

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

October 14, 2016

The stay of the suspension against your driving privilege has been ended. The suspension resulting from the arrest on October 14, 2016, is hereby set aside.

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

The following findings and determinations are the results of your hearing on January 09, 2017.

**FINDINGS OF FACT**

I

**Reasonable Cause:**

On or about Friday, October 14, 2016, came into contact with Respondent. Respondent was involved in or owned a vehicle involved in a traffic collision occurring at an undetermined time.

Based on the absence of an established time that Respondent had been driving, Officer Huerta did not have reasonable cause to believe that Respondent was driving a motor vehicle while under the influence of alcohol.

II

**Lawful Arrest:**

Because of the fact that reasonable cause could not be established, it is hereby determined that Respondent was not lawfully arrested for a violation of driving under the influence of alcohol.

As a result of the findings contained herein, the administrative action against Respondent's driving privilege cannot be upheld in this case.

III

**Other Findings:**

° The testimony of Officer J. Huerta is deemed credible in that the opportunity to perceive the events testified to is reliable, because: He admitted not being able to establish the time of the crash because he never asked the driver about the time he drove the vehicle and never touched the vehicle to see if it was warm. He indicated no witnesses at the scene and was unable to reveal who reported the accident to police dispatch. The facts on the documentary evidence on file did not infer that the accident occurred within three hours of the dispatch call. He admitted the assisting officer did not establish the time of the crash either. As a result the administrative action in this case cannot be upheld.

**DETERMINATION OF ISSUES**

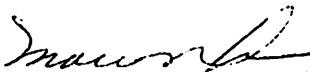
- 1) The peace officer had reasonable cause to believe you were driving a motor vehicle in violation of Vehicle Code Section 23140, 23152, or 23153.
- 2) You were placed under lawful arrest.

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.

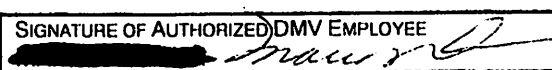
**Dated: January 09, 2017**



**[REDACTED] - Driver Safety Officer**



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

DATE 1/9/2017	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

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 28, 2016
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

C: Ann Gottesman, Attorney @ Law

- ☒ After a review of the information on file, including any evidence which you may have presented, the action(s) effective **October 23, 2016**, 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 **December 28, 2016**, 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.
- ☒ None. Your attorney's motion that the Admin Per Se suspension be dismissed, based upon the evidence presented at your hearing, was granted.

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.
- ☒ Field Office: Please accept driver's application for a no-fee duplicate driver license. Driver Safety does not have the photo driver license to return to her after the action was dismissed.

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 29, 2016	NAME OF AUTHORIZED DMV EMPLOYEE [Redacted]	SIGNATURE OF AUTHORIZED DMV EMPLOYEE X
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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 31, 2016

The stay of the suspension against your driving privilege has been ended. The suspension resulting from the arrest on July 31, 2016, is hereby set aside.

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

The following findings and determinations are the results of your hearing on November 16, 2016.

**FINDINGS OF FACT****Probable Cause:**

On or about Sunday, July 31, 2016 at 12:57 AM, Officer A. Yribe, Badge # 21169, and Officer B. Holguin, Badge # 21149, both of the California Highway Patrol (CHP), East Los Angeles Station, Officer A. Yribe while on patrol on the northbound I-710 Freeway, north of Olympic Blvd, observed Respondent driving a motor vehicle (black Nissan Versa) and over taking the patrol vehicle at a high rate of speed. Officer reported that Respondent's vehicle passed patrol vehicle's location in the Number 1 lane, nearly colliding into the center median. Officer further reported that his partner pace Respondent's vehicle from Whittier Blvd to SR-60 at approximately 60 MPH in a posted 45 MPH, a violation of the California Vehicle Code.

