

**Filed 2/22/12 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2012 ND 41

Myllinda R. Troxel,

Plaintiff and Appellant

v.

North Dakota Department
of Transportation and Francis
Ziegler, Director, Department
of Transportation,

Defendants and Appellees

No. 20110295

Appeal from the District Court of Morton County, South Central Judicial District, the Honorable David E. Reich, Judge.

AFFIRMED.

Per Curiam.

Monte Lane Rogneby (argued), U.S. Bank Building, 200 North 3rd Street, Suite 201, P.O. Box 2097, Bismarck, ND 58502-2097, for plaintiff and appellant.

Michael Trent Pitcher (argued), Assistant Attorney General, Office of Attorney General, 500 North 9th Street, Bismarck, ND 58501-4509, for defendants and appellees.

Troxel v. N.D. Dep't of Transportation
No. 20110295

Per Curiam.

[¶1] Mylinda Troxel appeals a district court judgment affirming a North Dakota Department of Transportation hearing officer's decision suspending her driving privileges for three years. Troxel argues law enforcement did not have a reasonable and articulable suspicion to stop her vehicle. We conclude the agency's order is supported by a preponderance of the evidence and summarily affirm under N.D.R.App.P. 35.1(a)(5).

[¶2] Gerald W. VandeWalle, C.J.
Daniel J. Crothers
Mary Muehlen Maring
Dale V. Sandstrom
Everett Nels Olson, S.J.

[¶3] The Honorable Everett Nels Olson, S.J., sitting in place of Kapsner, J., disqualified.