

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**  
**OPINION SUMMARY**

JAMES B. STUART,	)	No. ED103376
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of Franklin County
vs.	)	
	)	Honorable David L. Hoven
DIRECTOR OF REVENUE,	)	
	)	
Respondent.	)	FILED: May 3, 2016

James Stuart (“Stuart”) appeals the judgment of the trial court sustaining the Director of Revenue’s (“the Director”) suspension of his driver’s license. Stuart was arrested at his home several hours after he was involved in a motor-vehicle accident. The accident happened late on New Year’s Eve or early on New Year’s morning. After an investigation, Trooper Adam Smith (“Trooper Smith”) arrived at Stuart’s home and found Stuart obviously intoxicated. The sole issue on appeal is whether Trooper Smith had probable cause to arrest Stuart for driving while intoxicated. Stuart claims that he was sober while driving and only began drinking after he arrived home. No witnesses saw the accident. When first interviewed by Trooper Smith at his home, Stuart admitted that he was driving the car at the time of the accident, and stated that he had not consumed alcohol since arriving home.

AFFIRMED.

DIVISION FOUR HOLDS: The record contains substantial evidence to support the trial court’s finding that a prudent, cautious, and trained police officer would have found probable cause to believe Stuart drove his vehicle while intoxicated. Accordingly, we affirm the trial court’s judgment.

Opinion by: Kurt S. Odenwald, Judge  
concur.

Sherri B. Sullivan, P.J., and Lisa P. Page, J.,

Attorney for Appellant: Mark T. Rudder

Attorney for Respondent: Chris Koster and Rachel Jones

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