

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

MARK NEIL SCHEUMBAUER,)	No. ED96036
)	
Respondent,)	
)	Appeal from the Circuit Court of
vs.)	St. Louis County
)	
DIRECTOR OF REVENUE, STATE OF)	
MISSOURI,)	Honorable Patrick Clifford
)	
Appellant.)	Filed: October 25, 2011

The Director of Revenue (“DOR”) appeals the judgment reinstating the driving privileges of Mark Scheumbauer.

REVERSED AND REMANDED.

Division Four holds: The trial court erroneously applied the law in excluding the result of Scheumbauer’s breathalyzer test and reinstating his driving privileges.

Opinion by: Robert M. Clayton III, J.
Patricia L. Cohen, P.J. and George W. Draper III, J., concur.

Attorney for Appellant: Trevor S. Bossert

Attorney for Respondent: John A. Bouhasin

**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.**