

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

ASHLEY JANELLE LORD,)	No. ED99769
)	
Respondent,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	Honorable Patrick Clifford
DIRECTOR OF REVENUE,)	
STATE OF MISSOURI,)	
)	
Appellant.)	FILED: April 1, 2014

The Director of Revenue, State of Missouri (“the DOR”) appeals the judgment of the trial court in favor of Ashley Lord (“Lord”) on Lord’s petition for review of the revocation of her driver’s license. The DOR argues that the trial court erroneously applied the law in finding that the arresting officer lacked legal probable cause to arrest Lord for driving while intoxicated. Specifically, the DOR claims that the uncontested evidence of impairment shown on the arresting officer’s dashboard camera video and the admissions made by Lord during her testimony are sufficient evidence to establish that the officer had probable cause to arrest Lord for driving while intoxicated.

REVERSED AND REMANDED.

Division III holds: Because the record contains uncontested evidence establishing that the arresting officer had the requisite probable cause to arrest Lord for driving while intoxicated, we hold that the trial court misapplied the law when it reinstated Lord’s driving privileges. Accordingly, we reverse the judgment of the trial court reinstating Lord’s driving privileges and remand to the trial court for further proceedings consistent with this opinion.

Opinion by: Kurt S. Odenwald, J., Mary K. Hoff, P.J., and Angela T. Quigless, J., Concur.

Attorney for Appellants: Chris Koster and Rachel M. Jones

Attorney 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 SHOULD NOT BE QUOTED OR CITED.