

**VERIFIED PETITION FOR PROMPT JUDICIAL REVIEW OF ADMINISTRATIVE  
SUSPENSION**  
**(marijuana)**

The Defendant, by counsel, respectfully requests this Court review the administrative suspension in the above-captioned cause and order the Defendant's driving privileges reinstated. In support of the Request, the Defendant would show the Court as follows:

1. On [insert date], the Defendant was charged with Operating While Intoxicated by Endangering Persons, a Class A misdemeanor, and Operating a Vehicle with a Controlled Substance, a Class C misdemeanor. The Operating While Intoxicated charges were based upon a positive urine screen for marijuana.

2. On [insert date], the Bureau of Motor Vehicles suspended the Defendant's license pursuant to the Court's Order.

3. The Court's Order suspending the driving privileges was erroneous, as there is no Code Section that permits the Courts to find probable cause from a positive urine screen sufficient to administratively suspend these privileges. I.C. 9-30-6-9, regarding suspension of privileges, permits the Court to suspend driving privileges administratively if the affidavit filed under I.C. 9-30-6-8(b) states that a chemical test resulted in prima facie evidence of intoxication, as defined by I.C. 9-13-2-131. The latter Code Section does not define a positive urine screen as prima facie evidence of intoxication.

WHEREFORE, the Defendant respectfully requests this Court judicially review the administrative suspension, order the Defendant's driving privileges reinstated, and for all other relief just and proper in the premises.

(Attorney's Signature)

I, [insert client's name], Petitioner, under the penalties of perjury, affirm that the foregoing statements are true, to the best of my knowledge and belief.

(Petitioner's Signature)