

02282115393

STATE OF IDAHO
COUNTY OF KOOTENAI

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO:

IN AND FOR THE COUNTY OF KOOTENAI

2021 SEP -8 AM 9:46

THE STATE OF IDAHO

Plaintiff,

vs.

Mark Few

Defendant,

DOB: 12/27/1962

SSN: _____

DL#: WDL17BS1F6SB

State: Washington

COURT CASE #:

DEPARTMENT REPORT #: 21C41938

PROBABLE CAUSE DECLARATION IN SUPPORT
OF WARRANTLESS ARREST AND/OR
REFUSAL/FAILURE OF EVIDENTIARY TEST AND
ORDER FINDING PROBABLE CAUSE

I, Matthew Lovingier K49, the undersigned, hereby declare and/or otherwise state that the following is true and correct:

1. I am a peace officer employed by the Coeur d'Alene Police Department.
2. The above named defendant was arrested on the 6th day of September, 2021 at the time of 2020 for the offense(s) [list offense(s) and code] and/or (check any applicable boxes below)

- ☒ Driving under the influence of alcohol, drugs or other intoxicating substances, Idaho Code 18-8004.
☐ Second DUI offense in the last ten (10) years, prior offense date and location: _____
☐ Two or more DUI offenses in the last ten (10) years, prior offense dates and locations: _____
☐ Driving without privileges, Idaho Code 18-8001.
☐ Possession of controlled substance, Idaho Code 37-2732 ☐ Felony ☐ Misdemeanor
☐ Possession of paraphernalia, Idaho Code 37-2734A.
☐ Reckless driving, Idaho Code 49-1401.
☐ Domestic battery, Idaho Code 18-918.

3. Location of Occurrence: Appleway Avenue and 4th Street, Coeur d'Alene, Kootenai County, Idaho.

4. The above named defendant was identified as: Mark Few

- ☐ Military ID ☐ State ID Card ☐ Student ID Card ☒ Driver's License ☐ Credit Cards
☐ Paperwork Found ☐ Verbal ID by defendant
☐ Witness: _____ identified defendant.
☐ Other: _____

5. ☒ Actual Physical Control established by: ☒ Observation by Declarant ☐ Observation by Officer
☐ Admission of Defendant to: _____, ☐ Statement of Witness: _____
☐ Other: _____

☐ This is an arrest initiated by a private citizen. The basis for the request for the issuance of a Complaint is set forth in the police report attached and incorporated herein. The information and statements provided to me by _____, the complaining party, are true and correct to the best of my knowledge.

6. I believe that there is probable cause that the above described offense(s) was (were) committed by the defendant based on the following facts:

OFFICER: M.LOVINGIER K49

OFFENDER: MARK FEW (DOB: 12/27/1962)

{M or F, criminal code, charges per suspect and related citation numbers}

OFFENSE: M, 18-8004, DRIVING UNDER THE INFLUENCE OF ALCOHOL
(CITE/RELEASE, E-TICKET #C3145145)

CASE SUMMARY: 09/6/2021, I, Officer Lovingier, stopped Mark Few after he was called in as driving erratic and speeding. Mark exhibited several signs of intoxication. Mark refused to complete field sobriety tests but provided breath samples of 0.119/0.120. Mark was issued a citation for driving under the influence.

NARRATIVE: On September 6, 2021 at about 2000 hours, I, Officer Lovingier, responded to a report of a DUI entering the city limits at Dalton Avenue and 4th Street. Engine Captain Seth Hohenstreet was in fire engine 14 following a dark SUV with Idaho plates. Seth contacted dispatch when he saw the vehicle driving erratically and speeding. Seth continued to follow the SUV and gave dispatch updates on their location while I responded.

The following paragraphs are a brief summary of events, from recall, of the salient facts. For full details and exact verbiage see video recording uploaded to Viper.

