

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FIVE

KEVIN M. JOHNSTON,)	No. ED92720
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	
DIRECTOR OF REVENUE,)	Honorable Barbara Wallace
)	
Respondent.)	FILED: February 9, 2010

Kevin Johnston ("Driver") appeals a judgment entered in the Circuit Court of St. Louis County ("trial court") denying the reinstatement of his driving privileges. The trial court found that the Director of Revenue ("the Director") properly suspended Driver's license based on his conviction in Kentucky for driving under the influence.

AFFIRMED

Division Five Holds:

Driver cannot challenge, in a Missouri court, a Kentucky court's designation of his conviction date as January 6, 2010. Therefore, pursuant to sections 302.160 and 304.302, the Director validly suspended Driver's license when she received notice from the Kentucky Department of Transportation of Driver's DWI conviction on January 10, 2006.

Opinion by: Roy L. Richter, J.
Kurt S. Odenwald, J., concurs.
Kenneth M. Romines, C.J., dissents in separate opinion

Attorneys for Appellant: John F. Newsham

Attorneys for Respondent: Jonathan H. Hale

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