

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

APPELLATE DIVISION (CIVIL): AY
CASE NO. 502019CA011048XXXXMB

TIMOTHY JOHN SIPP,
Petitioner,

v.

THE STATE OF FLORIDA
DEPARTMENT OF HIGHWAY
SAFETY AND MOTOR VEHICLES,
Respondent.

Opinion filed: April 23, 2020

Petition for Writ of Certiorari from the Bureau of Administrative Review, Department of Highway Safety and Motor Vehicles.

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PER CURIAM.

Petitioner seeks review of an order sustaining the suspension of his driver license based on the hearing officer's finding that Petitioner had an unlawful breath-alcohol level while driving. We affirm the decision of the hearing officer. *See Dep't of Highway Safety & Motor Vehicles v. Colling*, 178 So. 3d 2 (Fla. 5th DCA 2014). However, we write to caution law enforcement to take better care to ensure their reports do not contain scrivener's errors which can result in the unnecessary expenditure of judicial resources. We also caution hearing officers to be mindful that

not all discrepancies can be dismissed as scrivener's errors. Nevertheless, we affirm the hearing officer's decision in the instant case and **DENY** the Petition for Writ of Certiorari.

ROWE, SMALL, and KERNER, JJ., concur.

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v.

Petition for Writ of Certiorari from the
Department of Highway Safety and Motor Vehicles

THE STATE OF FLORIDA
DEPARTMENT OF HIGHWAY
SAFETY AND MOTOR VEHICLES,
Respondent.

Petition filed: August 25, 2019

_____/

DATE OF PANEL: FEBRUARY 25, 2020

PANEL JUDGES: ROWE, SMALL, KERNER

GRANTED/DENIED/OTHER: PETITION DENIED

PER CURIAM OPINION/DECISION BY: PER CURIAM

CONCURRING:	)	DISSENTING:	)	CONCURRING SPECIALLY:)
	)	With/Without Opinion	)	With/Without Opinion)
)))
<u>/s/ Cymonie Rowe</u>)	_____)	_____)
DATE: J.	)	J.	)	J.)
)))
<u>/s/ Lisa Small</u>)	_____)	_____)
DATE: J.	)	J.	)	J.)
)))
<u>/s/ Scott Kerner</u>)	_____)	_____)
DATE: J.	)	J.	)	J.)