

NOT FINAL UNTIL TIME EXPIRES FOR REHEARING, AND IF FILED, DETERMINED

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR PASCO COUNTY
APPELLATE DIVISION

SCOTT KALHORN,
Appellant,

UCN: 512020AP000038APAXWS

Appeal No.: 20-AP-38

v.

Lower No.: 20-TR-5505

STATE OF FLORIDA,
Appellee.

_____/

On appeal from Pasco County Court,
Traffic Court Hearing Officer,

Scott Kalhorn, pro se,
for Appellant.

No response required,
for Appellee.

ORDER AND OPINION

THIS MATTER comes before the Court *sua sponte* pursuant to Florida Rule of Appellate Procedure 9.315(a) (“After service of the initial brief in appeals under rule 9.110, 9.130, or 9.140 . . . the court may summarily affirm the order to be reviewed if the court finds that no preliminary basis for reversal has been demonstrated”).

This Court affirms the trial court’s judgment without comment. This Court writes only to address Appellant’s claims that the trial court erred by assessing four points on his driver license and that his driving record contains inaccuracies.

While the points on Appellant’s driver license were assessed as a consequence of the trial court’s judgment finding Appellant guilty of improper backing, a judgment now affirmed by this Court in this opinion, the points were assessed by the Florida Department of Highway Safety and Motor Vehicles (DHSMV), not the trial court. See § 318.14(8), Fla. Stat. (2020) (providing that it is the DHSMV’s responsibility to enter points on a driver license after receiving a report that a traffic infraction is determined to have occurred). If

Appellant believes that the DHSMV assessed an incorrect number of points on his driver license, he must raise this issue with the DHSMV.

Similarly, the DHSMV maintains driving records, not the trial court. § 322.20, Fla. Stat. (2020). Accordingly, if Appellant believes that his driving record is inaccurate he must raise this issue with the DHSMV.

It is therefore **ORDERED AND ADJUDGED** that the trial court's judgment is hereby summarily **AFFIRMED**.

DONE AND ORDERED in Chambers at New Port Richey, Pasco County, Florida this ____ day of _____, 2021.

Original Order entered on March 11, 2021, by Circuit Judges Daniel D. Diskey, Shawn Crane, and Lauralee Westine.

Copies furnished to:
Hearing Officer Karl Grobe

Scott Kalhorn
16311 Tiger Trail
Spring Hill, FL 34610

Office of the State Attorney

Staff Attorney