OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

JOHN P. STREICHER, Petitioner/Respondent,	)	ED91050
	)	
v.	)	Appeal from the Circuit Court
	)	of St. Charles County
DIRECTOR OF REVENUE,	)	
STATE OF MISSOURI, Respondent/Appellant.	)	Filed: January 27, 2009

OPINION SUMMARY

The Director of Revenue appeals the trial court's judgment reinstating John P. Streicher's driving privileges after the Director suspended them pursuant to section 302.505 RSMo 2000.[1] The trial court found the Director's evidence failed to show that the police officer had probable cause to arrest Streicher for driving while intoxicated. We reverse and remand with instructions.

REVERSED AND REMANDED WITH INSTRUCTIONS.

Division Four Holds: The trial court erred in reinstating Streicher's license. Probable cause existed for Streicher's arrest for driving while intoxicated and the Department was authorized to revoke Streicher's driver's license. We reverse and remand the cause to the trial court with instructions to enter a judgment reinstating the suspension of Streicher's driving privileges.

Opinion by: Booker T. Shaw, J. Kathianne Knaup Crane, J., Mary K. Hoff, J., concur

Attorney for Appellant: James Artelle Chenault III

Attorneys for Respondent: Travis Noble, Carl Ward – co-counsel, Jason Korner – co-counsel

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.

[1] All further statutory references are to RSMo 2000, unless otherwise stated.