

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

In the Matter of the Investigation of **Danny G.)**
Lambeth, d/b/a Truck Wholesale of Wellsville,)
Kansas, Pursuant to the Kansas Highway Patrol) Docket No. 20-GIMM-211-KHP
Issuance of a Notice of Violation(s) and Invoice for)
the Violations of the Kansas Motor Carrier Safety)
Statutes, Rules and Regulations.)

STAFF'S MOTION TO SET PREHEARING CONFERENCE

The Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively), by and through its counsel, Ahsan A. Latif, hereby files its Motion for Prehearing Conference. In Support, Staff states as follows:

1. On September 20, 2019, the Kansas Highway Patrol issued a Notice of Violation(s) against Danny G. Lambeth d/b/a Truck Wholesale (Respondent), for alleged violations found during a September 13, 2019, routine motor carrier stop and inspection, Driver/Vehicle Inspection Report No. KSHP04200689, conducted by the Kansas Highway Patrol (KHP). Respondent was assessed \$450 in civil fines, comprised of the following violations: a \$150.00 fine for No or defective brake warning device, citing 393.51, a \$150.00 fine for Tire-flat and/or audible air leak, citing 393.75A3 and a \$150.00 fine for Inspection/repair and maintenance of parts & accessories, citing 396.3A1.

2. On October 15, 2019, Respondent initiated a formal challenge with the KHP.

3. On October 22, 2019, the Kansas Highway Patrol denied Respondent’s challenge and advised Respondent of its right to an administrative hearing before the Commission.

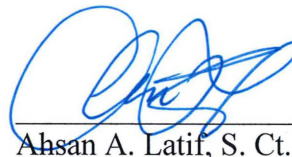
4. In a letter hand delivered on November 3, 2019, Respondent requested a hearing before the Commission.

5. Staff requests this docket be referred to the Office of General Counsel for a pre-hearing conference.

6. Staff requests a Prehearing Conference be scheduled in this docket for the purpose of setting a procedural schedule and hearing date in this matter.

WHEREFORE, Staff respectfully requests a Prehearing Officer be appointed and also that a Prehearing conference be scheduled so the parties can set a date related to Respondent's Request for Hearing.

Respectfully submitted,




Ahsan A. Latif, S. Ct. #24709
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Attorney for Commission Staff

VERIFICATION

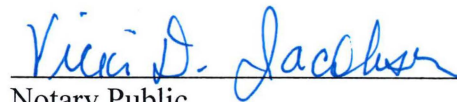
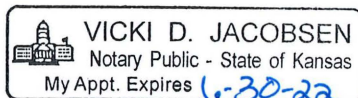
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Staff's Motion to Set Prehearing Conference*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.



Ahsan A. Latif, S. Ct. # 24709
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 8th day of November, 2019.



Notary Public

My Appointment Expires: June 30, 2022

CERTIFICATE OF SERVICE

20-GIMM-211-KHP

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's Motion to Set Prehearing Conference was served via electronic service this 8th day of November, 2019, to the following:

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Vicki Jacobsen