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Public Utilities Commission
James M. Lynn
Milan Orbovich
Docketing Division
180 East Broad Street
Columbus, Ohio 43215-3793

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PUCO

Defendant Bruce Henry
V
PUCO

CASE OH1251004232D & 16-1873-TR-CVR
December 5, 2016 hearing date.

Defendant Response to: "MEMORANDUM CONTRA RESPONDENT'S MOTION FOR DIRECTED VERDICT IN FAVOR OF DEFENDANT" by John H. Jones

1) Defendant Response to "MEMORANDUM CONTRA RESPONDENT'S MOTION FOR DIRECTED VERDICT IN FAVOR OF DEFENDANT" "submitted on behalf of the staff of the Public Utilities Commission of Ohio" **"and was served via regular U.S. mail upon Respondent" "Proof of Service" "this 27th day of December, 2016", a false statement** signed off on by John H. Jones Ass. Attorney General. Truly this is a false and erroneous statement as the envelope this memorandum was mailed in, clearly shows the date of the in-house Pitney Bowes meter mail system time of metering (before actually being put into the mail flow), as DEC 28 2016 and not 27th.

2) Ohio Attorney General Assistant failed to address the 20 numbered points specifically propounded in **"1) Preponderance of the evidence overwhelmingly favored defendant."** in the "MOTON FOR DIRECTED VERDICT IN FAVOR OF DEFENDANT" Post trial Defendant brief of December 5th, 2016" that was mailed December 7th, 2016 by Certificate of Service by Defendant/Respondent. **It is significant to note, no where, did Ohio Attorney General Assistant state any specific evidence at trial that proved his case.**

3) John H. Jones Ass. Attorney General stated "Staff satisfied its burden of proof in this case. This is a self serving false and misleading statement. It is unclear who "Staff" is. Defendant opines that it is the "Ass. Attorney General" that should be inserted instead of "Staff". Ass. Attorney General John H. Jones, in a self serving manner stated in his self serving Memorandum : **"The evidence presented by Staff and admitted into the record is sufficient to support Respondent's Violation."** CLEARLY this is a **dishonest, false and misleading statement, as all of the evidence was discredited as not being certified, as false, as false statement, false diagram, unethically being led by Ass. Attorney General into stating that a document was given when in fact it was not. All in all a large pile of shit, false evidence proffered at trial by Ass. Attorney General John H. Jones.**

4) John H. Jones Ass. Attorney General stated **"The evidence shows that Respondent did in fact violate the seat belt regulation as witnessed and cited by the inspector."**

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This is a self serving false and misleading statement. Jones fails to specifically address sub part three & subpart four of Defendant/Respondent **"MOTON FOR DIRECTED VERDICT IN FAVOR OF DEFENDANT"**: **"(3)Trooper Ramps admitted numerous times he could not remember the stop."** & **"(4)Trooper Ramps could not remember where the vehicle was pulled over at and failed to draw the other side of the toll booths and specifically show the stop positioning."** If the transcript be un-tampered with, it will show that Inspector/Trooper Ramps could not remember the stop. His memory failed. Numerous times he stated this on the record. In addition, pretrial, Ramps was permitted without leave of the court to draw up a detailed diagram on a tri pod stand, a false showing of where the stop actually was to have taken place. This was a false diagram. The diagram failed to show the actual spot what so ever of the area where the stop actually took place. This was clearly exposed by cross examination and testimony that this diagram was false. The area where the stop took place was NOT drawn even though, by ambush, the inspector was permitted to draw up a visual diagram of **"where the stop would have been"**. Ass. Attorney General fails ethically by an act of dishonesty by intentionally not mentioning these true hard facts that were stated on the transcript of record. When a Trooper, Pooper, Policeman, or Inspector can not remember the stop location, their action of **Selective Memory Syndrome** can not be applied. This case should have been dismissed right at that point. In all other courts threw out this land this case would have died by dismissal. The Respondent clearly objected and asked that the case be dismissed.

5) In addition the Ass. Attorney General in a self serving false and misleading and corrupt manner intentionally failed to address **"MOTON FOR DIRECTED VERDICT IN FAVOR OF DEFENDANT"**: **"(5)Trooper Ramps admitted that he paraphrased his notes and did not use actual specific quotes."** & **"(6)Trooper Ramps admitted that he did not remember what was said with specificity."** A review of the transcript will show that Respondent ascertains in 5 & 6 were accurate and true. To this point, on the transcript, the inspector drew a false representation of the stop, **(this is undeniable)** the inspector could not remember where the stop happened. **(this is undeniable)** The inspector could not remember what was said at the stop. **(this is undeniable)** The inspector admitted that he wrote a paraphrase and pointed out that he could not remember and did not use quotation marks (this saved him from actual perjury).

