

115 Wash.App. 1013

NOTE: UNPUBLISHED OPINION, SEE WA R GEN GR 14.1

Court of Appeals of Washington, Division 1.

Molly Fickle McCALIB, Respondent,

v.

STATE of Washington, DEPARTMENT OF LICENSING, Petitioner.

No. 50294–8–I. | Jan. 21, 2003.

Appeal from Superior Court of Skagit County; Hon. [Susan K. Cook](#).

Attorneys and Law Firms

[Patricia L. Allen](#), Assistant Attorney General, Bellingham, WA, for Appellant.

[Jill S. Bernstein](#), Bellingham, WA, for Respondent.

Opinion

UNPUBLISHED OPINION

PER CURIAM.

*1 A Washington State Patrol officer arrested respondent Molly McCalib on suspicion of driving under the influence. After being advised of the implied consent warnings from the Washington State Patrol warning form, McCalib refused to take a breath test, and the Department of Licensing eventually revoked her driver's license. See [RCW 46.20.308](#). The Skagit County Superior Court reversed the license revocation, concluding that the implied consent warnings were inaccurate and that McCalib had been prejudiced by her reliance on the inaccurate information. This court granted the Department's motion for discretionary review.

This court recently held that Washington State Patrol implied consent warnings identical to those given in this case were neither inaccurate nor misleading, and that they provided drivers ‘with the opportunity to knowingly and intelligently decide whether to submit to the {breath} test.’ [Pattison v. Dep't of Licensing](#), 112 Wn.App. 670, 677, 50 P.3d 295 (2002). Accordingly, the superior court erred in reversing the license revocation. See [Pattison](#), 112 Wn.App. at 677.

The superior court's ruling is reversed, and the case remanded for reinstatement of the license revocation.

Parallel Citations

2003 WL 145563 (Wash.App. Div. 1)