information and evidence submitted at your hearing has been completed, pursuant to §14105.5 VC. The action effective _____, pursuant to §_____, of the Vehicle Code (VC), ☐ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ You were issued an Order of Suspension effective _____, from a DUI arrest occurring on _____. Following receipt of certified court orders of acquittal pursuant to §13353.2(e) VC, the Order of Suspension has been **VACATED** and **SET ASIDE** pursuant to §13551 VC.
- ☐ The APS DUI probation violation action effective _____, pursuant to §13353.2 or §13353.1 VC remains in effect.
- ☐ The APS action pursuant to §13353.2 VC or §13353 VC effective _____, remains in effect.
- ☐ **DO NOT** return to the DMV field office, your license will be mailed to you.

REINSTATEMENT REQUIREMENTS

Your driving privilege may be reinstated on _____, provided that you:

- ☐ File proof of your financial responsibility as provided in §16430 VC (see reverse or attached).
- ☐ Pay a reissue fee to the department ☐ \$55 ☐ \$100 ☐ \$125.
- ☐ Obtain a Notice of Completion Certification (DL 101) from a California State Department of Alcohol and Drug Programs approved alcohol treatment program.
- ☐ Clear the ☐ suspension ☐ revocation pursuant to §_____ VC.
- ☐ Clear the ☐ failure to appear in court ☐ failure to pay a court fine.

You may:

- ☐ Retain any valid license which you have in your possession.
- ☐ Use the enclosed temporary license. Your photo license will be mailed to you.
- ☐ Apply for a ☐ duplicate license ☐ no-fee duplicate license at the nearest DMV field office.
- ☒ Renew your license at the nearest DMV field office.
- ☐ Return to the nearest DMV field office to complete your driver license application.

Online appointment information may be obtained at the DMV website at: <http://www.dmv.ca.gov/fo/fotoc.htm>, or call 1-800-921-1117. Call 1-800-777-0133 to schedule drive test appointments.

THIS ACTION IS INDEPENDENT OF ANY OTHER ACTION TAKEN BY THE COURT OR THIS DEPARTMENT

DATE September 23, 2019	NAME OF AUTHORIZED DMV EMPLOYEE [REDACTED]	SIGNATURE OF AUTHORIZED DMV EMPLOYEE X
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California Relay Telephone Service for the deaf or hard of hearing from TDD Phones: 1-800-735-2929; from Voice Phones: 1-800-735-2922



DEPARTMENT OF MOTOR VEHICLES

LICENSING OPERATIONS DIVISION

Driver Safety Branch

5801 E. Slauson Ave. Flr 2, Ste 250

Commerce, CA 90040-3050

Telephone: (323) 724-4000 FAX: (323) 724-9262

DMV USE ONLY

☐ Applicant cleared by Driver Safety. OK to process.

☐ Law ☐ Vision ☐ Drive Test(s) Passed

Date _____ Initials _____

ORDER OF SET ASIDE
OR REINSTATEMENT

* Refusal case - Defense:
- officer induced confusion - Miranda
warning s
conflicted -
w/ admonition

DRIVER LICENSE NUMBER
DATE OF THIS ORDER November 18, 2019
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

Ann Gottesman

- ☒ After a review of the information on file, including any evidence which you may have presented, the action(s) effective **April 23, 2019**, pursuant to §13353 and §_____ of the Vehicle Code (VC), ☒ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ In compliance with your request, a Department Review of the information and evidence submitted at your hearing has been completed, pursuant to §14105.5 VC. The action effective _____, pursuant to §_____, of the Vehicle Code (VC), ☐ is set aside, ☐ is ended, or ☐ may be ended if you comply with the reinstatement requirements shown below:
- ☐ You were issued an Order of Suspension effective _____, from a DUI arrest occurring on _____. Following receipt of certified court orders of acquittal pursuant to §13353.2(e) VC, the Order of Suspension has been **VACATED** and **SET ASIDE** pursuant to §13551 VC.
- ☐ The APS DUI probation violation action effective _____, pursuant to §13353.2 or §13353.1 VC remains in effect.
- ☐ The APS action pursuant to §13353.2 VC or §13353 VC effective _____, remains in effect.
- ☐ **DO NOT** return to the DMV field office, your license will be mailed to you.

REINSTATEMENT REQUIREMENTS

Your driving privilege may be reinstated on _____, provided that you:

- ☐ File proof of your financial responsibility as provided in §16430 VC (see reverse or attached).
- ☐ Pay a reissue fee to the department ☐ \$55 ☐ \$100 ☐ \$125.
- ☐ Obtain a Notice of Completion Certification (DL 101) from a California State Department of Alcohol and Drug Programs approved alcohol treatment program.
- ☐ Clear the ☐ suspension ☐ revocation pursuant to §_____ VC.
- ☐ Clear the ☐ failure to appear in court ☐ failure to pay a court fine.

You may:

- ☒ Retain any valid license which you have in your possession.
- ☐ Use the enclosed temporary license. Your photo license will be mailed to you.
- ☐ Apply for a ☐ duplicate license ☐ no-fee duplicate license at the nearest DMV field office.
- ☐ Renew your license at the nearest DMV field office.
- ☐ Return to the nearest DMV field office to complete your driver license application.

Online appointment information may be obtained at the DMV website at: <http://www.dmv.ca.gov/fo/fotoc.htm>, or call 1-800-921-1117. Call 1-800-777-0133 to schedule drive test appointments.

THIS ACTION IS INDEPENDENT OF ANY OTHER ACTION TAKEN BY THE COURT OR THIS DEPARTMENT

DATE November 18, 2019	NAME OF AUTHORIZED DMV EMPLOYEE [REDACTED]	SIGNATURE X [REDACTED]
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California Relay Telephone Service for the deaf or hard of hearing from TDD Phones: 1-800-735-2929; from Voice Phones: 1-800-735-2922

