Name, Address & Telephone Number of Attorney: Attorney for:	*FOR COURT USE ONLY*
SUPERIOR COURT OF SAN LUIS OBISPO COUNTY ❑ **San Luis Obispo Branch**, 1035 Palm Street, Rm 385, San Luis Obispo, CA 93408 ❑ **Grover Beach** Branch, 214 South 16th Street, Grover Beach, CA 93433 ❑ **Paso Robles** Branch, 901 Park Street, Paso Robles, CA 93446	
PETITIONER: RESPONDENT: Director of the Department of Motor Vehicles	
PETITION FOR ALTERNATIVE WRIT OF MANDATE CCP §1094.5 TO SET ASIDE SUSPENSION OR REVOCATION OF LICENSE – NON DUI ☐ STAY REQUESTED Unlimited Civil	**CASE NO**:

Mark all □ boxes that apply;

1. Petitioner (full name) _____
   Is a resident of the County of San Luis Obispo, State of California at the time this Petition is filed.

2. Respondent, Director of the Department of Motor Vehicles, is the Chief Executive Officer of the Department of Motor Vehicles, a government agency of the State of California, hereafter referred to as 'the DMV'.

3. At all times prior to the suspension or revocation of petitioner's license, petitioner was the holder of a valid California

   □ driver's license, license number _____
   □ vehicle sales person license, license number (if any) _____
   □ other license (describe and provide license number, if any) _____
   Issued by the DMV

4. □ On (date) _____ an administrative hearing was held. A certified copy of the transcript of the administrative hearing has been ordered from the DMV and
   □ has been lodged with the court.
   □ will be lodged with the Court as soon as it is received by petitioner.
   □ No administrative hearing was held.

5. On (date) _____ the DMV issued an Order of Suspension or Revocation of petitioner's license. A copy of the DMV's Order is attached to this Petition.

6. This petition is further based on the following evidence and matters from the record of the administrative hearing (attach additional pages if necessary).

7. Petitioner is beneficially interested in this action because petitioner is a party directly affected by the action of the DMV in suspending or revoking his or her privilege to operate a motor vehicle.

8. Petitioner needs his or her license;

- □ to drive to and from and in connection with his or her employment, as well as personal needs.
- □ to engage in business for his or her livelihood.

Unless the Order of the DMV is stayed, he or she will suffer irreparable damage and injury.

9. As required by California Rule of Court 3.1142, a copy of Petitioner's driving record from the DMV is attached to this petition.

10. Petitioner does not have a speedy and adequate remedy at law because there is no appeal from the DMV's order suspending or revoking the privilege to operate a motor vehicle. Petitioner's only method of review of that order is by writ of mandate in this Court.

11. Petitioner's license is not suspended or revoked for any reason other than those stated in this petition.

Petitioner prays that:

1. An alternative write of mandate issue under the seal of the Court commanding respondent Director of the DMV to set aside and revoke the DMV's order suspending or revoking petitioner's license or to show cause before the Court at a time and place hereafter to be specified by the Court why it has not done so, and why a peremptory writ should not issue.

2. □ Pending the hearing and final judgment of the Court in this matter, the DMV be ordered to stay the operation of the order suspending or revoking petitioner's license.

3. □ Other (Describe): _____

4. For such and further relief as the Court may deem proper.

Dated: _____

_____ _____
(Type or Print Name) (Signature of Petitioner)

VERIFICATION

STATE OF CALIFORNIA]
COUNTY OF SAN LUIS OBISPO] SS.

I, the undersigned, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on (date) _____ at _____, California.

_____
(Signature of Petitioner)