

OPINION SUMMARY
MISSOURI COURT OF APPEALS—EASTERN DISTRICT

DIVISION FOUR

DAVID JOHN MANSHEIM,)	No. ED96624
)	
Respondent,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	10SL-AC43786
)	
DIRECTOR OF REVENUE, STATE OF)	Honorable Barbara W. Wallace
MISSOURI,)	
)	
Appellant.)	FILED: January 24, 2012

The Director of Revenue appeals the trial court’s judgment granting David Mansheim (Driver) limited driving privileges. The Director contends that, under Section 302.309.3(6)(d), Driver was statutorily ineligible for limited driving privileges because his license had been revoked for leaving the scene of an accident.

REVERSED.

Division Four Holds: The trial court acted in excess of its authority when it granted Driver’s petition for limited driving privileges because Driver was statutorily ineligible to receive them. Under Section 302.309.3(8)(a), a driver is permitted to petition for limited driving privileges if: (1) he is ineligible to obtain a driver’s license for ten years pursuant to Section 302.060(9); (2) he has served three years of the ineligibility period without conviction for any drug- or alcohol-related offense; and (3) he is not otherwise ineligible for limited driving privileges under Section 302.309.3. Mo. Rev. Stat. § 302.309.3(8)(a); State ex rel. Dir. of Revenue v. Ash, 173 S.W.3d 388, 389 (Mo.App.E.D. 2005). Driver was “otherwise ineligible” for limited driving privileges under Section 302.309.3(6)(d) because his license was revoked for leaving the scene of an accident.

Opinion by Patricia L. Cohen, Judge
Kurt S. Odenwald, C.J., and Robert M. Clayton III, J., concur.

Attorney for Appellant: Chastidy Rebecca Dillon-Amelung

Attorney for Respondent: David John Mansheim (pro se)

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