As I turned northbound on 4th Street from Appleway Avenue, dispatch told me the fire engine was still following the SUV south past Coeur d'Alene High School. As I approached the intersection of Neider Avenue, I saw a black SUV followed by a fire engine. I turned around and got behind the black SUV with Idaho plates LAK759 as it stopped at the red light at Appleway Avenue. After the light turned green I activated my overhead patrol lights and the vehicle yielded into a nearby parking lot.

I contacted the driver and identified him as Mark Few by his Washington driver's license. I had to remind Mark that I also asked for his vehicle registration and proof of insurance when I asked for his driver's license. Mark appeared to have difficulty dividing his attention between looking for his paperwork and answering my questions. I could smell an odor of an alcoholic beverage while standing at the window. Mark had watery bloodshot eyes and spoke slowly. Mark moved slowly and appeared to have difficulty finding his paperwork in the center console and glovebox. While speaking to Mark he sometimes started a sentence and trailed off without finishing what he was saying. I often had to repeat questions.

Mark told me he was coming from his vacation house at Hayden Lake and driving to Spokane. Mark told me he had spent the day with his family. I asked him how much he had to drink today and Mark told me nothing. I did not believe Mark was being truthful based on my previously stated observations.

I asked Mark to step out of his vehicle and he refused. I told Mark exiting his vehicle was not optional and he needed to step out but he refused. I continued to tell Mark he needed to exit his vehicle as I opened his door and he finally complied. I told Mark to stand at his rear bumper and he stopped near his rear passenger door. Mark appeared to have difficulty following my instructions of where I wanted him to stand. He leaned against his car for support as he stood.

I told Mark I wanted him to complete standardized field sobriety tests to ensure he was safe to drive his vehicle. Mark began arguing with me about whether the tests were subjective or not. He told me he was going to call his attorney before any evaluations were completed. While arguing with me, Mark put his hands in his pockets several times despite me telling him to keep his hands out of his pockets. He appeared unable or unwilling to follow my directions to keep his hands out of his pockets.

Before I explained any of the field sobriety tests, Mark told me he would be unable to complete them due to previous ankle and knee injuries. When I told Mark I only needed him to stand in one spot for the horizontal gaze nystagmus evaluation, he told me he did not want to complete the evaluation.

Mark told me he is the men's basketball coach for Gonzaga University. He told me he has no other injuries than the previously mentioned ankle and knee issues except for tight muscles in his back, shoulders, and neck. He told me he is not epileptic or diabetic and is not taking prescription medication or recreational drugs. On a scale of 1-10, Mark rated his overall health as a seven. When asked again about consuming alcohol, Mark told me he had two beers today with the last beer consumed about four hours ago.

Ultimately, Mark refused to complete all field sobriety tests. Based on Seth's statements to dispatch and the other indications of intoxication I observed, I believed Mark was under the influence of alcohol to a degree which made him unsafe to drive a vehicle. I placed Mark under arrest and put him in the back seat of my patrol car. I checked Mark's mouth and confirmed it was clear of foreign substances before noting the time.

I played an audio narration of the ALS notice of suspension form. After waiting the required fifteen-minute deprivation period, I used Lifeloc serial #16130145 to obtain breath samples with results of 0.119/0.120.

I am certified to use Lifeloc: expiration date November 5, 2022.

Dispatch ran a criminal history on Mark with results of no previous DUI convictions.

Mark called a friend to pick up his car and dogs. The friend arrived and took possession of Mark's car per his request.

Mark told me he wanted an independent blood draw completed. I transported Mark

to Kootenai Health and let him speak with hospital staff to obtain a blood draw.

While waiting for the blood draw, I called Seth. He told me he was leaving a call with his coworkers near 4th Street and Deerhaven Avenue. Seth said his attention was drawn to a black SUV in front of him due to the vehicle weaving heavily. Seth said the car was drifting from over the center line to over the bike lane several times. Seth told me he thought the SUV was going to hit three signs before he notified dispatch. Seth said the SUV continued heavily swerving across the road as they followed and gave updates to their location. Seth told me the fire engine was driving about 35 miles per hour in the 25 mile per hour zone past the high school. Seth told me the black SUV was pulling away from the engine while they were driving 35 miles per hour. Seth said the SUV increased its speed further after passing the intersection of Kathleen Avenue. Seth said the fire engine has a dash camera and I could request a copy of the footage from the fire district office. I'll follow up and request a copy of the footage tomorrow.

