

IN THE OFFICE OF STATE ADMINISTRATIVE HEARINGS  
STATE OF GEORGIA

\_\_\_\_\_  
Petitioner,  
  
v.  
  
GEORGIA DEPARTMENT OF DRIVER SERVICES,  
Respondent.

: DOCKET NUMBER:  
:  
: OSAH-DDS-ALS-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_  
:  
:  
: Agency Reference No: \_\_\_\_\_

**MOTION TO DISMISS SWORN REPORT**

The undersigned arresting officer is the complainant in this case. As such, the arresting officer completed a Sworn Report, which was filed pursuant to O.C.G.A. § 40-5-67.1. The undersigned arresting officer is authorized pursuant to Ga. Comp. R. & Regs. 375-3-3-.04(6)(b)(1) to act on behalf of the Department as the complainant. It is now the intent of the undersigned arresting officer to dismiss the Sworn Report pursuant to the terms below:

This dismissal of the Sworn Report is based upon Petitioner's agreement to enter a guilty plea to the underlying charge of violating O.C.G.A. § 40-6-391 or  to \_\_\_\_\_. Petitioner further agrees that if s/he fails to enter the plea as agreed, Petitioner waives his/her right to further contest the suspension under O.C.G.A. § 40-5-67.1, and agrees to the entry of an order vacating the Consent Order and an order suspending or disqualifying his/her driver's license, permit or privilege to operate a motor vehicle or commercial motor vehicle in this state.

This dismissal of the Sworn Report is not based upon Petitioner's agreement to enter a guilty plea.

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Agreed to and submitted by:

\_\_\_\_\_  
(Signature)

-----  
(Print or type Name) Arresting Officer

\_\_\_\_\_  
(Signature)

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(Print or type Name) Petitioner or His/Her Attorney

**CONSENT ORDER**

The above motion having been filed, read and considered, it is hereby **GRANTED** subject to the terms and conditions contained therein, and the Department's license suspension or disqualification of Petitioner's driver's license, permit or privilege to operate a motor vehicle or commercial motor vehicle in this state is **REVERSED**.

**SO ORDERED THIS** \_\_\_\_ day of \_\_\_\_\_, **20**\_\_.

\_\_\_\_\_  
**Judge**

**MOTION TO VACATE AND MOTION TO REINSTATE**

Petitioner has failed to enter a guilty plea as agreed to above. Accordingly, the undersigned arresting officer moves for an order vacating the above Consent Order, and further, moves for an Order reinstating the suspension or disqualification of Petitioner's driver's license, permit or privilege to operate a motor vehicle or commercial motor vehicle in this state without a hearing. **I certify that on this date I have served Petitioner or his/her counsel of record with a copy of this Motion.**

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Submitted by:

\_\_\_\_\_  
(Signature)

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(Print or type Name) Arresting Officer

**ORDER**

**IT IS HEREBY ORDERED THAT** the Motion to Vacate the above Consent Order and any response thereto having been read and considered, said Motion is **GRANTED**, the above Consent Order is **VACATED**, and  the Department's suspension or disqualification of Petitioner's driver's license, permit or privilege to operate a motor vehicle or commercial motor vehicle in this state is **REINSTATED** or  the action is placed on the Court's calendar on \_\_\_\_\_ at \_\_\_\_\_.

**SO ORDERED THIS** \_\_\_\_ day of \_\_\_\_\_, **20**\_\_.

\_\_\_\_\_  
**Judge**