

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

APPELLATE DIVISION (CIVIL): AY  
Case No.: 2014CA002305

THOMAS FRANCIS STEVENS,  
Petitioner,

v.

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

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Opinion filed: **NOV 24 2014**

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

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For Respondent: Natalia Costea  
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PER CURIAM.

Petitioner, Thomas Francis Stevens, had his license revoked in 2002 because he was convicted of DUI Manslaughter. Petitioner applied for a hardship license with the Department of Highway Safety and Motor Vehicles and a hearing was held on December 13, 2013. The Hearing Officer presiding over his case told Petitioner he would be eligible for a hardship license. On January 23, 2014, however, the Hearing Officer issued a Final Order denying

Petitioner's application. Petitioner filed a petition for writ of certiorari in this Court seeking review of this decision.

Pursuant to section 322.271(2)(a), Florida Statutes, Petitioner is ineligible for a hardship license because he has two previous convictions under section 316.193, Florida Statutes. The Hearing Officer's indications otherwise during the hearing do not change this analysis. The Court writes to note that a review of the record reveals Petitioner was forthcoming at the hearing and disclosed both of his previous convictions. Nevertheless, the Hearing Officer denied Petitioner's hardship application as statutorily required, and as such the Petition for Writ of Certiorari is DENIED.

CROW, SCHER, BONAVIDA, JJ. CONCUR.