While at the hospital, I was directed by my supervisors to release Mark from custody and issue him a citation. I took Mark out of handcuffs and issued him a citation for driving under the influence. Mark called a friend to pick him up from Kootenai Health.

After leaving the hospital, I realized I did not give Mark a copy of a completed ALS form. I later submitted a completed ALS form to records.

CASE EVIDENCE:

☒ BODY CAM ☒ IN-CAR VIDEO ☐ PHOTOS ☐ AUDIO
☒ UPLOADED TO VIPER ☐ UPLOAD TO VIPER LATER

Note - Videos associated with this incident contain protected personal information.

DUI DECISION PTS (check applicable boxes and give supporting comments)

- ☒ Odor of alcoholic beverage:
- ☒ Admitted consumption of alcohol: Two beers
- ☐ Slurred Speech:
- ☐ Impaired Memory:
- ☒ Glass/Bloodshot eyes:
- ☐ Gaze Nystagmus: Not completed
- ☐ Walk & Turn: Not completed
- ☐ One Leg Stand: Not completed
- ☐ Other:
- ☐ Drugs Suspected:
- ☐ Drug Recognition Evaluation Performed:
- ☐ Accident Involved:
- ☐ Injuries:

☒ Prior to testing, defendant was substantially informed of the consequences of refusal and failure of the test as required by Sections 18-8002 and 18-8002A, Idaho Code.

☒ Defendant was tested for alcohol concentration, drugs or other intoxicating substances. The test(s) was (were) performed in compliance with Sections 18-8003 and 18-8004(4) Idaho Code and the standards and methods adopted by the Idaho State Police.

☒ BAC tested by breath using: ☐ Intoxilyzer 5000 ☒ LIFELOC FC20 ☐ Alco Sensor Instrument

Serial # of Instrument 16130145 Other:

Name of person administering BAC test: M.Lovingier K49 ☒ Date Certification expires: 11/5/22

☒ BAC result: 0.119/0.120

☐ Blood and/or Urine Test results pending: ☐ Yes ☐ No

☐ Defendant refused test as follows:

THE NAME OF THE DECLARANT AND THE DATES **MUST BE TYPED BELOW** FOR ELECTRONIC SUBMISSION TO THE COURT.

THIS FORM SHOULD THEN BE PRINTED, SIGNED AND SUBMITTED WITH THE REST OF THE COMPLAINT PAPERWORK.

"I certify and declare under penalty of perjury pursuant to the law of the State of Idaho that the foregoing declarations and any attached reports and/or documents are true and correct."

DATE: 09/6/2021 SIGNED: Matthew Lovingier K49

(Name and Signature of Declarant)

PRINTED NAME: Matthew Lovingier K49

CITY OF COEUR D'ALENE - CITATION

In the court designated below the undersigned certifies that he/she has just and reasonable grounds to believe and does believe that on:

County: KOOTENAI State: ID Citation #: **C3145145**
DR#: 21C41939

VIOLATOR

Last Name: FEW MI: NORMAN
First Name: MARK DOB: 12/27/1962
Hm. Address: 6402 S CEDAR RD Hm. Phone:
City: SPOKANE State: WA Zip: 99224
Height: 5'10" Weight: 170 Sex: M Race: W Eyes: BLU Hair: RED
DL#: WDL17BS1F68B DL State: ID Lic. Expires: 2025
SS#: Operator: Y
Bus. Name:
Bus. Addr.:
Bus. Phone:
Juvenile: N CDL: N Class: M

REGISTRATION

Yr. Veh: Veh. Lic#: LAK759 State: ID
Make: CADI Model: ESCALADE
Color: ML Style: 4D
VIN:

LOCATION

Upon a Public Street or Highway or Other Location Namely:
4TH ST

&
APPLEWAY AVE

Hwy: Mp:

