

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
STATUTORY APPEALS BRANCH

PENNSYLVANIA STATE CONSTABULARY

Petitioner

vs.

SA 23 – 552

Commonwealth of Pennsylvania/
Department of Transportation

Respondent

ORDER OF COURT

AND NOW, 9/5/24, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1.0. The appeal is:

- 1.1. DISMISSED.
- 1.2. SUSTAINED.
- 1.3. WITHDRAWN.
- 1.4. REMANDED to the Department of Transportation for correction of the record.
- 1.5. REMANDED to the Department of Transportation for to rescind the suspension and to reschedule the departmental hearing. Petitioner releases the Department from its responsibility under 75 Pa. C.S. §1551 to provide notification within six months of the date of conviction of any suspension to be imposed if the petitioner fails to attend the departmental hearing and any suspension that might be imposed pursuant to 75 Pa. C.S. §1538(b).

2.0. (Applicable only when Block 1.1 or 1.3 is "Checked" Paragraph 2.5 must be signed by Petitioner.)

- 2.1 Petitioner requests and the Court recommends a _____ month delay in reimposition of the suspension, revocation, disqualification, cancellation, or recall
- to provide the appellant an opportunity to resolve the underlying conviction, or,
 - for hardship reasons.

2.2 The petitioner acknowledges that the Department of Transportation will not grant a delay unless: (1) a supersedeas is currently in effect and (2) the petitioner does not have any other outstanding suspension, revocation, disqualification, cancellation or recall of driving privileges.


2.3 The petitioner agrees not to appeal the reimposition of the suspension following the delay should the appeal of underlying conviction remain unresolved for any reason (further delay may be requested pursuant to 75 Pa. C.S. § 1555 only), the result of the appeal be unfavorable, or petitioner has not received medical clearance and/or completed the driving test.

2.4 The petitioner shall ensure that the Clerk of Courts provides a certified copy of the PennDOT Form DL-21 showing final disposition of the underlying conviction to the Department.

2.5 I acknowledge paragraphs 2.1, 2.2, 2.3, and 2.4. _____
Petitioner/Petitioner's Attorney

3.0 (If applicable) The Petitioner or the Department of Transportation has 30 days from the date of this decision to appeal to the Commonwealth Court.

BY THE COURT:

 J.

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2024 SEP -5 AM 10:44
CLERK OF COURTS
FAMILY DIVISION
ALLEGHENY COUNTY, PA

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SUMMARY APPEALS BRANCH
COURT OF COMMON PLEAS
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