

IN THE JUSTICE COURT OF RANKIN COUNTY, MISSISSIPPI

DEFENDANT _____

DRIVER'S LICENSE NO. _____

FILE NO. _____

**ORDER DENYING
REQUEST FOR EXTENSION OF DRIVING PRIVILEGES
BECAUSE THERE WAS NO CHEMICAL TESTING OF THE DEFENDANT'S BREATH**

THIS CAUSE came on for consideration of a request for an extension of the defendant's driving privileges and the Court being satisfied that it has jurisdiction of the parties and the subject matter, hereby finds that this Court lacks the authority under *Miss. Code Ann. § 63-11-23(2)*, to extend the defendant's driving privileges if the defendant is charged with a violation of *Miss. Code Ann. § 63-11-30* and if there was no chemical testing of the defendant's breath that indicates the blood alcohol concentration was eight one-hundredths percent (.08%) or more for persons who are above the legal age to purchase alcoholic beverages under state law, or two one-hundredths percent (.02%) or more for persons who are below the legal age to purchase alcoholic beverages under state law, based upon grams of alcohol per one hundred (100) milliliters of blood or grams of alcohol per two hundred ten (210) liters of breath as shown by a chemical analysis of such person's blood, or breath, or urine.

IT IS, THEREFORE, ORDERED, since there was no chemical testing of the Defendant's breath, this Court lacks the authority under *Miss. Code Ann. § 63-11-23(2)*, to extend the defendant's driving privileges and the request for such extension is hereby denied.

SO ORDERED, this the _____ day of _____, 20____.

Justice Court Judge