

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

GREGORY CORREA HERTEL,

Petitioner,

Appellate Division (Civil)
Case No.: 502010CA001531XXXXMB

v.

Appealed from the Department of Highway
Safety and Motor Vehicles

DEPARTMENT OF HIGHWAY
SAFETY AND MOTOR VEHICLES,

Respondent.

Opinion filed: JUN - 9 2010

Appeal from the Department of Highway Safety and Motor Vehicles.

For Petitioner: Ira D. Karmelin, Esq.
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For Respondent: Heather R. Cramer, Esq.
Assistant General Counsel
Department of Highway Safety and Motor Vehicles
P.O. Box 540609, Lake Worth, FL 33454

PER CURIAM.

The Petition for Writ of Certiorari is **DISMISSED** as moot. Notwithstanding our dismissal, the Respondent is reminded that the failure to issue subpoenas to officers and witnesses identified in any documentary evidence submitted at or prior to the hearing shall result in an order quashing the findings of the hearing officer. *Lee v. DHSMV*, 4 So. 3d 754, 758 (Fla. 1st DCA 2009); *Yankey v. DHSMV*, 6 So. 3d 633, 638 (Fla. 2d DCA 2009); *De Jong v. DHSMV*, 17 Fla. L. Weekly Supp. 90c (Fla. 15th Jud. Cir. 2009); *Sexton v. DHSMV*, 16 Fla. L. Weekly Supp. 726a (Fla. 15th Jud. Cir. 2009); *Johnson v. DHSMV*, 16 Fla. L. Weekly Supp. 400a (Fla. 15th Jud. Cir. 2009). Moreover, arbitrarily limiting a party's cross examination is a denial of due process. Petitioner's Motion for Attorney's Fees and Costs is **DENIED**.

KELLEY, FRENCH, and CROW, JJ., concur.