

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 22450 A and CVC 12951 A.

As required, I have already paid the \$600.00 dollars bail payment by mailed check Please refund \$600.00 Dollars in the event the court finds me not guilty.

The facts are as follows:

On December 1st, 2008 while driving my Red 1992 Mazda Miata heading eastbound on Zolo Street, I was stopped by an officer. I pulled over into the super market parking lot. There was a lot of traffic that day and I didn't want to be a hazard to the other drivers. The supermarket's address is 9999 Copper Drive.

The officer asserts that I was in violation of Traffic Codes 12951(a) and 22450(a)

Traffic Code 12951(a) reads:

[The licensee shall have the valid driver's license issued to him or her in his or her immediate possession at all times when driving a motor vehicle upon a highway. Any charge under this subdivision shall be dismissed when the person charged produces in court a driver's license duly issued to that person and valid at the time of his arrest, except that upon a third or subsequent charge the court in is discretion may dismiss the charge. When a temporary, interim, or duplicate driver's license is produced in court, the charge shall not be dismissed unless the court has been furnished proof by the Department

of Motor Vehicles that the temporary, interim, or duplicate license was issued prior to the arrest, that the driving privilege and license had not been suspended or revoked, and that the person was eligible for the temporary, interim, or duplicate license.]

My license was valid at the time of the arrest. I have attached a photocopy of my license proving this to be true. [Picture A]

Traffic Code 22450(a) reads:

[The driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection shall stop at a limit line, if marked, otherwise before entering the crosswalk on the near side of the intersection.

If there is no limit line or crosswalk, the driver shall stop at the entrance to the intersecting roadway.]

The officer alleged that when my car came to a full stop, the front part of my car was just situated in a

position extending into the intersection at Z Street and Y Street Street. I was driving east and he was parked south of the intersection, on the east side of Y Street, as indicated by his diagram on the Notice to Appear form. When I got to the intersection, I stopped quickly. Even though I only stopped quickly at the stop sign, I know that the location, in which I stopped my car, was in no position to endanger other drivers or pedestrians, or become a danger to my own life. I looked both ways before I continued again. I stopped quickly only because of the condition of my car.

24002(a) states:

[It is unlawful to operate any vehicle or combination of vehicles which is in an unsafe condition, or which is not safely loaded, and which presents an immediate safety hazard.]

I understood that my car was an issue so I was very much concerned with the safety of the general public.

My car, all of a sudden, began to have engine problems. I understand that it is illegal to drive a car, in such a state, so I had it towed back to the shop that day upon my unfortunate discovery. [Picture B shows evidence of this statement.] My car had previously been taken into the shop for the same reason [as evidenced by Picture C].

I had got it back after it had been determined fixed by the shop. The day I was pulled over, the issues once again returned. The issues experienced were such that, while driving, often even spontaneously, the car would sometimes stall. And no one would deny that such would definitely be a hazard to safety and to the people around me. While my stop might have been considered questionable, the truth remains that my stop was perfectly safe.

I stopped, made sure to look both ways, and because I was highly concerned with the safety of the people of California, I wanted to quickly get my car to a repair shop. My stop while quick, was safe. It is understandable how it could have been interpreted as otherwise.

After examining my notice to appear, I also noted a confliction on the officer's report. The notice says that I was driving at approximately 10 miles an hour. When he pulled me over and talked to me though, he clearly stated that I had stopped. It was probably just a simple mistake.

While I could understand the reasons the officer pulled me over, I believe this is a very unfortunate situation, and it does not reflect my driving behavior. I have not had any

traffic violations on my traffic record since obtaining my license. Thank you for your understanding and I hope you will 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