

Holland Knight

Tel 404 817 8500
Fax 404 881 0470

Holland & Knight LLP
One Atlantic Center
1201 West Peachtree Street, N.E.
Suite 2000
Atlanta, GA 30309-3400
www.hklaw.com

TO:

Officer Bryan K. French	City of Atlanta Police	
NAME	Department, Precinct 3	404-624-9409
	COMPANY/FIRM	FAX NUMBER
Atlanta	GA	404-624-0674
CITY	STATE	(TELEPHONE NUMBER)

404-556-5033

FROM:

Robert S. Highsmith Jr.	404-898-8012	2
NAME	TELEPHONE	TOTAL PAGES (Including Cover Sheet)

FOR THE RECORD:

DATE: August 10, 2007	URGENCY: <input type="checkbox"/> SUPER RUSH	<input type="checkbox"/> RUSH <input type="checkbox"/> REGULAR
FAXED BY:	FILE #:	CLIENT NAME:
CONFIRMED: <input type="checkbox"/> YES <input type="checkbox"/> NO	NAME:	TIME:

If you did not receive all of the pages or find that they are illegible, please call
404 817 8500

CONFIDENTIALITY NOTICE: This facsimile, along with any documents, files, or attachments, may contain information that is confidential, privileged, or otherwise exempt from disclosure. If you are not the intended recipient or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, printing, distribution or use of any information contained in or attached to this facsimile is **strictly prohibited**. If you have received this facsimile in error, please immediately notify us by facsimile or by telephone collect at the numbers stated above, and destroy the original facsimile and its attachments without reading, printing, or saving in any manner. Your cooperation is appreciated. Thank you.

MESSAGE:

OFFICE STATE ADMINISTRATIVE HEARINGS
STATE OF GEORGIA

BENJIE LEWIS HARBIN, :
Petitioner, : Docket No.
 : OSAH-ALS-0800195-Hackney
v. :
 :
DEPARTMENT OF DRIVER SERVICES, :
Respondent. :

MOTION FOR CONTINUANCE

Under O.S.A.H Rule 41, Petitioner moves the Administrative Law Judge to continue the hearing currently scheduled for August 14th, 2007 at 8:00 a.m. Petitioner has not yet been arraigned on the underlying charge. Arraignment is presently scheduled for August 24th, 2007, and Petitioner's counsel is actively working with the solicitor in that case to arrive at a negotiated plea that may obviate a license suspension hearing altogether. To allow these negotiations to conclude, we request a continuance until a date in early to mid-September.

This motion meets the requirements of O.S.A.H. Rule 41 because it is the first and only request for a continuance, the hearing may be rescheduled to the next available date without prejudice to any party or O.S.A.H., and it would not serve the interests of judicial economy to proceed with a hearing if its result is rendered void shortly thereafter under O.C.G.A. § 40-5-67.1(g)(4).

This certifies that I served a true and accurate copy of the foregoing Motion for Continuance on Hazel Jackson, Judge's Assistant, via electronic mail to hjackson@osah.ga.gov, and upon Officer Bryan K. French of the City of Atlanta Police Department, Precinct 3, via facsimile at 404-624-9409.

Respectfully submitted this 10th day of August, 2007.



Robert S. Highsmith Jr.
State Bar of Georgia No. 352777
2000 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3453
(404) 898-8012 telephone
(404) 881-0470 facsimile