

FILE

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Monte Jackson, Notice of)
 Apparent Violation and Intent To Assess) Case No. 07-1115-TR-CVF
 Forfeiture.) (OH0337002288D)

MOTION TO DISMISS

The Staff of the Public Utilities Commission of Ohio has concluded that further prosecution of this matter is not warranted. Accordingly, Staff hereby moves that this proceeding be dismissed and the violation be removed from Respondent's record. The reasons for this motion are more fully set forth in the accompanying Memorandum in Support.

Respectfully submitted,

Marc Dann, Attorney General

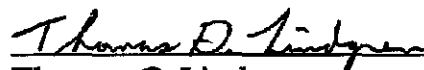
Duane W. Luckey,


Section Chief

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MEMORANDUM IN SUPPORT

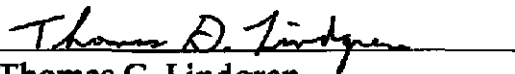
A vehicle operated by the Respondent, Monte Jackson, was inspected on March 6, 2007 by an inspector for the Ohio State Highway Patrol. The inspection report lists a violation of §392.16 of the Motor Carrier Safety Regulations that have been adopted by the Commission. That section requires drivers of commercial motor vehicles to use seat belts while driving.

The Commission Staff has concluded that it has insufficient evidence to prove that Respondent was not wearing a seat belt while operating the vehicle. Therefore, it is appropriate for the Commission to dismiss this matter and to order that the violation be deleted from Respondent's history of violations.

Respectfully submitted,


Marc Dann, Attorney General

Duane W. Luckey
Section Chief


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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Motion to Dismiss** was served by regular U.S. mail, postage prepaid, upon the following party of record, this 20~~th~~ day of November, 2007.


Thomas G. Lindgren
Assistant Attorney General

PARTIES OF RECORD:

Monte Jackson
17901 Mahrle Road
Manchester, MI 48158