



IN THE OFFICE OF STATE ADMINISTRATIVE HEARINGS
STATE OF GEORGIA

████████████████████ :
Petitioner, : Docket No.: OSAH-DDS-ALS-1321363-60-Kennedy
 :
v. : Agency Reference No.: 055653909
 :
DEPARTMENT OF DRIVER SERVICES, :
Respondent. :
 :

**FINAL DECISION
ORDER OF DISMISSAL**

Inasmuch as the arresting officer failed to appear at the call of the case without good cause being shown for non-appearance, Respondent was in default and was unable to meet its evidentiary burdens. O.C.G.A. § 50-13-13 (a)(4); OSAH Rules 616-1-2-.07(1); OSAH Rule 616-1-2-.30(1) and (5).

IT IS HEREBY ORDERED that Respondent's non-appearance is a default and that this matter is dismissed. Accordingly, Respondent's decision to suspend Petitioner's driver's license, permit or privilege to operate a motor vehicle or commercial motor vehicle in this state is rescinded. Thus, Respondent is **REVERSED**.

SO ORDERED THIS 13th day of August, 2013.

Ana Kennedy

Ana Kennedy
Administrative Law Judge

