

NO. 248615

THE STATE OF TEXAS

§

IN THE COUNTY COURT

VS.

§

AT LAW NUMBER \_\_\_\_\_

§

MATTHEW MCDADE PHELAN

§

TRAVIS COUNTY, TEXAS

§

155.00  
14.00  
169.00  
99 DEC -2 PM 2:01  
FILED  
DANA DEBEAUVOIR  
COUNTY CLERK  
TRAVIS COUNTY TEXAS

**PETITION FOR OCCUPATIONAL LICENSE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW MATTHEW MCDADE PHELAN, Petitioner herein and petitions this Court pursuant to Section 521.242 of the Texas Transportation Code, for an Order stating that an essential need exists for the operation of a motor vehicle by Petitioner and in support thereof would show the Court the following:

I.

Petitioner is a resident of Travis County, Texas.

II.

Petitioner was arrested for Driving While Intoxicated on or about October 24, 1999, and his driver's license is suspended beginning December 3, 1999, for a period of 90 days as a result of his refusal to take the breath test upon his arrest.

III.

Petitioner is currently employed by Phelan Investments as a Real Estate Broker. Petitioner requests to drive the following days and times in the following counties:

**7:00 a.m. - 7:00 p.m. Monday through Sunday**


**Travis, Bastrop, Fayette, Colorado, Waller, Austin, Harris, Chambers and Jefferson**

Petitioner has complied with the requirements of Chapter 601 of the Texas Transportation Code regarding proof of financial responsibility and is willing and able to give proof thereof to this Court.



WHEREFORE, Petitioner prays this Court for an Order declaring that an essential need exists for the Petitioner to operate a motor vehicle.

Respectfully submitted,

  
CHRISTOPHER M. GUNTER, P.C.  
STATE BAR NO. 08624600  
ALAN BENNETT  
STATE BAR NO. 02137100  
AMANDO PEÑA  
STATE BAR NO. 90001836  
600 WEST NINTH STREET  
AUSTIN, TEXAS 78701  
512-476-2494  
512-476-2497 FACSIMILE  
ATTORNEYS FOR DEFENDANT

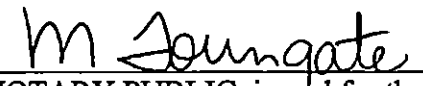
STATE OF TEXAS           §  
COUNTY OF TRAVIS     §

BEFORE ME, the undersigned authority, on this day personally appeared MATTHEW MCDADE PHELAN who being by and duly sworn, upon oath says:

My name is MATTHEW MCDADE PHELAN, I am the Petitioner in the above Petition for Occupational License. I have read the above petition and each and every fact stated herein is true.

  
MATTHEW MCDADE PHELAN, Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 15 day of Nov., 1999.

  
NOTARY PUBLIC, in and for the  
STATE OF TEXAS





NO. 248615

**FILED**

**99 DEC -2 PM 2:20**

THE STATE OF TEXAS

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VS.

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**DANA DEBEAUVOIR  
COUNTY CLERK  
OF  
TRAVIS COUNTY, TEXAS**

MATTHEW MCDADE PHELAN

§

TRAVIS COUNTY, TEXAS

**ORDER**

WHEREFORE, on the 22 day of DECEMBER, 1999, in the above entitled and numbered cause, came on to be heard the Petition of MATTHEW MCDADE PHELAN for an Occupational Driver's License, and the pleadings, the evidence and the argument of counsel for Petitioner having been heard and fully understood, it is the opinion of the Court that an essential need exists for MATTHEW MCDADE PHELAN to operate a motor vehicle in the performance of his job duties with Phelan Investments as a Real Estate Broker, and it is so found.

IT IS THEREFORE ORDERED that the Texas Department of Public Safety issue an Occupational Driver's License to MATTHEW MCDADE PHELAN. Petitioner requests to drive the following days and times in the following counties:

**7:00 a.m. through 7:00 p.m. Monday through Sunday**

**Travis, Bastrop, Fayette, Colorado, Waller, Austin, Harris, Chambers and Jefferson**

This order shall remain in effect for the period of suspension.

IT IS THEREFORE ORDERED that Petitioner must complete the Texas Drug and Alcohol Driving Awareness Program, approved by the Texas Alcohol and Drug Abuse Commission.

SIGNED AND ENTERED this \_\_\_\_\_ day of 12/2, 1999.

  
\_\_\_\_\_  
JUDGE PRESIDING

**00364 0363**