

RECEIVED DOCKETING DIV.

2017 JAN -5 AM 11:00
Phillip Scherer

PO Box 78100

Harlan IN 46743

(260) 610 6574

TO: Public Utilities Comm. of Ohio

16-730-TR-CVF

December 27, 2016

Re: case# OH3258008269C

Motion to Dismiss

To: P.U.C.O.

A hearing was conducted on July 6, 2016.
Evidence/testimony presented proved beyond a
reasonable doubt numerous points, being:

1. No evidence of defendant for hire
2. personal pickup truck that ODOT has no
authority over
3. officer Kurtz grossly exaggerated weight
of trailer to the point on negligence
in the last paragraph of officer Kurtz's response
to Respondant ex 1) indicate a prejudice
toward "Amish" this court should be ashamed
to allow an officer to put personal feelings
on paper. This is a religious order of people and
a first year law student could construe this
as a "hate crime"

By this court taking almost 6 months
to rule on the evidence before it, it is
This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business.
Technician MM Date Processed JAN 05 2017

Clear to this defendant that P.V.C.O
is endorsing the illegal and prejudice
acts of the Ohio Department of Transportation

I, Philip Scherer, am a part time
professional driver with million mile plus
safe driving awards. If I only was
issued a operators license, we would not
have this issue. It is because of officers
like Kurtz that I am semi-retired.

I demand justice,

A- an immediate dismissal

B- an appology for wasting my
time and money

C- this case be remanded to internal
affairs to repremand officer kurtz
for obvious and intention lies on
an official report/citation

Sincerely

Philip M Scherer

Respondant Ex /

PUCO
Request for Additional Information

Inspection Report #: 3258008269 Carriers Name: Phillip Scherer

Inspection Date: 1-29-16 Inspector ID: Kurtz (3258)

Compliance Officer: Hines

Today's Date: 3-11-16 Date by which Information is Needed: 3-25-16

Request for Additional Information: YES

Is there an attachment with this message: YES – Inspection report

Details:

1. The respondent is disputing the GVWR of the trailer. Respondent claims max capacity is 1,820 pounds and the plate appears to show 3,000 pounds.
2. Respondent is also stating that they are not for hire and this is a private move with an empty trailer.
3. Photos of this inspection are also requested.

RESPONSE (031416 1031): Change CARGO to PASSENGER. No change to anything on the inspection. Photos are below.

Per the inspector: This gentleman (Phillip Scherer) was hired by the company called Dutch Harness to take Amish people and their tools to a job site in Toledo from Indiana. (One of) The Amish man told me he contacts and sets up the truck/driver but the company pays the driver. The trailer was loaded with tools/ladders, no building material. I took them to the job site. The trailer itself was the load along with the 5 passengers in the truck. As for the GVWR I asked the Amish man who said it belonged to him and he told me 12,000. No sticker located on trailer. The questions I asked Mr. Scherer in front of his passengers were accurate, as soon as we got to the job site and the Amish gentleman got out of the truck all the answers changed.

I see 5-10 of these a day coming from Indiana, more in the summer. They are hired by the construction company or by the Amish to get people and tools to the job sites. The trailers always belong to the Amish. Most of them drive 15 passenger vans with no markings.

Clearly personal Prejudice
that has no significance in an official report