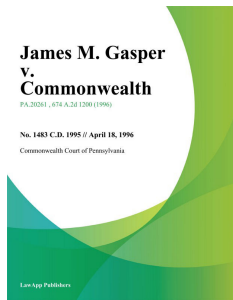


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JAMES M GASPER V COMMONWEALTH EBOOKS 2019



Author: Commonwealth Court of Pennsylvania

Realese Date: Expected @@expectedReleaseDate@@

OPINION BY JUDGE FLAHERTY FILED: April 18, 1996 James Gasper (Gasper) appeals from an order of the Court Of Common Pleas of Dauphin County, denying his appeal from a one-year suspension of his operating privileges, imposed by the Department Of Transportation, Bureau Of Driver Licensing (DOT) for his failure to consent to chemical testing in violation of Section 1547(b)(1) of the Vehicle Code, 75 Pa. C.S. § 1547(b)(1). The issue in this case is whether DOT met its burden of proving that the police had reasonable grounds to believe that Gasper was operating, or was in actual physical control, of the movement of a motor vehicle while under the influence of alcohol.

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