VIOLATIONS

Did unlawfully commit the following Offense(s) on: 09/08/2021, 21:19
Infraction Citation: N Misdemeanor Citation: Y Care: N
GVWR 26001+: N 16+ Persons: N Hazmat: N
Accident: N Companion Citation: N
Posted Speed: Observed Speed:
To Wit:
Driving Under The Influence; TO WIT 0.119/0.120

H18-8004 (M)

To Wit:

Witnessing Officer:

Serial# Addr.:

Dept.:

SIGNATURE

hereby certify service upon the defendant personally on 9/8/2021, 21:19

Officer: Matthew Lovinger

Officer name: M.LOVINGIER

Officer ID: K49

COURT INFORMATION

KOOTENAI
324 W GARDEN AVE.
COEUR D'ALENE, ID 83814-1972
208-446-1170
CITE/RELEASE

Contact the Court no later than 09/27/2021. This IS NOT the time for you to appear before a judge. It is however the time by which YOU MUST contact the Clerk of the District Court regarding your citation.

STATE OF IDAHO
COUNTY OF KOOTENAI
FILED:

2021 SEP -8 AM 9:46

CLERK DISTRICT COURT

DEPUTY

7019 1120 0000 3309 3908



Coeur d'Alene Police

Report for Incident 21C41939

Nature: DUI
Location: 33

Address: N 4TH ST & E HANLEY AVE; SB
DALTON GARDENS ID 83815

Offense Codes: NC

Statute Codes:

Received By: J.NIXON

How Received: T

Agency: CDA

Responding Officers: M.LOVINGIER, M.SYCHLA, J.SCHOLTEN

Responsible Officer: M.LOVINGIER

Disposition: ACT 09/06/21

When Reported: 20:03:20 09/06/21

Occurred Between: 20:02:50 09/06/21 and 20:02:50 09/06/21

Assigned To:
Status:

Detail:
Status Date: **/**/**

Date Assigned: **/**/**
Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City:

Offense Codes

Reported: NC Not Classified

Observed:

Additional Offense: NC Not Classified

Additional Statutes:

Circumstances

VIPR VIPR EVIDENCE STORAGE - CDAPD

Responding Officers:

Unit :

M.LOVINGIER

K49

M.SYCHLA

K70

J.SCHOLTEN

K24

Responsible Officer: M.LOVINGIER

Agency: CDA

Received By: J.NIXON

Last Radio Log: **/**/**

How Received: T Telephone

Clearance: 2 CITATION

When Reported: 20:03:20 09/06/21

Disposition: ACT Date: 09/06/21

Judicial Status:

Occurred between: 20:02:50 09/06/21

Misc Entry:

and: 20:02:50 09/06/21

Modus Operandi:

Description :

Method :

LT
DLOCATION TYPE
DRUGS/LIQUORLT13 HWY/RD/ALLEY
D33**Involvements**

Date	Type	Description	Relationship
09/06/21	Name	HOHENSTREET, SETH ANDREW	MENTIONED
09/06/21	Name	FEW, MARK NORMAN	OFFENDER
09/06/21	Vehicle	0 CADI ESCALADE ID	MENTIONED
09/06/21	Cad Call	20:03:20 09/06/21 DUI	Initiating Call

Narrative

OFFICER: M.LOVINGIER K49

OFFENDER: MARK FEW (DOB: 12/27/1962)

{M or F, criminal code, charges per suspect and related citation numbers}

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complied. I told Mark to stand at his rear bumper and he stopped near his rear passenger door. Mark appeared to have difficulty following my instructions of where I wanted him to stand. He leaned against his car for support as he stood.

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While at the hospital, I was directed by my supervisors to release Mark from custody and issue him a citation. I took Mark out of handcuffs and issued him a citation for driving under the influence. Mark called a friend to pick him up from Kootenai Health.

After leaving the hospital, I realized I did not give Mark a copy of a completed ALS form. I later submitted a completed ALS form to records.

