

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

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COMPLETE TITLE OF CASE

DIRECTOR, DEPARTMENT OF PUBLIC SAFETY,

Appellant,

v.

CHRISTOPHER L. BISHOP,

Respondent.

DOCKET NUMBER WD 70301

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: September 29, 2009

Appeal from

The Circuit Court of Cole County, Missouri
The Honorable Patricia S. Joyce, Judge

APPELLATE JUDGES

Division Two: Howard, P.J., and Ellis and Pfeiffer, JJ.

ATTORNEYS

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Respondent, *pro se*.

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

DIRECTOR, DEPARTMENT OF)
PUBLIC SAFETY,)
Appellant,)
v.)
CHRISTOPHER L. BISHOP,)
Respondent.)

No. WD 70301

Cole County

Before Division Two Judges: Victor C. Howard, P.J., and Joseph M. Ellis and Mark D. Pfeiffer, JJ.

The Director of the Missouri Department of Public Safety (Director) appeals from the judgment of the Circuit Court of Cole County (trial court), affirming the decision of the Administrative Hearing Commission (the Commission) that Christopher Bishop (Bishop) was not subject to discipline under section 590.080.1(2) (RSMo 2000) for an incident occurring on December 30, 2005.

AFFIRMED.

Division Two holds:

In the Director’s sole point on appeal, the Director contends that the trial court erred in affirming the judgment because Bishop had pled guilty to a criminal offense arising from the 2005 incident in question and was consequently barred from denying that he was guilty of committing a crime pursuant to the doctrine of collateral estoppel. However, the guilty plea resulted in a suspended imposition of the sentence. Since we find that the suspended imposition of sentence imposed on Bishop is not a judgment to which collateral consequences attach, the guilty plea, while substantial evidence of the commission of a crime, was not conclusive evidence that Bishop had committed a crime. Because the Commission received other evidence in its proceeding below suggesting that Bishop had not committed a crime, we affirm the judgment of the trial court.

Opinion by: Mark D. Pfeiffer, J.

September 29, 2009

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