Respondent was present at hearing; however, was represented by Counsel. Counsel in behalf of Respondent provided foundation as to Respondent's Exhibit "A" (MVARs Video) via by Officer's direct testimony. Counsel pointed and used Officer's testimony as to support he contention in that Officer just observed respondent driving 5 seconds, from Olympic Blvd on-ramp to the I-710 of which was when the recording started, through the Third Street off-ramp, and of which at no time was Respondent observed from the Whittier Blvd to the SR-60 Freeway. Officer testified that he once in the freeway the patrol vehicle was in the number 4 lane, then the number 4 lane merged onto the number 3 lane of which was at this point next to Respondent's lane of travel of which at all time was in the number 2 lane and at no time did Respondent went through the number 1 lane and near or towards the center median. As to the 45 MPH posted speed sign of related that he did not recall any posted sign; however, he does believe there are in the area, but on the video he did not see any signs and Respondent passed vehicle that was next to Officer upon entering the freeway and related that Respondent remained the same speed as the traffic in front of Respondent and Officer. Therefore, obviously Officer contradicting his report as to him observing Respondent driving in the number 1 lane, nearly colliding with the center divider wall, related that he did not determined the speed and that his partner bumper pace the vehicle; however, could not recall a posted limit, did not see a posted limit was also incorrect as to from when Respondent was first observed. Therefore, Counsel further contends that based on Officer's truthful testimony as shown in Respondent's Exhibit "A" the Department does not have its case as there in insufficient probable cause for Officer to have initiate a stop and thereby Counsel motion that the case against Respondent's driving privilege be set aside. It is Trier's determination that based on Officer's testimony and Respondent's Exhibit "A," Counsel's motion to set aside is hereby granted.

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

- ° The testimony of Officer A. Yribe confirms the events.





## II

### **Objective Symptoms:**

Subsequent to making contact with Respondent, Officer Yribe 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 Yribe 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 Age 21 and Older Officer's Statement (DS367).
- ° The State of California - Department California Highway Patrol (CHP) DUI Arrest-Investigation Report (CHP202).

## III

### **Reasonable Cause:**

Based on the preceding findings concerning probable cause and Officer Yribe's testimony it is hereby determined that Officer Yribe did not have reasonable cause to believe that Respondent was driving a motor vehicle while under the influence of alcohol.

## IV

### **Lawful Arrest:**

On 7/31/2016, at 1:16 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.

As a result of the reasonable cause determination and the subsequent findings of an arrest taking place, it is hereby determined that Respondent was not lawfully arrested.

## V

### **Chemical Test:**

As based on the lack of sufficient evidence to rebut the chemical test results, it is hereby determined that Respondent submitted to and completed a chemical test of his blood; however, as a result, of the totality of evidence received the Department cannot support the administrative action against Respondent's driving privilege at this time.

## VI

### **Other Findings:**

° Officer's testimony is deemed credible in that he demonstrated a clear contradiction of his report in comparison with Respondent's Exhibit "A" (MVARs), Officer contradicted the location reported first observed, the speed, the lane Respondent was located when first observed and that Respondent at no time was neither near or towards the center median divider; therefore, Officer's memory of the events was contradicted by his testimony provided after his review of the MVARs; therefore, supporting Counsel's contention as to no probable cause to have initiated a stop and supporting her motion to set aside.

## 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 did not have reasonable cause to believe you were driving a motor vehicle in violation of Vehicle Code Section 23140, 23152, or 23153.
- 2) You were not 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.