CASE EVIDENCE:

☒ BODY CAM ☒ IN-CAR VIDEO ☐ PHOTOS ☐ AUDIO
☒ UPLOADED TO VIPER ☐ UPLOAD TO VIPER LATER

Note - Videos associated with this incident contain protected personal information.

Vehicles**Vehicle Number:** 21-09564**License Plate:** LAK759**State:** ID**Vehicle Year:** 0**Make:** CADI Cadillac**Color:** /**Vehicle Type:****License Type:****Expires:** **/**/****VIN:****Model:** ESCALADE**Doors:** 0**Value:** \$0.00**Owner:****Last:****First:****Mid:****DOB:** **/**/****Dr Lic:****Address:****Race:** **Sex:****Phone:****City:** ,**Agency:** CDA COEUR D'ALENE POLICE DEPT**Date Recov/Rcvd:** **/**/****Officer:** M.LOVINGIER**Area:****UCR Status:****Wrecker Service:****Local Status:****Storage Location:****Status Date:** 09/06/21**Release Date:** **/**/****Comments:**

Name Involvements:

OFFENDER : 718383

Last: FEW

DOB: 12/27/62

Race: W

Sex: M

First: MARK

Dr Lic: WDL17BS1F6S
B

Phone:

Mid: NORMAN

Address: 6402 S CEDAR RD

City: SPOKANE, WA 99224

MENTIONED :41703

Last: HOHENSTREET

DOB: 03/07/76

Race: W

Sex: M

First: SETH

Dr Lic: GT206717A

Phone: (208)660-2725

Mid: ANDREW

Address: 218 S JUNIPER CT

City: POST FALLS, ID 83854

Drivers Name Mark Few

Driver License number WDL17BS1F65B

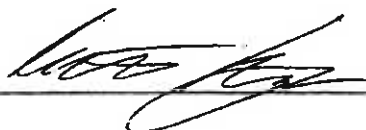
Breath Test Results

See Attached

.119/.120

I certify (or declare) under penalty of perjury pursuant to the law of the state of Idaho that the foregoing attached evidentiary test results is true and correct.

Officer
Signature



Date 9/6/21



Notice of Suspension for Failure or Refusal of Evidentiary Testing (Advisory for Sections 18-8002 and 18-8002A, Idaho Code)

NOTICE OF SUSPENSION
DR# 21C41959

Individual To: Mark Norman 1212 7th St Kootenai 9/6/21 2021 8/16		STATE OF IDAHO COUNTY OF KOOTENAI 2021 8/16	
Last Name Norman		County of Arrest Kootenai	
Mailing Address 6402 S Cedar Rd Spokane WA 99224		Driver's License Number C3145145 State: WA License Class: 1	
Signature of Driver [Signature]		Signature of Officer [Signature]	

