

AREAS OF PRACTICE

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Murder/Manslaughter

Driving While Suspended

June 17, 2010

18-Month Sentence in Ironic Maryland DUI Case

Maryland DUI lawyers often see cases with unusual circumstances. People have been arrested for DUI offenses while riding bicycles and driving lawnmowers as well as engaging in sexual intercourse while operating a vehicle. One ironic Maryland DUI case involved a repeat DUI offender who was involved in a collision with the same judge who only eleven years ago had suspended his sentence for a DUI conviction. Rene Fernandez, 45, was recently sentenced to 18 months in Montgomery County Jail for his role in the accident.

In 1998, Fernandez appeared before two Montgomery County judges on separate DUI charges. In the first case, the judge sentenced him to probation before judgment, which is not treated as a conviction. In the second case, Judge Edwin Collier sentenced Fernandez to 60 days in jail but suspended the sentence. Fernandez had gone eleven years without a DUI arrest before the 2009 collision with Judge Collier. In that incident, Fernandez was driving with a BAC nearly twice the legal limit when his vehicle swerved into oncoming traffic and struck Collier's car, seriously injuring both the judge and his wife.

As a result of the accident, Fernandez pled guilty to one count of causing a life-threatening injury while intoxicated. A Montgomery County Circuit Court judge sentenced Fernandez to the maximum of three years' imprisonment, but suspended half of the sentence. According to his [Montgomery County DUI lawyer](#), Fernandez is an alcoholic who no longer drinks and is committed to staying sober. At the time of his arrest, Fernandez was a permanent U.S. resident; therefore, his conviction could make him eligible for deportation. This case of a repeat DUI offender who struck the exact same judge who once granted him clemency on a similar conviction is only one of the unusual cases a [Montgomery County DUI Attorney](#) may see in his or her career. No matter how ordinary or how bizarre, every case has its own unique circumstances that must be evaluated when defending DUI charges.