

PETITIONER: RESPONDENT: Director of the Department of Motor Vehicles	CASE NUMBER:
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6. Per Vehicle Code § 13380, the Officer then filed a sworn statement (Form DS-367) with the DMV stating that there was reasonable cause to believe petitioner had been driving a motor vehicle in violation of Vehicle Code § 23152 or 23153, the petitioner was arrested and petitioner
 took a chemical test with a result of _____% and _____% blood alcohol concentration.
 did not take or complete a chemical test.
7. A copy of the Officer's DS-367 Statement – Vehicle Code §§ 23152 and 13352 is attached to this petition.
8. On (date) _____, petitioner requested an administrative hearing. The hearing was granted and held on (date) _____.
9. A certified copy of the transcript of the administrative hearing has been ordered from the DMV and
 has been lodged with the Court.
 will be lodged with the Court as soon as it is received by petitioner.
10. On (date) _____, the DMV issued an Order of Suspension which stated that petitioner's privilege to drive a motor vehicle was suspended for _____ year(s), from (date) _____ through (date) _____. The suspension was under the authority of Vehicle Code § 13353.3. A copy of the Order of Suspension is attached to this petition.
11. This petition is further based on the following evidence and matters from the record of the administrative hearing [attach additional pages if necessary].

12. Petitioner is beneficially interested in this action because petitioner is a party directly affected by the action of Respondent in suspending his or her privilege to operate a motor vehicle.

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13. Petitioner needs his or her license
to drive to and from and in connection with his or her employment, as well as personal needs.
to engage in business for his or her livelihood.
- Unless the Order of the DMV is stayed, he or she will suffer irreparable damage and injury.
14. As required by California Rule of Court, rule 3.1142, a copy of petitioner's driving record from the DMV is attached to this petition.
15. Petitioner does not have a speedy and adequate remedy at law because there is no appeal from respondent's order suspending the privilege to operate a motor vehicle. Petitioner's only method of review of that order is by writ of mandate in this Court.
16. Petitioner's privilege to operate a motor vehicle is not suspended or revoked for any reason other than those stated in this petition.

Petitioner prays that:

- An alternative writ of mandate issue under the seal of the Court commanding respondent Director of the DMV to set aside and revoke the DMV's suspension of petitioner's driving privilege or to show cause before the Court at a time and place to be specified by the Court why it has not done so, and why a peremptory writ should not issue.
- Pending the hearing and final judgment of the Court in this matter, the DMV be ordered to stay the operation of the order suspending Petitioner's driving privilege.
- Other (Describe):
- For such and further relief as the Court may deem proper.

Dated: _____

(Type or Print Name)

(Signature of Petitioner)

VERIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on (date) _____ at _____, California.

(Signature of Petitioner)