- I have reasonable grounds to believe that you were driving or were in actual physical control of a motor vehicle while under the influence of alcohol, drugs, or other intoxicating substances. You are required by law to take one or more evidentiary test(s) to determine the concentration of alcohol or the presence of drugs or other intoxicating substances in your body. After submitting to the test(s) you may, when practicable, at your own expense, have additional test(s) made by a person of your own choosing. You do not have the right to talk to a lawyer before taking any evidentiary test(s) to determine the alcohol concentration or presence of drugs or other intoxicating substances in your body.
- If you refuse to take or fail to complete any of the offered tests pursuant to Section 18-8002, Idaho Code:
 - You are subject to a civil penalty of two hundred fifty dollars (\$250).
 - You are subject to mandatory installation of a state approved ignition interlock system, at your expense, on all motor vehicles you operate for a period to end one (1) year following the end of the suspension period.
 - You have the right to submit a written request within seven (7) days to the Magistrate Court of Kootenai County for a hearing to show cause why you refused to submit to or failed to complete and pass evidentiary testing and why your driver's license should not be suspended.
 - If you do not request a hearing or do not prevail at the hearing, the court will sustain the civil penalty and your license will be suspended with no driving privileges for one (1) year if this is your first refusal and two (2) years if this is your second refusal within ten (10) years. Additionally you will be subject to the mandatory installation of a state approved ignition interlock system, at your expense, on all motor vehicles you operate for a period of one (1) year following the end of the suspension period. (Unless you meet the provisions of paragraph 4 below).
- If you take and fail to pass the evidentiary test(s) pursuant to Section 18-8002A, Idaho Code:
 - I will serve you with this NOTICE OF SUSPENSION and you will be required to install, at your own expense, a state approved ignition interlock system on all motor vehicles you operate for a period to end one (1) year following the end of the suspension period.
 - You have the right to an administrative hearing on the suspension before the Idaho Transportation Department to show cause why you failed the evidentiary test and why your driver's license should not be suspended. The request must be made in writing and received by the department within seven (7) days from the Date of Service on this NOTICE OF SUSPENSION. You also have the right to judicial review of the Hearing Officer's decision.
 - If you complete evidentiary testing and fail to pass the testing and do not request a hearing before the department or do not prevail at the hearing, your driver's license or driving privileges will be suspended and you will be required to install, at your own expense, a state approved ignition interlock system on all motor vehicles you operate for a period to end one (1) year following the end of the suspension period. Your driver's license will be suspended for ninety (90) days if this is your first failure of evidentiary testing, but you may request restricted non-commercial driving privileges after the first thirty (30) days. The suspension will be for one (1) year if this is your second or more failure of evidentiary testing within five (5) years. You will not be able to obtain a temporary restricted license during this period. (Unless you meet the provisions of paragraph 4 below).
 - If you are admitted to a problem solving court program and have served at least forty-five (45) days of an absolute suspension of driving privileges or are admitted to a diversion program under section 19-3509, Idaho Code, you may be eligible for a restricted permit for non-commercial driving privileges for the purpose of getting to and from work, school, or an alcohol treatment program, but only if a state approved ignition interlock system has been installed on all vehicles operated by you.

NOTICE OF SUSPENSION. If you have failed the evidentiary test(s), your driving privileges are hereby suspended per #3 above, commencing thirty (30) days from the date of service on this notice. If a blood or urine test was administered, the department may serve a Notice of Suspension upon receipt of the test results.

Date of Service: 9/6/21

This Suspension for Failure or Refusal of the Evidentiary Test(s) is separate from any other Suspension ordered by the Court. Please refer to the back of this Suspension Notice for more information.

Signature of Department Officer	Print Name and ID Number of Department Officer	Agency Code	Telephone Number
[Signature]	Matthew Livingston 844	2802	208-769-7300

Failure: ☒ Breath ☒ Blood ☐ Refusal

White Copy - If Driver - If Refused - If Court - Yellow Copy - to Law Enforcement - Pink Copy - to Court - Goldenrod Copy - to Driver

PINK COPY

Suspension Information: The audio version of the Suspension Advisory substantially conforms to the written text of the Suspension Advisory.

For Refusal of Evidentiary Testing (Pursuant to Section 18-8002, Idaho Code)

You have the right to submit a written request within seven (7) days to the Magistrate Court indicated on the face of this notice for a hearing to show cause why you refused to submit to or failed to complete and pass evidentiary testing. This is your opportunity to show cause why you refused to submit or failed to complete and pass evidentiary testing and why your driver's license should not be suspended. **Note:** A hearing request for refusing evidentiary testing must be submitted to the Magistrate Court.

If you fail to request a hearing or do not prevail at the hearing, you are subject to a \$250 civil penalty and the court will suspend your driver's license and/or driving privileges with absolutely no driving privileges for one (1) year for your first offense, or for two (2) years for your second offense within ten (10) years (unless you meet the provisions of paragraph 4 as noted in the Suspension Advisory on the reverse side).

For Failing Evidentiary Testing (Pursuant to Section 18-8002A, Idaho Code)

You have been served this *Notice of Suspension* by a peace officer who had reasonable grounds to believe that you were operating a vehicle while intoxicated. After submitting to the test(s), you may, when practicable, have additional tests conducted at your own expense.

