

**People v. H.R. (Wayland Tn. Ct., 11/17/21)**  
**DESPITE HIGHLY UNFAVORABLE FACTS, MR. CORLETTA OBTAINS  
OUTSTANDING DISPOSITION**

Consider these facts. Rural area. Complaint of a motorcyclist speeding out of a bar is sent to 911 dispatch. Police locate 2 motorcyclists in rural village, allegedly driving recklessly. Both motorcyclists pulled over and charged with DWI. To most lawyers this would sound like a hopeless situation. Not Mr. Corletta.

Carefully parsing out the facts, Mr. Corletta determined the 911 call referred to his client's companion; not his client. Carefully crafting a set of motions challenging the 911 call and making various other arguments, Mr. Corletta served a bevy of Motions on a rural District Attorney's office, prior to his client's arraignment. The client is a rural truck driver with a CDL. The client is older, has no prior criminal history, and has 35 years experience as a truck driver.

Mr. Corletta appeared before a Town Justice with no prior experience as a Judge, and a total lack of knowledge of the procedures in a Driving While Intoxicated case. Nonetheless, by continuing to attack, Mr. Corletta prevented suspension of his client's license for over 4 months.

However, Mr. Corletta also realized the chances of complete victory in this Court were minimal, given the rural Town Justice had little knowledge of the law; let alone some of the rather complex arguments Mr. Corletta was making.

Therefore, Mr. Corletta negotiated a disposition with the District Attorney, where all original charges were withdrawn and dismissed, and the client pled guilty to a minor alcohol-related traffic infraction with a minimum fine.

The client will not receive any of the usual punishments in a Driving While Intoxicated case; such as a \$1,000.00 fine, mandatory Ignition Interlock, etc. Instead the client will receive the minimum license suspension and Conditional License.

The client was extremely grateful for this result, which saved his employment and a great deal of embarrassment. Mr. Corletta will continue to assist his client in regaining their full license.

This case shows that even in adverse circumstances, quick analysis, prompt action, and hard work can result in a favorable disposition, when the odds are against it. Recognizing weaknesses in the case right from the beginning is key in dealing with

the District Attorney.