## DEPARTMENT OF MOTOR VEHICLES

LICENSING OPERATIONS DIVISION

Driver Safety Branch

1845 Business Center Drive, Ste 212

San Bernardino, CA 92408-3447

Telephone: (909) 383-7413 FAX: (909) 383-7439

## 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

[REDACTED]  
[REDACTED]  
[REDACTED] CA [REDACTED]

Ann Gottesman

DRIVER LICENSE NUMBER
DATE OF THIS ORDER January 31, 2017
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

- ☒ After a review of the information on file, including any evidence which you may have presented, the action(s) effective **January 30, 2017**, 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 January 31, 2017	NAME OF AUTHORIZED DMV EMPLOYEE R. Lariosa	SIGNATURE OF AUTHORIZED DMV EMPLOYEE 
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## 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 September 8, 2016
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

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 **September 26, 2016**, pursuant to §133532 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 8, 2016	NAME OF AUTHORIZED DMV EMPLOYEE S. Resendez	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





## 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 <b>August 5, 2016</b>
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

- ☒ After a review of the information on file, including any evidence which you may have presented, the action(s) effective **February 21, 2016**, pursuant to §133532 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 **August 5, 2016**, 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.
- ☒ Have no other actions against your driving privilege.

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.
- ☒ Ann Gottesman, Attorney At Law

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 <b>August 5, 2016</b>	NAME OF AUTHORIZED DMV EMPLOYEE [Redacted]	SIGNATURE OF AUTHORIZED DMV EMPLOYEE <b>X</b> [Signature]
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## DEPARTMENT OF MOTOR VEHICLES

LICENSING OPERATIONS DIVISION

Driver Safety Branch

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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 July 14, 2016
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

C: Ann Gottesman

Attorney @ Law

- ☒ After a review of the information on file, including any evidence which you may have presented, the action(s) effective **May 9, 2016**, 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 **July 14, 2016**, 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.
- ☒ None. You may apply for a no-fee duplicate license at any DMV Field Office. Take a copy of this form with you.

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.
- ☒ Field Office: please accept Mr. [REDACTED] application for a no fee duplicate driver license. Driver Safety does not have his photo license to return after his Admin Per Se action was set aside.

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  
July 29, 2016NAME OF AUTHORIZED DMV EMPLOYEE  
[REDACTED]SIGNATURE OF AUTHORIZED DMV EMPLOYEE  
X [REDACTED]

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## DEPARTMENT OF MOTOR VEHICLES

LICENSING OPERATIONS DIVISION

Driver Safety Branch

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

## DMV USE ONLY

☒ Applicant cleared by Driver Safety. OK to process.☐ Law ☐ Vision ☐ Drive Test(s) PassedDate 7-24-15 Initials [Signature]ORDER OF SET ASIDE  
OR REINSTATEMENT

DRIVER LICENSE NUMBER
DATE OF THIS ORDER <u>July 24, 2015</u>
FINANCIAL RESPONSIBILITY FILE NUMBER
ACQUITTAL NUMBER

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 **June 5, 2015**, 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 <u>July 24, 2015</u>	NAME OF AUTHORIZED DMV EMPLOYEE <u>[Signature]</u>	SIGNATURE OF AUTHORIZED DMV EMPLOYEE <u>X</u>
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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



CALIFORNIA STATE TRANSPORTATION AGENCY

DEPARTMENT OF MOTOR VEHICLES  
LICENSING OPERATIONS DIVISION

EDMUND G. BROWN JR., Governor **APS**

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
April 19, 2016

[REDACTED]

The stay of the suspension against your driving privilege has been ended. The suspension resulting from the arrest on April 19, 2016, is hereby set aside.

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

The following findings and determinations are the results of your hearing on August 02, 2016.

**FINDINGS OF FACT**

(Redacted)



## 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 - REFUSAL**  
**NOTIFICATION OF FINDINGS AND DECISION & ORDER OF SET ASIDE**

DRIVER LICENSE OR FILE NO.  
[REDACTED]  
ARREST DATE  
September 12, 2015

The stay of the suspension against your driving privilege has been ended. The suspension resulting from the arrest on September 12, 2015, is hereby set aside.

is hereinafter also known as "Respondent."

The following findings and determinations are the results of your hearing on **December 30, 2015.**

## FINDINGS OF FACT

### Probable Cause:

On or about Saturday, September 12, 2015 at 4:10 AM, Officer Isaac Beckham, Badge # 40, of the Marietta Police