

DUI?

It's normal to feel confused and afraid.

But there's hope!

- ✓ DUI cases are very defensible.
- ✓ DUI Charges can be dismissed.
- ✓ Field sobriety tests are rarely reliable.
- ✓ Chemical tests aren't always accurate.



LAW OFFICES OF

MANUEL J. BARBA

PRACTICE LIMITED TO DUI DEFENSE

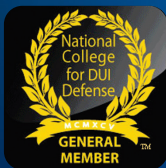


DUI Defense Attorney Manuel J. Barba has successfully defended thousands of DUI cases, resulting in **DISMISSALS**, **CHARGES REDUCED**, and found **NOT GUILTY** after a jury trial, along with **NO SUSPENSION** of driving privilege.

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There are only 9 attorneys in CA awarded the **Forensic Lawyer-Scientist** designation.




The most common mistake: Not hiring an **EXPERT** DUI Attorney to defend your DUI case.

You have two choices when arrested for a DUI:
#1: DO NOTHING and your license will be suspended and you will be convicted of DUI; or,
#2: DO SOMETHING, meaning hire an expert DUI defense lawyer and your chances of not getting convicted of DUI and losing your license increase greatly.

When hiring a lawyer to represent you in your DUI case, be sure to hire an expert in DUI defense. There are many lawyers that take every different kind of case that walks in the door, but they are not experts in any particular kind of case, especially defending a DUI case.

Keep in mind that even if an attorney works in criminal defense, he or she is not necessarily qualified to handle a DUI defense case. DUI cases are complex to defend and require specialized knowledge in DUI investigation, field sobriety testing, how the human body processes alcohol or drugs, as well as breath, blood and urine test analysis. Without an expert DUI defense attorney defending you, you will likely not be able to get the best possible result in your DUI case.

To successfully defend your DUI case, you need the specialized knowledge and expertise of DUI defense attorney Manuel J. Barba on your side.



“Mr. Barba is an excellent attorney; he has extensive knowledge in DUI defense. I am glad I hired him and would recommend him to others to defend their DUI case. I was facing a second DUI and Mr. Barba got the charges reduced to reckless driving. This saved my career.” - JK (military)

BarbaLawyer.com

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FREE CONSULTATION!**

PalmSpringsDUI.com

DUI MYTHS



Myth #1 It is illegal to drink and drive

The Truth: It is NOT illegal to drink alcohol and then drive in California. It IS illegal to drive a vehicle while "under the influence" of alcohol and/or drugs. It is also illegal to drive a vehicle while having a blood alcohol concentration of .08 percent or more.

Myth #2 Nothing can be done to defend a DUI Charge

The Truth: DUI cases are NOT "open and shut" cases. Although DUI cases are very complex, they are defensible. That is why it is essential to have an expert DUI defense attorney represent you to get the best result in your case.

Myth #3 Chemical tests are always accurate

The Truth: The tests for alcohol, drugs, or medication are very complex and errors often occur. It is not as simple as just blowing into a machine or having a blood or urine sample taken from a driver. The sciences behind breath testing, and blood or urine sample analysis are very complex; there are many factors that affect the accuracy and reliability of the alleged results.

Many lawyers that pretend to defend people accused of DUI **do not** have the knowledge and expertise to successfully challenge the chemical test results, so they simply plead their clients guilty in court. Attorney Manuel J. Barba has been awarded the Lawyer-Scientist designation from the American Chemical Society and is an expert in the sciences behind the chemical tests. With this knowledge he can evaluate and attack the accuracy and reliability of the alleged chemical test results.

“Attorney Manuel Barba is one of the new breeds of lawyers known as the Lawyer-Scientist...it is imperative that the lawyer have a deep understanding of the science behind blood and breath testing.” - Josh Lee, DUI Attorney



DUI FACTS



Fact #1

Police are actively looking for DUI drivers

A DUI investigation begins when a police officer comes in contact with a citizen. Cops will watch a car being driven for certain behaviors: erratic driving, wrong turns, failure to signal, driving too slow, or failure to stop, etc. Once a police officer stops a driver, he/she will observe the driver's behavior and look for signs that the driver is "under the influence" of alcohol, marijuana, drugs, or prescription medication.

Fact #2

Field sobriety tests are not always reliable

After being stopped by the police, the law doesn't require a person to perform Field Sobriety Tests – the tests are voluntary, but the Cop won't tell you that! Police use Field Sobriety Tests to say the driver failed the test, and therefore the driver is "under the influence" of alcohol or drugs. The problem is most Cops don't administer Field Sobriety Tests correctly, therefore the Cop's conclusions mean nothing. Only an attorney that is an expert in Field Sobriety Tests can show that the Cop administered the tests incorrectly. **Attorney Manuel J. Barba** is a nationally recognized Standardized Field Sobriety Test Instructor and is an expert on field sobriety test evaluations.

