

Pursuant to California Vehicle Code (CVC) 40902, I respectfully submit this Trial By Written Declaration to the Court. I plead Not Guilty to the charge of CVC 21655.5(b).

On March 2, 2009, at about 4:30pm, I was driving my Honda Accord license number 1ABC123 on the southbound of Hwy 101. I was driving by myself at that time, commuting from Brisbane, CA to Milpitas, CA. From the Redwood City area the traffic suddenly became very slow and heavy. When I reached near the Menlo Park, the traffic virtually came to standstill. I was in the lane next to the carpool lane. All the lanes to the right of me were completely halted. I am now in the 7th month of my pregnancy, and I was in the 6th month on that day. By that time it was almost 1.5 hrs of commute for me and my bladder was getting a constant pressure. Due to my pregnancy, it is hard for me to control the bladder in such situation and hence I was trying to take an exit. There was no one letting me change lane at that point, and according to my judgment to take the next nearest exit known to me which is University Avenue to use a restroom would take me not less than 20-25 mins. My bladder was getting a constant pressure and it was getting very hard for me to sit in the car. So to avoid any further problems I came to the carpool lane which was the only moving lane and would give me relief from my existing condition. Not later than 30 secs when I was in the carpool lane, I was cited by Officer Copper.

While I could understand the reason why Officer Copper pulled me over because I was driving alone in the carpool lane, however, I believe this is a very unfortunate situation and it does not reflect my driving behavior. I am a very safe driver and have never broken any traffic laws any time. It is just the situation that I was in that demanded me to go onto the carpool lane to avoid any further accidents to my health that I had to take this decision. I have no reasons to violate the law especially based on my clean driving record for my 4 years driving experience. Thanks for understanding and I wish you could find me not guilty based on my situation.

If the court finds me guilty, I request a Trial de Novo, and an option to attend traffic school level one and have the fine reduced.

In addition, please send me the "Decision and Notice of Decision" (TR-215) by mail.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

M Copper, Defendant in Pro Per