

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 16-2023-AP-4

DIVISION: AP-A

LARRY DION TUCKER,  
Petitioner,

v.

DEPARTMENT OF HIGHWAY  
SAFETY AND MOTOR VEHICLES,  
Respondent.

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Petition for Writ of Certiorari from the decision of the State of Florida Department of Highway  
Safety and Motor Vehicles

FEBRUARY 2, 2024

PER CURIAM.

Petitioner seeks certiorari review of the Department's decision not to grant him early reinstatement. On certiorari review of an administrative action, this Court's standard of review is "limited to a determination of whether procedural due process was accorded, whether the essential requirements of the law had been observed, and whether the administrative order was supported by competent, substantial evidence." Dep't of Highway Safety and Motor Vehicles v. Luttrell, 983 So. 2d 1215, 1217 (Fla. 5th DCA 2008); see also Dep't of Highway Safety and Motor Vehicles v. Trimble, 821 So. 2d 1084, 1085 (Fla. 1st DCA 2002).

Petitioner's license was suspended for five years, starting on December 12, 2020. Less than six months later, law enforcement stopped Petitioner and cited him for driving without a valid license while his license was canceled, revoked, or suspended.

At a hearing, Petitioner requested early reinstatement and presented evidence of necessity, but the hearing officer denied his request based on his "continued operation of a motor vehicle after the revocation began." Finding no error with the hearing officer's determination, the Petition is **DENIED**.

ANDERSON, HUTTON, AND HORKAN, JJ., concur.

Larry Dion Tucker, *pro se*

Kathy A. Jimenez-Morales., counsel for Respondent.