

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Thomas Overturf,	:	
Notice of Apparent Violation and Intent	:	
to Assess Forfeiture.	:	Case No. 15-359-TR-CVF
	:	(OH0616002692D)
	:	
	:	
	:	
Respondent.	:	
	:	

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**MOTION TO DISMISS ALLEGED MEDICAL CARD VIOLATION**

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The Staff of the Public Utilities Commission of Ohio (“Staff”) hereby moves to dismiss the alleged medical card violation cited under 49 C.F.R. § 391.41(a) for good cause being shown in the memorandum in support below. If the motion is granted, the Staff will proceed to hearing on May 7, 2015, only on the remaining alleged log book violation.

Respectfully submitted,

Ohio Attorney General Michael DeWine  
William L. Wright  
Section Chief, Public Utilities Section

/s/John H. Jones

**John H. Jones**  
Assistant Section Chief  
Public Utilities Section  
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## MEMORANDUM IN SUPPORT

Pursuant to 4901:2-7-12, Ohio Adm. Code, the Staff served Thomas Overturf (“Respondent”) with a Notice of Preliminary Determination regarding the Respondent’s alleged log book and medical card violations under 49 C.F.R. §§ 395.8(k)(2) and 391.41(a). After a review of the facts relevant to the medical card, and further investigation and discussion with the Ohio State Highway Patrol, Staff agrees with the Patrol that further prosecution of the alleged medical card violation is not warranted and that the violation should be deleted. Accordingly, the Staff requests that the Commission dismiss the alleged medical card violation cited under 49 C.F.R. § 301.41(a) in this case and order it deleted from the Respondent’s record. The Staff still intends to proceed on the alleged log book violation at hearing on May 7, 2015.

Respectfully submitted,

Ohio Attorney General Michael DeWine

William L. Wright  
Section Chief, Public Utilities Section

*/s/John H. Jones*

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**John H. Jones**

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### **CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing was served upon Thomas Overturf, 5162  
E. 112<sup>th</sup> Street, Garfield, OH 44125 by regular U.S. mail this 1st day of April 2015.

/s/John H. Jones  
John H. Jones

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 15-0359-TR-CVF**

Summary: Motion Motion to Dismiss electronically filed by Mrs. Tonnetta Y Scott on behalf of  
PUCO