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November 18th, 2010

To: The Honorable Roberto Gutierrez
P.O Box 178
Driscoll, TX. 78351

I received a traffic citation for speeding just entering into the city of Driscoll on November 11th at Approx 8:00pm. As usual I do not go above 60-65 mph on Hwy 77 during the day and at night I usually drive 55-60mph. I do this because of the age of my Van, high miles on my engine, better millage, GPS capabilities, and as well I have found out the difference in time is minimal at higher speeds. I get tailgated often as well. On this particular evening I had a service call in Kingsville and was heading back to C.C. to take care of another Service call and when nearing Driscoll I had slowed but really wasn't watching the speedometer as I knew I was around the limit which was 55 at that point.. At night this area is pretty dark and I never even seen the police car in the middle of the median and of course he may have been sitting there right in the middle of the Hwy also knowing that it is difficult to see him (but easily in daylight).

When I went past him I was probably going 50 something and intended to slow down to the 30-40 mph speed and at night a good landmark at night is nearing the first gas station coming into town as the speed limit sign of 40mph is not easy to spot at night and to tell you the truth I really don't know where it exactly was until I looked the area up on google satellite on the 17th . One thing is for certain everyone in this area (Corpus) who travels this Highway knows better than to speed above 35-40mph through Driscoll, TX . I was a bit tired but not at all falling asleep but nearing this first station. I remember a Tractor Trailer had pulled out and by this time I had been breaking to slow through Driscoll even if I was a hundred yards or so past the 40mph sign. I do vaguely remember the 30mph (in school) zone markers and right around that point I quickly applied my brakes to slow down.

If the officer was honest he will admit my brake lights had come on before he put his lights on and began moving from his position therefore if he would have kept the radar on me he would have seen I was reducing my speed quickly entering into the city (as I always do) and would have been on par for that area. I am being completely honest when I tell you that I never seen the officer and had began slowing on my own accord which I hope tells you that I am a responsible and good driver. I did pull over immediately as I was really the only one that was close to the officer other than a Rig pulling out at the first station, so I figured he meant me.

He was polite, professional and he informed me a couple of time once verbally and on paper I had been going 55-56 but gave me a break with a ticket 45 in a 40 but I wasn't given the chance to continue on at my reducing speed. I did ask the officer if he seen the truck and if he seen my brake lights come on before his lights came on but he didn't answer those questions and I wasn't going to start an argument about it. I couldn't help but notice his lights come on behind me because he was in the dark.

I mentioned to him what my work was and that I do travel through the area frequently (once or twice a week) and I am aware of the strict traffic laws in Driscoll. I also mentioned I had not had a speeding ticket in 11 years and was proud of this. I remember him looking at the ticket again as if he might drop it but he didn't and nor did I ask him too. He mentioned a defensive driving course etc. I asked him if he minded me talking with you about this ticket and he stated "No". If I do not take this to trial (which is not likely) I would like to know what my options are with the defensive driving school, points etc).

On the next day (12th) I contacted your clerk and found out no matter what the speed is, it is quite expensive. The expense part leads me to let you know I may need payments if it is as high as the clerk stated. I am on a budget and as well I was trying to send at least 200.00-300.00 of assistance money over the next 1-2 months to a family of a Marine who was seriously wounded in Afghanistan (three weeks ago) just depended on my work flow. Now with this new ticket It appears I will not be able to help as much as I would have hoped for, or as quickly. I was also going to get an MRI on my neck which is going to run me \$500.00-\$600.00.

I hope this letter will help you save some time in the courtroom with my situation.

Thanks for your Time,

Kevin Wiederhold