

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA

CASE NO.: 2010-CA-14753  
WRIT NO.: 10-45

**CHRISTOPHER PAUL MULLIGAN,**

Petitioner,

vs.

**STATE OF FLORIDA,  
DEPARTMENT OF HIGHWAY  
SAFETY AND MOTOR VEHICLES,**

Respondent.

\_\_\_\_\_ /

Petition for Writ of Certiorari  
from the Florida Department of  
Highway Safety and Motor Vehicles,  
Donna Petty, Hearing Officer.

William R. Ponall, Esquire and  
Warren W. Lindsey, Esquire,  
for Petitioner

Richard M. Coln, Assistant General Counsel,  
for Respondent.

Before POWELL, APTE, ROCHE, J.J.

**FINAL ORDER DENYING PETITION FOR WRIT OF CERTIORARI**

Petitioner Milligan seeks certiorari review of the order of a hearing officer sustaining the suspension of his driver's license after a formal review hearing. We dispense with oral argument pursuant to Florida Rule of Appellate Procedure 9.320, and deny the petition.

Contrary to Petitioner's two arguments, we conclude that, under the totality of the circumstances, the content of the eye-witness information voluntarily given by a citizen-informant motorist face-to-face to an officer, when corroborated by the observations of the

nearby responding officer to whom it was transmitted by radio, established reasonable suspicion for the stop. *See State v. Carattini*, 774 So. 2d 927 (Fla. 5th DCA 2001); *State v. Jaccoma*, 14 Fla. L. Weekly Supp. 876a (Fla.18th Cir.Ct. 2007). Further, we conclude that the observations of the responding officer of Petitioner's obvious signs of impairment after Petitioner exited his vehicle furnished probable cause to arrest Petitioner for DUI. *See DHSMV v. Possati*, 866 So. 2d 737 (Fla. 3d DCA 2004). There was sufficient competent substantial evidence to support the findings of the hearing officer.

Consequently, it is hereby **ORDERED AND ADJUDGED** that the Petition for Writ of Certiorari is **DENIED**.

**DONE AND ORDERED** at Orlando, Florida this \_\_28th\_\_ day of \_\_June\_\_\_\_, 2011.

\_\_\_\_\_/S/\_\_\_\_\_  
**ROM W. POWELL**  
Senior Judge

\_\_\_\_\_/S/\_\_\_\_\_  
**ALAN S. APTE**  
Circuit Judge

\_\_\_\_\_/S/\_\_\_\_\_  
**RENEE A. ROCHE**  
Circuit Judge

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a copy of the foregoing order was furnished to **William R. Ponall, Esq. and Warren W. Lindsey, Esq.**, P.O. Box 2728, Winter Park, Florida 32790; and **Richard M. Coln, Assistant General Counsel**, P.O. Box 570066, Orlando, Florida 32857, by mail, this \_\_28th\_\_ day of \_\_June\_\_\_\_, 2011.

\_\_\_\_\_/S/\_\_\_\_\_  
Judicial Assistant