

1 Dave Jake Schwartz, SBN 138607
Law Office of Dave Jake Schwartz
2 PO Box 5604
Santa Rosa, CA 95402
3 P: 707-480-3383
F: 707-540-6056
4 riverjake@comcast.net

5 Attorney for Defendant
6
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SONOMA

10	PEOPLE OF THE STATE OF CALIFORNIA,)	Case No. SCR-66
11	Plaintiff,) ORDER OF ACQUITTAL
12	vs.)
13	JO ,)
14	Defendant)

15
16 THE ABOVE-ENTITLED MATTER came on before me on September 23, 2015, at
17 8:30 a.m. in Department 6 of the Sonoma County Superior Court. The People were represented
18 by the City Attorney of Sonoma, and the Defendant was represented by Dave Jake Schwartz,
19 Attorney at Law.

20 Having considered the facts herein, as to the allegation of a violation of CVC §23152(b)
21 (driving with a .08 percent or more, by weight, of alcohol in his blood) allegedly occurring on
22 or about August 9, 2015, this Court finds that the People have not proven this charge beyond a
23 reasonable doubt, and makes a factual finding of NOT GUILTY, and hereby acquits the
24 Defendant of said charge.

25
26 DATED:

27 _____
Judge of the Superior Court
28

VIA USPS CERTIFIED MAIL
RETURN RECEIPT REQUESTED

September 23, 2015

Acquittal Review
Department of Motor Vehicles
2570 24th Street
Mail Station J-256
Sacramento, CA 95818

Re: Jo _____ ; CDL# A _____ , DOB: 9/ /19

To Whom It May Concern:

Enclosed please find a certified Judgement of Acquittal in the above licensee's matter in Sonoma County Superior Court, Case No. **SCR-66** . This order evidences that the defendant/licensee was found not guilty of CVC 23152(b), as described in VC §13353.2(e).

The enclosed document is an acquittal of the criminal charge relating to a determination of facts that the above licensee was not driving a motor vehicle when he had 0.08 percent or more, by weight, of alcohol in his blood. Pursuant to the plain language of CVC §13353.2(e) and *Helmandollar v. Department of Motor Vehicles*, 7 Cal.App 4th 52 (1992), the above licensee hereby requests that the department set aside it pending adverse action and immediately reinstate his privilege to operate a motor vehicle.

Please respond as soon as practicable, with a copy of the requested set aside to my address appearing on the letterhead above.

Thank you for your attention to this matter,
Sincerely,

Dave Jake Schwartz
Attorney at Law

encl: Certified Order of Acquittal