

**People v. MJ (Macedon Tn. Ct., 8/22).**

**MR. CORLETTA OBTAINS DISMISSAL OF 6 TRAFFIC CHARGES,  
INCLUDING 2 ALCOHOL-RELATED MISDEMEANORS FOR  
CLIENT WITH BAD DRIVING RECORD**

Sometimes, people with license suspensions or revocations simply continue to drive. They drive out of necessity. They play the odds they will not get caught. The odds are usually in their favor. They do this because the requirements to restore their a license, and the monetary fines and penalties placed on them by the state, are usually too onerous for them to do.

They usually get caught at the least opportune time and when they least expect it. This was the case in **People v. MJ** (Macedon Tn. Ct., 8/22). In this case, the client was working when pulled over for multiple equipment violations. There was no bad driving. However, the client's van was out of inspection and there were numerous equipment violations.

Upon being stopped, he discovered the client's license was suspended for alcohol-related offense and issued the client a ticket for driving with a suspended license due to an alcohol-related conviction, which requires mandatory incarceration if convicted. The client, suddenly frantic, expected to clear the problem up all at once by paying all their fines and civil penalties accumulated over a ten year period. Mr. Corletta advised the client it would not be that easy and would not affect disposition of the current charges.

However, examining the Accusatory Instruments and using the tools provided in the CPL, Mr. Corletta noticed deficiencies in the Accusatory Instruments and requested a Supporting Deposition on all 6 charges.

Both the police and Court botched the Request for Supporting Deposition. The police failed to file the Supporting Deposition with the Court in a timely fashion, and failed to send the Supporting Depositions to Mr. Corletta; the client's attorney, as required by statute.

Mr. Corletta pointed this out at the first Court appearance to a flustered Court,, and made an oral Motion to Dismiss. Mr. Corletta even cited a previous Decision from that very Court on this issue. In the end, the DA was forced to agree with Mr. Corletta and all 6 charges, including the 2 misdemeanor charges, were dismissed at a single Court appearance.

The client, who previously thought they would be going to jail, could not believe it.

The point is there is always something an attorney can do, even in the most adverse situations, if they know the law and use it.