

People v. B.C. (Rochester City Ct., 2/21)

MR. CORLETTA OBTAINS DISMISSAL OF 11 OUT OF 12 CHARGES INCLUDING DWI AND 8 SEPARATE TRAFFIC VIOLATIONS.

In an unfortunate situation where the client panicked when police were attempting to effectuate a traffic stop for a seatbelt violation, leading to a chase and 12 separate charges, including DWI and Refusal To Submit to a Breath Test, Mr. Corletta was able to obtain a disposition involving only a minor Misdemeanor conviction and a fine with no other punishment in **People v. B.C.** (Rochester City Ct., 2/21).

In this case, Mr. Corletta's client did not stop when signaled to do so for a minor seatbelt violation. The client instead led police on a chase through several city streets, accumulating 27 points in traffic violations, which is a separate basis for a revocation. The chase ended in a minor motor vehicle accident where the client was apprehended, charged with Obstruction of Governmental Administration, Resisting Arrest, and Driving While Intoxicated, although there was no proof whatsoever of intoxication.

Going to work, Mr. Corletta filed several motions, demonstrating the Obstruction and Driving While Intoxicated charge lacked legal basis; with even the District Attorney agreeing with Mr. Corletta with respect to the DWI both were dismissed. Mr. Corletta also won a separate Administrative Hearing in the Department of Motor Vehicles; obtaining a dismissal of the alleged Refusal.

In the end, Mr. Corletta obtained dismissal of all charges, save one, with his client paying a minor \$200 fine and obtaining a Conditional Discharge. The client also got a Certificate of Relief from Disabilities, which means the conviction on the misdemeanor will not hinder the client in terms of bars to future employment or other forfeitures. The client also retained his driver license, and avoided imposition of 27

points, which would have resulted in a lengthy revocation aside from the DWI.

All in all, given the number of charges, and the circumstances, this was an outstanding disposition obtained through prompt investigation, filing of Motions, and knowledge of the law. Many lawyers would have thrown up their hands upon seeing such a fact pattern.