If you take the evidentiary test(s) and the results indicate an alcohol concentration of .08 or greater (.02 or greater if you are under 21 years of age), or the presence of drugs or other intoxicating substances in violation of the provisions of Sections 18-8004, 18-8004C, and 18-8006, Idaho Code, the peace officer shall:

1. Serve you with this *Notice of Suspension*, which becomes effective thirty (30) days after the date of service indicated on the reverse side of this notice. Failure of an evidentiary test will result in a ninety (90) day suspension of driving privileges, with absolutely no driving privileges during the first thirty (30) days of suspension. You may request restricted driving privileges during the final sixty (60) days of the suspension. If this is not your first failure of an evidentiary test within the last five (5) years, all of your driving privileges will be suspended for one (1) year with no driving privileges of any kind (unless you meet the provisions of paragraph 4 as noted in the Suspension Advisory on the reverse side).
2. If you were operating or in actual physical control of a commercial vehicle and the evidentiary test results indicate an alcohol concentration of:
 - A. .04 to less than .08, your commercial driving privileges will be suspended for ninety (90) days. You will have absolutely no commercial driving privileges of any kind.
 - B. .08 or greater (.02 or greater if you are under 21 years of age), or test results that indicate the presence of drugs or other intoxicating substances, all of your driving privileges will be suspended for ninety (90) days, with possible non-commercial driving privileges for the final sixty (60) days of the suspension. You will have absolutely no commercial driving privileges of any kind during the full ninety (90) day suspension.
 - C. If this is not your first failure of an evidentiary test within the last five (5) years, all of your driving privileges will be suspended for one (1) year and you will have absolutely no driving privileges of any kind (unless you meet the provisions of paragraph 4 as noted in the Suspension Advisory on the reverse side).

Hearing Request for Failure of Evidentiary Test

You have the right to request an administrative hearing on the suspension **before the Idaho Transportation Department**. Your request must be made in writing and be received by the department **no later than seven (7) calendar days after the date of service on this Notice of Suspension**. The request must state the issues intended to be raised at the hearing, and must include your name, date of birth, driver's license number, date of arrest, and daytime telephone number because the hearing will be held by telephone. The burden of proof, by preponderance of evidence, shall be upon the driver as to the issues raised in the hearing, pursuant to Section 18-8002A(7), Idaho Code.

If you request a hearing, it shall be held within twenty (20) days of the date the hearing request was received by the Idaho Transportation Department (Section 18-8002A, Idaho Code). If you do not request an administrative hearing within seven (7) days of service of this *Notice of Suspension*, your right to contest the suspension is waived. This suspension is separate and apart from any suspension that may be ordered by the court as a result of any criminal charges that may be brought against you.

Judicial Review

You may appeal the decision of the Hearing Officer by seeking judicial review to the District Court (Section 18-8002A, Idaho Code). Your appeal must be filed as a civil proceeding in the District Court, pursuant to Chapter 52, Title 67, Idaho Code.

Restricted Driving Permits

If your driving privileges are suspended for a period of ninety (90) days pursuant to Section 18-8002A, Idaho Code, you may request restricted driving privileges for the final sixty (60) days of the suspension (IDAPA Rule 39.02.70). Restricted driving privileges will not allow you to operate a commercial motor vehicle. You may apply for a restricted driving permit by printing or downloading the Restricted Driving Permit Application (ITD Form # 3227) from our website, dmv.idaho.gov, and submitting the completed application via mail at the address below, via email at RDPPermits@itd.idaho.gov, or via fax at 208-287-3880.

Reinstatement Requirements

Before being reinstated on this suspension, you will be required to pay a reinstatement fee. Any other suspension imposed by the court for this offense will require an additional reinstatement fee.

To request an administrative hearing relating to an administrative license suspension for failing evidentiary testing:

- Make your request in writing, including a daytime telephone number and current valid mailing address, to the Idaho Transportation Department, Driver Services Section, PO Box 7129, Boise ID 83707-1129, or
- Fax your request to Driver Services at (208) 332-4124, or
- Email your request to ALSPublic@itd.idaho.gov

If you have questions or need additional information regarding this notice or your driving privileges, call Driver Services at (208) 334-8735.

