

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

In the Matter of the Investigation of **Carry** )  
**Yours A Division of CFSI, Inc. of** )  
**Marietta, Georgia**, Pursuant to the Kansas ) Docket No. 12-GIMM-423-KHP  
Highway Patrol Issuance of a Notice of )  
Violation for Violations of the Federal )  
Motor Carrier Safety Regulations, as )  
adopted by K.S.A. 66-1,129 and )  
implemented by K.A.R. 82-4-3. )

**MOTION TO SUSPEND MOTOR CARRIER OPERATIONS IN KANSAS**

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend Carry Yours A Division of CFSI, Inc. of Marietta, Georgia (Respondent) from all Kansas commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Respondent is a motor carrier as defined in K.S.A. 2016 Supp. 66-1,108, that operates commercial motor vehicle(s) in commerce.
2. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 2192175.
3. On November 4, 2011, the Commission issued Respondent a Notice and Invoice (Invoice No. H000526561) assessing Respondent a civil fine in the amount of \$400 for violation(s) of the Federal Motor Carrier Safety Regulations as adopted by K.S.A. 66-1,129 and implemented by K.A.R. 82-4-3, et seq., discovered during a motor carrier stop on September 13, 2011, by a Kansas Highway Patrolman. The Notice informed Respondent it was to pay the civil fine within 30 days of the date of the Notice, or request an administrative hearing.

4. On December 9, 2011, the Respondent filed a request for hearing, contesting the violation(s) set out in the Notice and Invoice.

5. On March 8, 2012, an evidentiary hearing was conducted and the Commissioners issued a Default Order on July 20, 2012, ordering that the civil fine of \$400 was upheld and that the Default Order would become a Final Order within seven (7) days of issuance. The Respondent was found in default due to no appearance at the hearing on behalf of Carry Yours A Division of CFSI, Inc.

6. As of March 3, 2017, Commission records indicate Respondent has not complied with requirements of the Default Order dated July 20, 2012, and that Respondent has not paid the civil fine of \$400.

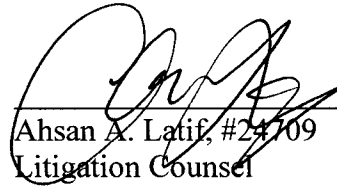
7. Staff asks that the Commission find Respondent failed to act upon the Commission's Order dated July 20, 2012.

8. Staff asks the Commission find that Respondent's failure to comply with the requirements of the Order dated July 20, 2012, poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

9. Based on the presented facts, Staff requests the Commission issue an order suspending Respondent's motor carrier operations in Kansas until such time as Respondent pays the civil fine of \$400, at which time Staff will recommend the Commission enter an order of reinstatement of intrastate motor carrier operations.

**WHEREFORE**, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Respondent's motor carrier operations in Kansas, until such time as the Respondent pays the civil fine as described above.

Respectfully submitted,



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Ahsan A. Latif, #24709  
Litigation Counsel

Kansas Corporation Commission  
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For Commission Staff


AAL

**VERIFICATION**

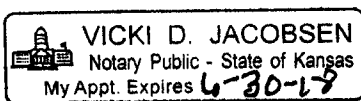
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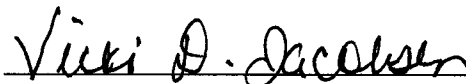
STATE OF KANSAS                     )  
  ) ss.  
COUNTY OF SHAWNEE            )

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 *Motion to Suspend Motor Carrier Operations in Kansas*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.

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

SUBSCRIBED AND SWORN to before me this 3<sup>rd</sup> day of March, 2017.



  
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Notary Public

My Appointment Expires: June 30, 2018

**CERTIFICATE OF SERVICE**

12-GIMM-423-KHP

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Suspend Motor Carrier Operations in Kansas was placed in the United States mail, postage prepaid, or hand-delivered this 3<sup>rd</sup> day of March, 2017, to the following:

RICHARD CARRUTHERS, PRESIDENT  
CARRY YOURS A DIVISION OF CFSI, INC.  
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MARIETTA, GA 30066

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Vicki Jacobsen