In the Missouri Court of Appeals
Eastern District
DIVISION TWO

ERIC BRANSON,	)	No. ED108237
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of Osage County
vs.	)	
	)	Honorable Robert D. Schollmeyer
DIRECTOR OF REVENUE, STATE OF MISSOURI,	)	
	)	
	)	
Appellant.	)	FILED: May 12, 2020

The Director of Revenue ("DOR") appeals from the judgment of the circuit court granting the petition of Eric Branson ("Branson") to reinstate his driving privileges under Section 302.060.1(10). In its sole point on appeal, the DOR claims the circuit court erred in reinstating Branson's driving privileges because Branson was convicted of possession of a controlled substance within the preceding five years of his petition and therefore was ineligible for reinstatement.

REVERSED AND REMANDED.

DIVISION TWO HOLDS: Because the plain language of Section 302.060.1(10) requires a petitioner seeking reinstatement of his driving privileges to have not been found guilty of an offense related to alcohol, controlled substances, or drugs during the preceding five years, the circuit court erred in granting Branson's petition because no substantial evidence supported finding Branson was eligible for reinstatement under the statute as Branson had been found guilty of possession of controlled substances eleven days prior to filing his petition.

Opinion by: Kurt S. Odenwald, Judge
Philip M. Hess, P.J., and Lisa P. Page, J., concur.

Attorney for Appellant: Eric W. McDonnell
Attorney for Respondent: Pro se

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.