6) The notes were allegedly certified on August 10, 2016 and were later upon production of documents given to the Defendant/Respondent. However, they were NOT signed anywhere, and not in the bottom where a signature must appear. **THEREFORE, THEY WERE NOT CERTIFIED.** These notes should have been signed and certified right at the beginning. Cheryl Streets is at fault. John H. Jones is at fault for offering an uncertified document as being certified in a self serving, crooked, illegal, dishonest and underhanded manner. (If a signed copy is in the case file now, let it be known, they were put in illegally, after the hearing was adjourned.)

"(4) The notes were not certified by a signature on page given to Defendant/Respondent, therefore not evidence at all.

"(7) The unsigned, uncertified version of the proffered notes are packed with lies.

Lie 1 - the trooper was not "stationary position facing traffic"

Lie 2 - Driver wearing light grey sleeveless T-shirt.

Lie 3 - Seatbelt was dark grey.

Lie 4 - Driver responded: "I don't know. I'm supposed to have it across my chest ain't I."

"2) John Jones offered a false and misleading document August 10th, 2016 allegedly "certified" one day after Defendant had a slam job phone hearing with Cheryl Streets on August 9th, 2016. Absolutely no signature was on this document in the space for the alleged author thereof. This narrative as stated on that **legally uncertified** document was none the less permitted in to evidence even though Trooper **Ramps could not remember such.**"

7) In addition the Ass. Attorney General in a self serving false and misleading and corrupt manner intentionally failed to address **"MOTON FOR DIRECTED VERDICT IN FAVOR OF DEFENDANT"**: subpart 8 & 9: **"8) Trooper Ramps falsely stated that defendant had PUCO document # one, at the unethical urging of Attorney Ass. John Jones." Jones had the trooper state falsely that defendant had PUCO document one. THIS WAS NEVER CORRECTED ON THE RECORD. JONES IS GUILTY OF ETHICAL MISCONDUCT. "9) Trooper Tramps never went back on the record to correct this false testimony."** Ass. Attorney General never went back on the record even though this was pointed out by the Respondent at trial, and failed to correct the false statement that he led the State trooper in admitting on the record. The Trooper, on its face is guilty of perjury or false declaration while under oath. **This is un-deniable.** Ass. Attorney General John H. Jones is guilty himself for suborning perjury. **This is un-deniable.**

8) As "preponderance" of the evidence, is the PUCO's measuring stick in this jurisprudence. Ass. Attorney General John H. Jones failed to address, deny, or correct Respondent ascertains and statement of true fact that is not attacked or denied in subpart 10 @ 11 of **"MOTON FOR DIRECTED VERDICT IN FAVOR OF DEFENDANT"**

"10) Trooper Ramps could not identify the speed apparatus that he used to erroneously site defendant for a 60 in 55 zone (a charge that defendant fully disputed)", "11) Trooper Ramps could not produce calibration certificate for the mentioned speed apparatus.", "12) Trooper Ramps could not give a date or time or offer a certificate of calibration for mentioned speed apparatus there by showing no probable cause existed to initiate said July 1, 2016 stop."

***The Offense, PUCO attorney, John H. Jones is the one who first brought this issue up therefore opening the door to attack speeding allegation, used as probable cause to perform Level III DOT inspection.**

9) Ass. Attorney General John H. Jones, in a self serving manner stated in his self serving Memorandum : **"The evidence presented by Staff and admitted into the record is sufficient to support Respondent's Violation"** when in fact evidence viewed on the transcript clearly show preponderance of the evidence clearly favored the Defendant/Respondent by a large margin. It was not even close. The evidence is not, and was not, **"sufficient to support Respondent's Violation"**.

10) In addition, Ass. Attorney General John H. Jones fails to acknowledge in his self serving and dishonest Memorandum that Defendant offered into evidence a 7 page

North American DOT Level 3 inspection listing of what must occur at a DOT Level 3 inspection, **(this is what this allegation arose out of, a LEVEL III DOT inspection)**

“13)Defendant testimony clearly shown that Trooper Ramps failed in his responsibility to perform at least **9 different items** in a Level 3 inspection as required by DOT regulation.”,
“14)Trooper Ramps failed to go back on the record to dispute his failure to execute the numerous DOT Level 3 inspection items as required.”, “15) It is significant to note that Trooper Ramps failed to check the actual seat belt for wear and tightness of fit on the driver as required by a DOT level 3 inspection.”

