OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

JENA RAE HAFFNER,	)	No. ED107926
	)	
Respondent,	)	Appeal from the Circuit Court
	)	of St. Louis County
vs.	)	
	)	Honorable Richard M. Stewart
DIRECTOR OF REVENUE,	)	
STATE OF MISSOURI,	)	
	)	
Appellant.	)	FILED: May 19, 2020

The Director of Revenue ("Appellant") appeals from the judgment of the Circuit Court of St. Louis County rescinding the suspension of Jena Rae Haffner's ("Respondent") driver's license.

REVERSED AND REMANDED

Division One Holds: The trial court erred in holding Respondent was not under arrest at the time she consented to the blood alcohol test, because (1) Respondent was arrested by actual physical restraint; and (2) Respondent was arrested by submission to the officer's authority.

Opinion by: Roy L. Richter, Judge

Robert M. Clayton III, Presiding Judge, and Robert G. Dowd, Jr., Judge, concur.

Attorney for Appellant: Eric William McDonnell

Attorney for Respondent: William Jerome Ekiss, Bond Wilkison

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.