

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF LEROY BROWN,  
NOTICE OF APPARENT VIOLATION AND  
INTENT TO ASSESS FORFEITURE.

CASE NO. 18-88-TR-CVF  
(OH1251005261D)

## ENTRY

Entered in the Journal on February 26, 2018

{¶ 1} Pursuant to Ohio Adm.Code 4901:2-7-12, Staff served a notice of preliminary determination (NPD) upon Leroy Brown (Respondent) alleging a violation of the Commission's transportation regulations.

{¶ 2} On January 10, 2018, Respondent filed a request for an administrative hearing as permitted by Ohio Adm.Code 4901:2-7-13. Respondent participated in a prehearing conference on February 22, 2018, but the case was not resolved.

{¶ 3} Accordingly, the attorney examiner sets this case for hearing on Tuesday, April 10, 2018, at 10:00 a.m., in hearing room 11-D at the offices of the Commission, 180 East Broad Street, 11th Floor, Columbus, Ohio 43215-3793.

{¶ 4} At the evidentiary hearing, Staff must prove that Respondent committed the violation alleged in the NPD by a preponderance of the evidence. Ohio Adm.Code 4901:2-7-20. Following Staff's presentation of the evidence, Respondent will have the opportunity to present testimony and other evidence supporting his contentions regarding the alleged violation in this matter.

{¶ 5} Pursuant to Ohio Adm.Code 4901:2-7-14, a respondent who has requested an administrative hearing and fails to appear for the evidentiary hearing shall be in default. A respondent in default shall be deemed to have admitted the occurrence of the violation charged and to have waived all further right to contest liability for the forfeiture proposed in the NPD.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That Case No. 18-88-TR-CVF is set for hearing on April 10, 2018, at 10:00 a.m., as set forth in Paragraph 3. It is, further,

{¶ 8} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Patricia Schabo

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By: Patricia A. Schabo  
Attorney Examiner

JRJ/sc

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

**Commission of Ohio Docketing Information System on**

**2/26/2018 11:01:35 AM**

**in**

**Case No(s). 18-0088-TR-CVF**

Summary: Attorney Examiner Entry scheduling hearing for 04/10/2018 at 10:00 a.m. in accordance with Paragraph 3 electronically filed by Sandra Coffey on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission of Ohio