

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Gregory A. Thomas,	:	
Notice of Apparent Violation and	:	Case No. 17-629-TR-CVF
Intent to Assess Forfeiture.	:	(OH3269012545D)
	:	
Respondent.	:	

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**MOTION TO DISMISS**

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The Staff of the Public Utilities Commission of Ohio (“Staff”) moves to dismiss the alleged Driver violations in the above captioned case<sup>1</sup> for good cause shown in the memorandum in support below.

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<sup>1</sup> The Notice of Apparent Violation and Intent to Assess Forfeiture regarding the alleged Carrier violations cited under Case No. OH3269012545C are no longer a contested part of Case No. 17-629-TR-CVF after the total \$390.00 civil forfeiture assessed in that notice was paid by Dwayne Seeling on behalf of the Carrier Respondent Waters Edge Canoe Livery on November 16, 2017. Both the Carrier and Driver cases are being addressed and resolved before any Notices of Preliminary Determination and Requests for Administrative Hearing are being issued by Staff and requested by the Respondents in these respective cases.

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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**On behalf of the Staff of**

**The Public Utilities Commission of Ohio**

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## MEMORANDUM IN SUPPORT

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Pursuant to 4901:2-7-05 and 4901:2-7-07, Ohio Adm. Code, the Staff served Gregory Thomas (“Respondent”) with a Notice of Apparent Violation and Intent to Assess Forfeiture regarding the Respondent’s alleged Driver violations of operating of a vehicle that was declared out of service and having no medical certificate under Ohio Adm. Code 4901:2-5-07(D) and 49 C.F.R. § 391.4(a), respectively. After a review of the facts relevant to these alleged violations, and further investigation and discussion with the Ohio State Highway Patrol, Staff agrees with the Highway Patrol that further prosecution of the alleged Driver violations in this case are not warranted and that the violations should be deleted. Accordingly, the Staff requests that the Commission dismiss the alleged Driver violations cited in this case and order them deleted from the Respondent’s record. Staff further requests that this docket be closed because the separate matter involving the Carrier, Waters Edge Canoe Livery, in Case No. OH3269012545C has already been resolved by full payment prior to any request for administrative hearing being requested by the Carrier.

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  
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**On behalf of the Staff of  
The Public Utilities Commission of Ohio**

### **CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing was served via electronic mail upon  
Christopher S. Cook, Attorney for Respondents, 336 South High Street, Columbus, Ohio,  
43215, [cookie6180@att.net](mailto:cookie6180@att.net), by regular U.S. mail this 20th day of November, 2017.

/s/John H. Jones

**John H. Jones**

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

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**Case No(s). 17-0629-TR-CVF**

Summary: Motion to Dismiss submitted by Assistant Attorney General John Jones on behalf of the Staff of the Public Utilities Commission of Ohio. electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio