

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

KODY RUSSELL TWEEDY,	)	ED99188
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of Jefferson County
v.	)	12JE-CR00348
	)	
DIRECTOR OF REVENUE,	)	
STATE OF MISSOURI,	)	Honorable Robert G. Wilkins
	)	
Appellant.	)	Filed: September 3, 2013

The Director of Revenue for the State of Missouri (Director) appeals the judgment of the circuit court of Jefferson County setting aside the Director’s order suspending the driving privileges of Kody Russell Tweedy (Tweedy).

**AFFIRMED**

Division Five Holds: The trial court did not err in finding the Director failed to establish probable cause to arrest Tweedy for driving while intoxicated, and in refusing to consider Tweedy’s post-arrest admissions. Further, no manifest injustice resulted from the trial court’s refusal to compel Tweedy to testify.

Opinion by: Gary M. Gaertner, Jr., J.  
Robert M. Clayton III, C.J., and Michael K. Mullen, S.J., concur.

Attorneys for Appellant: Chris Koster and Rachel Jones

Attorneys for Respondent: Robert S. Adler

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.  
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND  
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