

People v. K.D.

**MR. CORLETTA GETS DISMISSAL IN SERIOUS DWI CASE DUE TO SLOPPY
PREPARATION OF ACCUSATORY INSTRUMENTS**

Consider this circumstance. Client is a professional from out of state. Driving down city street, populated by bars, in early morning hours, takes out parked car; observed by several people.

Police come and immediately detain client on suspicion of drunk driving. Thinking it is an easy situation, they neglect to interview multiple witnesses outside bar who saw accident and client driving. Client does not admit to driving in Accusatory Instrument.

Police prepare Accusatory Instruments in sloppy fashion, fail to obtain admission from client as to not only driving, but when driving, and ownership of vehicle. Police failed to obtain statements from multiple witnesses and refer to unverified hearsay in Accusatory Instrument. Police essentially ask Court to assume client driving.

Client is clearly intoxicated, and submits to breath test which registers well over legal limit. Most lawyers would view this as a seemingly hopeless situation. Not Mr. Corletta.

Carefully reviewing the Accusatory Instruments, Mr. Corletta filed the proper Motions attacking the element of operation. The Court, after Hearing Mr. Corletta, reserved decision and reviewed the documents and agreed with Mr. Corletta, dismissing the Accusatory Instruments.

The client, an out of state resident, benefitted from the dismissal by never having to return to Court, and avoided any professional consequences as a result of having a Driving While Intoxicated conviction. Whatever fee Mr. Corletta charged was well earned in terms of this individual's professional future.