Fact #3

Chemical test results don't provide all the answers

Breath, blood or urine testing is an attempt by law enforcement to determine how much alcohol or drug is in a driver's bloodstream **at the time of driving**. It is important to remember that the chemical test is often administered well **after** the time of driving; the prosecutor then tries to argue that the test result was the same or more at **the time the car was being driven by making a number of assumptions**. It is the prosecution's burden to prove beyond a reasonable doubt that (1) the test result itself is accurate and reliable, and (2) what the amount was **at the time of driving**; both are not always easy to prove. The two most common tests are a breath test, where the driver blows into a machine; and the blood test, where the driver's blood is drawn for analysis. Breath testing and blood testing can be inaccurate if not performed correctly.

DUI FACTS



Fact #4 Breath testing is a flawed science

The police officer asks the driver to blow into a breath machine and a result is given. The problem is that the science of breath testing is not precise and is plagued with many problems causing the results to be unreliable. The difference between attorney Manuel J. Barba and many other lawyers that pretend to defend people accused of DUI is that attorney Barba is an expert in the science of breath testing.

Fact #5 Blood testing is a complicated process and not always accurate

Blood Testing is used to try to determine the amount of alcohol or drugs in a driver's blood. The process used to analyze the blood sample is usually gas chromatography, which is a very complicated process that can give inaccurate and unreliable results if not done correctly. Also, contamination of the blood sample before it is analyzed is another factor that causes inaccurate results. DUI defense attorney Manuel J. Barba is an expert in blood sample analysis and the science upon which it is based. To successfully defend your DUI case, you need an expert DUI defense attorney with this specialized knowledge.

BEWARE



Beware of law firms in Los Angeles, Orange, and San Diego counties that advertise DUI defense across Southern California... because the lawyer that you think you are hiring will likely not be the lawyer representing you in court; you may end up being represented by a local lawyer with little DUI defense experience who was "associated" into the case.

“Attorney Manuel J. Barba is an expert in DUI Defense and got my case dismissed because the cop made a bad stop.” - Kenley P.



**Remember, when arrested for a DUI,
the DMV is going to try to **SUSPEND**
YOUR DRIVER LICENSE.**

**YOU ONLY HAVE 10 DAYS AFTER YOUR ARREST
TO STOP THE AUTOMATIC SUSPENSION OF
YOUR DRIVER'S LICENSE. CALL US IMMEDIATELY!**

Unless a hearing is requested within 10 calendar days of your arrest, the DMV will automatically suspend your driver license for a minimum of 4 months, and even longer based on the circumstances.

We will contact the DMV immediately to preserve your hearing rights and schedule a hearing to challenge the DMV suspension of your driving privilege. Our goal is to save your driver license.

The DMV Hearing

Once a DMV hearing has been requested, it will be conducted independently of your criminal case in Court. From the DMV, we will gather all the evidence related to (1) the initial contact with the arresting officer, (2) the DUI investigation, and (3) chemical test results. This includes arrest reports, audio recordings, video recordings, and documentation related to the chemical test analysis. We will carefully examine all the evidence looking for problems so that we can challenge the DMV's case against you.

Depending on the case, we may subpoena the arresting officer to get his testimony and cross-examine him about the things that he did and the things that he failed to do correctly. The officer's background, training, and experience in DU I cases will be examined as well. We may use expert witnesses to show that the chemical test results are not accurate and reliable.

Once the DMV hearing has concluded, the DMV representative will issue their ruling.
Possible DMV Imposed Penalties:

- Your driving privileges may be suspended for 4 months to a lifetime, depending on your circumstances.
- Your insurance premiums could double or triple.
- You will be required to maintain an SR-22 for 3 years.
- The installation of an ignition interlock device onto your vehicle may be required.



MEMBERSHIPS & AWARDS

- ✓ Forensic Lawyer-Scientist Designation from American Chemical Society-Chemistry and the Law Division
- ✓ California DUI Lawyers Association (Specialist Member)
- ✓ California Attorneys for Criminal Justice
- ✓ National College for DUI Defense
- ✓ National Criminal Defense College
- ✓ DUI Lawyers Association (Founding Member)

Attorney Manuel J. Barba is a nationally recognized Standardized Field Sobriety Test (SFST) Instructor, having completed the National Highway Traffic Safety Administration (NHTSA) DWI Detection Standardized Field Sobriety Testing Instructor course, and has taught many other attorneys throughout the United States.

Attorney Manuel J. Barba is trained in the Advanced Roadside Impaired Driving Enforcement (ARIDE) and Drug Recognition Expert (DRE) protocols set forth by the National Highway Traffic Safety Administration (NHTSA). This specialized knowledge gives Attorney Barba the expertise to evaluate and successfully defend Marijuana, Drug and Prescription Medication DUI cases.



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