

MANDATE

from
Circuit Court of Duval County, Florida

To: Department of Highway Safety and Motor Vehicles

Case No: 16-2023-AP-000004-XXXX-MA

Division: AP-A

On appeal to the Circuit Court of Duval County, Florida, from the judgment of your Court rendered on March 21, 2023, in the action that in your court is captioned:

Final Order Denying Early Reinstatement

Larry Dion Tucker, D.L. # T260-524-70-342-0, Effective Date: 12/09/2020

In the Circuit Court of Duval County, Florida, rendered its opinion and judgment, a copy of which is attached and made part hereof on the date recited therein.

You are hereby directed that if any further proceedings in that action in your Court are required by the judgment of the Circuit Court of Duval County, Florida, such requirements be carried out, and that any further proceedings in that action in your court be in accordance with that judgment.

WITNESS the Honorable Anderson, Hutton, and Horkan, Judge of the Circuit Court of Duval County, Florida, at Jacksonville, Florida this the 22nd day of February, 20 24



JODY PHILLIPS
CLERK OF THE CIRCUIT COURT

By: *[Signature]*
Deputy Clerk

FILED

FEB 22 2024

DUVAL CLERK OF COURT

CC: Larry Dion Tucker

Kathy A. Jimenez-Morales

Filing # 191098051 E-Filed 02/02/2024 08:49:04 AM

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NO: 16-2023-AP-4

DIVISION: AP-A

LARRY DION TUCKER,
Petitioner,

v.

DEPARTMENT OF HIGHWAY
SAFETY AND MOTOR VEHICLES,
Respondent.

_____/

Petition for Writ of Certiorari from the decision of the State of Florida Department of Highway
Safety and Motor Vehicles

FEBRUARY 2, 2024

PER CURIAM.

Petitioner seeks certiorari review of the Department’s decision not to grant him early reinstatement. On certiorari review of an administrative action, this Court’s standard of review is “limited to a determination of whether procedural due process was accorded, whether the essential requirements of the law had been observed, and whether the administrative order was supported by competent, substantial evidence.” Dep’t of Highway Safety and Motor Vehicles v. Luttrell, 983 So. 2d 1215, 1217 (Fla. 5th DCA 2008); see also Dep’t of Highway Safety and Motor Vehicles v. Trimble, 821 So. 2d 1084, 1085 (Fla. 1st DCA 2002).

Petitioner's license was suspended for five years, starting on December 12, 2020. Less than six months later, law enforcement stopped Petitioner and cited him for driving without a valid license while his license was canceled, revoked, or suspended.

At a hearing, Petitioner requested early reinstatement and presented evidence of necessity, but the hearing officer denied his request based on his "continued operation of a motor vehicle after the revocation began." Finding no error with the hearing officer's determination, the Petition is **DENIED**.

ANDERSON, HUTTON, AND HORKAN, JJ., concur.

Larry Dion Tucker, *pro se*

Kathy A. Jimenez-Morales., counsel for Respondent.