

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Richard Hamilton, Notice : Case No. 19-2013-TR-CVF
of Apparent Violation and Intent to Assess : (OH1575001546D)
Forfeiture. :

**MOTION TO DISMISS
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Pursuant to Rule 4901-1-12 of the Ohio Administrative Code (O.A.C.), the Staff of the Public Utilities Commission of Ohio (Staff) moves to dismiss this case for good cause shown in the memorandum in support below.

Respectfully Submitted,

Dave Yost
Attorney General

John H. Jones, Section Chief
Public Utilities Section

/s/ Steven T. Darnell

Steven T. Darnell
Assistant Attorney General
Public Utilities Section
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MEMORANDUM IN SUPPORT

Pursuant to O.A.C. Rule 4901:2-7-12, the Staff of the Public Utilities Commission of Ohio (Staff) served Richard Hamilton (Respondent) with a Notice of Preliminary Determination regarding the Respondent's alleged violation of 49 C.F.R. § 392.16. Due to insufficient evidence, Staff is unable to further prosecute the alleged violation against Respondent. The Ohio State Highway Patrol agrees with Staff's motion to dismiss. Accordingly, Staff requests that the Commission dismiss the alleged violation in this case and order it deleted from the Respondent's SafetyNet Record.

Respectfully Submitted,

Dave Yost
Attorney General

John H. Jones, Section Chief
Public Utilities Section

/s/ Steven T. Darnell

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Assistant Attorney General
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CERTIFICATE OF SERVICE

I certify that a true copy of the **Motion to Dismiss** filed on Behalf of the Staff of the Public Utilities Commission of Ohio was served by regular U.S. mail, postage prepaid, hand-delivered, and/or electronic service upon the following parties of record this 3rd day of February, 2020.

/s/ Steven T. Darnell

Steven T. Darnell

Assistant Attorney General

Attorney Examiner:

Lauren L. Augostini

Parties of Record:

Richard Hamilton
505 Long Rd.
Pickerington, OH 43147

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in

Case No(s). 19-2013-TR-CVF

Summary: Motion to Dismiss electronically filed by Mrs. Kimberly M Naeder on behalf of
PUCO