

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

JASON LEE SOSTMAN, ) No. ED95557  
 )  
 Respondent, ) Appeal from the Circuit Court  
 ) of Franklin County  
 v. ) 10AB-CC00162  
 )  
 DIRECTOR OF REVENUE, )  
 STATE OF MISSOURI ) Honorable Stanley D. Williams  
 )  
 Appellant. ) Filed: December 13, 2011

The Director of Revenue for the State of Missouri (Director) appeals the judgment of the circuit court of Franklin County setting aside the Director’s order suspending the driving privileges and disqualifying the commercial driving privileges of Jason Lee Sostman (Sostman).

REVERSED AND REMANDED.

Division One Holds: The trial court erred in: (1) finding that there was no probable cause to arrest Sostman for an alcohol-related traffic offense; and (2) failing to admit the breath test results.

Opinion by: Gary M. Gaertner, Jr., J.  
 Clifford H. Ahrens, P.J. and Roy L. Richter, J., concur.

Attorneys for Appellant: Jonathan H. Hale

Attorneys for Respondent: Steven P. Kuenzel

**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.**