CR28-21-15393
IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO
Plaintiff,

v. Mark Few

Address: 6402 S Cedar Rd
Spokane, Washington 99224

Defendant.

Case No. CR28-

Probable Cause Order

Idaho Criminal Rule 4

2021 SEP -8 AM 11:29

CLERK DISTRICT COURT
DEPUTY

Upon review of the information provided under oath alleging the Defendant committed the offense(s) of:

<u>Count</u>	<u>Statute</u>	<u>Charge Description</u>
I	18-8004	Driving Under the Influence

☐ The Court does not find probable cause to support the charges listed above, the Defendant is ordered released immediately, and no warrant shall be issued.

☒ The Court finds probable cause to believe the Defendant committed the crime(s) shown above:

- ☐ The Defendant shall be released on recognizance.
- ☐ The Defendant shall be held in lieu of bail in the amount of \$_____.
- ☐ Bail shall be set in the amount in the bail schedule. I.M.C.R. 13.
- ☐ The following conditions are placed on the Defendant's release on recognizance or on bail: _____. [conditions of release]
- ☐ Bail shall be determined at arraignment.
- ☐ A warrant of arrest shall be issued setting bail in the amount of \$_____.
- ☒ A summons shall be issued.

At arraignment, the Court may impose such reasonable terms, conditions and prohibitions of release as the court finds necessary in the exercise of its discretion. I.C.R. 46(e)(1).

Dated: 9/8/21

Judge John A. Coffey 654

CERTIFICATE OF SERVICE

I certify that on this date 8 day of September, 2021, I served a copy of the attached to:

☐ Coeur d'Alene Prosecuting Attorney CDAPA cdaprosnotices@cdaid.org

Dated: 9-8-21

Kootenai County District Court
Clerk of the Court

By: [Signature]
Deputy Clerk

CITY OF COEUR D'ALENE - CITATION

In the court designated below the undersigned certifies that he/she has just and reasonable grounds to believe and does believe that on:

County: KOOTENAI State: ID Citation #: **C3145145**
DR#: 21C41939

VIOLATOR

Last Name: FEW MI: NORMAN
First Name: MARK DOB: '1962
Hm. Address Hm. Phone:
City: SPOKANE State: WA Zip: 99224
Height: 5'10" Weight: 170 Sex: M Race: W Eyes: BLU Hair: RED
DL# DL State: ID Lic. Expires: 2025
Operator: Y
Bus. Name:
Bus. Addr.:
Bus. Phone:
Juvenile: N CDL: N Class: M

REGISTRATION

Yr. Veh: Veh. Lic#: LAK759 State: ID
Make: CADI Model: ESCALADE
Color: ML Style: 4D
VIN:

LOCATION

Upon a Public Street or Highway or Other Location Namely:
4TH ST
&
APPLEWAY AVE
Hwy: Mp:

VIOLATIONS

Did unlawfully commit the following Offense(s) on: 09/06/2021, 21:19
Infraction Citation: N Misdemeanor Citation: Y Care: N
GVWR 26001+: N 16+ Persons: N Hazmat: N
Accident: N Companion Citation: N
Posted Speed: Observed Speed:
To Wit:
Driving Under The Influence; TO WIT 0.119/0.120

I18-8004 {M}

To Wit:

Witnessing Officer:
Serial# Addr.:
Dept.:

SIGNATURE

I hereby certify service upon the defendant personally on 09/06/2021, 21:19

Officer: _____
Officer name: M.LOVINGIER
Officer ID: K49

COURT INFORMATION

KOOTENAI
324 W GARDEN AVE.
COEUR D'ALENE, ID 83814-1972
208-446-1170
CITE/RELEASE

Contact the Court no later than 09/27/2021. This IS NOT the time for you to appear before a judge. It is however the time by which YOU MUST contact the Clerk of the District Court regarding your citation.