The North American DOT Level 3 inspection guide lines was accepted as evidence. Ramps never went back onto the record even though he was there, to attempt to refute this truth. This evidence greatly ran up the score in favor of the

Defendant/Respondent using the “preponderance of evidence” measuring stick.

This shows that the “Inspector did not do a level 3 inspection. There fore the inspector should have written a ticket, if thought he had probable cause to do so, that would have been docketed at Mahoning County, Ohio Traffic Court **and not in this court**, as the Inspector failed in his responsibility to perform a true DOT Level III inspection as required by the United States Department of Transportation regulations that Defendant/Respondent has been prosecuted under.

The truth is, the attorney in charge was afraid to put the trooper back on the witness stand because he would have been clobbered. Their low self-esteem was just good common sense. It is better to stay in the house if you know your going to get your ass kicked if you step out side.

11) Ass. Attorney General John H. Jones in the second page of his self serving, dishonest memorandum, stated unproven allegation as fact. Every thing stated was discredited based on the fact that Inspector could not remember were the stop took place, evidenced by the inspector drawing a diagram before trial that falsely depicted the location. The inspector, on the record admitted he could not remember were the stop took place. Coupled with fact that the Defendant/Respondent denied Inspector account and gave a **true accurate** account of what happened on **July 13th, 2016 mailing** to Cheryl Streets, that he had seat belt over his should as required, but moved to under his arm after he had stopped his vehicle to move freely while still having it connected as required by the case law offered into evidence by Respondent. This **July 13th, 2016 true accurate** account of what happened, offered by Defendant/Respondent was never challenged in court directly upon being accepted into evidence. Indeed Ass. Attorney General John H. Jones has failed to attack, has failed to attempt to directly discredit this true account. This also is more weight and more points in favor of the Defendant/Respondent in this case. The decisions makers are invited to read the full transcript.

12) In addition, Ass. Attorney General John H. Jones fails to acknowledge in his dishonest Memorandum that Defendant offered into evidence, **Defendant offered July 13 letter to the PUCO, that was accepted into evidence.**

“16)Defendant offered July 13 letter to the PUCO giving in full detail of what happened with detailed specificity in his letter asking for the August 9th, 2016 hearing with PUCO worker Cheryl Streets.” Cheryl Streets by an act of misconduct scrubbed this document from the case file and did not proffer it to the attorney for the PUCO before the trial. This is an act of misconduct. Cheryl Streets is corrupt and should be terminated from the position from which she collects money at the PUCO.

"17)Attorney Jones objected to this letter. The question is: why did the PUCO and Cheryl Streets intentionally fail to put this very important letter in their case file in the month of July when the initial conference was demanded by the Defendant?" (August 9th, 2016 phone conference was had because of this specific letter.) It troubling to say the least that this letter would not be included in the case file.)

13) In addition to the above, The Defendant/Respondent moves for an order sanctioning alleged attorney Jones for his numerous acts of dishonest, misleading statements stated through out and that Cheryl Streets be made to enroll in a course in sensitivity, off the clock, a course in ethics, off the clock, a course in honesty, off the clock, and be placed on two years probation.

14) Using the **reasonable doubt standard**, the Defendant won based on the clearly stated July 13th 2016 letter sent to the PUCO asking for a hearing, sent to Cheryl Streets that was missing from the case file before trial but entered into evidence at trial, coupled with the true fact that the Inspector clearly said on the transcript more than once, that he did not remember the stop and indeed drew a false representation of **where the stop did happen, clearly showing he did not remember. He just could not remember what happened.** Using the PUCO standard, of **preponderance of the evidence standard**, John H. Jones had his ass handed to him at trial and threw out.

15) Defendant/Respondent invites the decision makers to slowly read the transcript. Based on the overwhelming preponderance of the evidence in favor of the Defendant, the Defendant moves for an order for verdict in his favor as shown my preponderance of the evidence.

Certificate of Service

This motion FOR directed verdict was sent by first class mailing on, **January 10th**, 2017 to Attorney **James M. Lynn and Milan Orbovich** at Public Utilities Commission, 180 East Broad Street Columbus, Ohio 43215-3793.

Defendant of Record
Bruce Henry Honorably Discharged USMC
9014 Coriander Circle
Manassas, Virginia 20110

571 278 3855