

171 Wash.App. 1007

NOTE: UNPUBLISHED OPINION, SEE WA R GEN GR 14.1

Court of Appeals of Washington,  
Division 1.

MartinUS TILLMAN, Respondent,  
v.

STATE Of Washington, DEPARTMENT  
OF LICENSING, Petitioner.

No. 68394–2–I. | Oct. 8, 2012.

Appeal from King County Superior Court; Honorable  
[Suzanne M. Barnett](#), J.

#### Attorneys and Law Firms

[Leah E. Harris](#), Washington State Attorney General's Offi,  
Seattle, WA, [Masako Kanazawa](#), Attorney at Law, Seattle,  
WA, for Petitioner.

Martinus Tillman, Lakewood, WA, pro se.

[DWYER](#), [GROSSE](#), and [BECKER](#), JJ.

#### Opinion

#### UNPUBLISHED OPINION

PER CURIAM.

\*1 The Washington State Department of Licensing seeks discretionary review of the superior court order reversing the Department's suspension of Martinus Tillman's driver's license. The superior court determined that the implied consent warnings provided to Tillman were ambiguous and misleading as to the consequences for his commercial driver's license (CDL).

In *Allen v. State, Dep't of Licensing*, 169 Wn.App. 304, 279 P.3d 963 (2012) (No. 66532–4–I, July 2, 2012), this court considered essentially identical implied consent warnings and determined that they were neither inaccurate nor misleading as to the consequences for a person with a CDL. Contrary to Tillman's assertions, the material facts in this case are essentially identical to those in *Allen*. Because the implied consent warnings were not ambiguous or misleading, the superior court erred in reversing the Department's suspension of Tillman's license. See *Allen*; see also *Lynch v. Dep't of Licensing*, 163 Wn.App. 697, 262 P.3d 65 (2011).

Accordingly, we grant review, reverse the superior court's order, and reinstate the Department's orders of suspension and disqualification.

Reversed.

#### Parallel Citations

2012 WL 4788365 (Wash.App. Div. 1)