

IN THE COUNTY COURT
IN AND FOR BAY COUNTY, FLORIDA

STATE OF FLORIDA
c/o Jennifer Hawkins, Esquire
Post Office Box 1040
Panama City, Florida 32402

vs
CHRISTOPHER FOSTER
c/o Tanya Higgins, Esquire
319 Magnolia Ave.
Panama City, Florida 32401
Defendant.

Case No.: 09-2506CTMA

**ORDER DENYING DEFENDANT'S MOTION IN LIMINE TO EXCLUDE THE
BREATHALIZER RESULTS**

THIS MATTER having come before the Court for a hearing on the Defendant's Motion in Limine to Exclude the Breathalyzer Results, and the Court having considered the argument of counsel, the testimony of the witnesses, and the applicable law, and the Court being further and fully advised in the premises, the Court finds the following:

Current FDLE rules are sufficient to ensure the reliability of breathalyzer results. Thus the Court finds that the breathalyzer results in the instant case are admissible. Therefore, it is,

ORDERED AND ADJUDGED that the Defendant's Motion is hereby denied.

DONE AND ORDERED in Chambers at Panama City, Bay County, Florida, this the 24 day of March, 2010.



SHANE VANN, County Judge

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the above parties at the above addresses, by U.S. first class mail, this the 24 day of March, 2010.



STEPHANIE WOODS, Judicial Assistant