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The Public Utilities Commission of Ohio
Attn: Docketing
180 East Broad Street
Columbus, Ohio 43215

In Re: Atheer Al-Dhahi, Notice of Apparent
Violation and Intent to Assess Forfeiture
Case No. 21-570-TR-CVF (OH3223004221D)

Dear Commission:

I trust this finds you well. I represent Mr. Al-Dhahi in the matter referenced above. On behalf of Mr. Al-Dhahi, please let this serve as his formal response to Staff's correspondence in opposition to reopening the case per the Order of The Public Utilities Commission of Ohio to file a response by October 26, 2021 as dictated in Entry entered in the Journal on October 6, 2021.

As previously advised by Mr. Al-Dhahi, he did not know that his license was suspended on March 23, 2021. He discovered that his license was suspended by Virginia on that day after the fact, i.e., being cited in Ohio for driving a CMV while CDL is suspended, for not insuring a motorcycle he had purchased in October 2020. On October 13, 2021, Mr. Al-Dhahi had a telephonic hearing with Hearing Officer P. Mankins of Virginia Department of Motor Vehicles (DMV) to show cause why DMV should not enforce the Order of Suspension which went into effect on March 3, 2021. At the conclusion of the hearing, Officer Mankins, who can be reached at (804) 497-7106 or by email at Hearings@dmv.virginia.gov, ruled in favor of cancellation of the Order of Suspension given the evidence that the motorcycle had in fact been insured as required by Virginia law since the end of October 2020 to the beginning of April 2021 through a local car dealer who possessed the motorcycle as a consignment for that time frame. Although the hearing has been held and the decision made, it may take up to 30 days before the hearing officer issues an official Order of Cancellation.

Furthermore, Mr. Al-Dhahi did not know the consequences of paying the assessed forfeiture in April 2021. Not only did he fail to comprehend that the forfeiture payment would constitute an admission of guilt, but more important, he failed to realize the payment would result in his disqualification from driving commercial motor vehicles for 1 year.

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Mr. Al-Dhahi is a United States citizen who has been supporting several family members by paying their rents and other bills through his livelihood of driving commercial motor vehicles in the realm of approximately 14 hours per day. He has been deprived of his single-most valuable asset of being able to drive commercial motor vehicles for over half-a-year at this point, which has wrought a tremendous amount of strain within both himself and his family, not to mention the reduction in their standard of living. Mr. Al-Dhahi and his family are currently in a desperation mode of survival, and while Mr. Al-Dhahi did submit the request to reopen the matter back in May 2021, he only did so in the immediacy of trying to get back to driving trucks in order to support himself and his family without having had the show cause hearing on why Virginia DMV should not enforce the Order of Suspension aforementioned. Although it may be true that Mr. Al-Dhahi has had some opportunities to request an administrative hearing on his previous request, his lacking knowledge of the legal procedures and not having had any legal representation, which he now has, caused his passing up those opportunities.

It is with the utmost earnestness and respect that Mr. Al-Dhahi hereby requests The Public Utilities Commission of Ohio to reopen the case in question and allow him to seek any potential legal remedies that are available for the purposes of either shortening the period of disqualification from 1 year to 6 months with or without an amendment of the charge of conviction, or in alternative, obviating the need for disqualification altogether. Thank you for your time and I look forward to hearing from you soon in this matter of great urgency and importance to Mr. Al-Dhahi.

Sincerely,



Sean S. Jung

cc: Atheer Al-Dhahi
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