



U.S. Department of  
Transportation

**Federal Motor Carrier  
Safety Administration**

**Midwestern Service Center**

FEDEX  
7963 5616 8164

February 19, 2009

19900 Governors Drive, Suite 210  
Olympia Fields, IL 60461

Phone: (708) 283-3577  
Fax: (708) 283-3565

**NOTICE OF DEFAULT  
AND  
FINAL AGENCY ORDER**

**CHRISTOPHER ESTRADA**

**(b)(6); (b)(7)(C)**

**Re: Case Number: OH-2009-0054-US1211**

Dear Sir or Madam:

This letter is a notice of default and final agency order ("Order"), and demand for payment of the outstanding debt owed to the United States Department of Transportation, Federal Motor Carrier Safety Administration, for violation(s) of Federal Motor Carrier Safety Regulations, Hazardous Material Regulations, and/or Federal Motor Carrier Commercial Regulations.

CHRISTOPHER ESTRADA was notified of the proposed penalty assessment in the amount of **\$440.00** by a Notice of Claim served on CHRISTOPHER ESTRADA on January 14, 2009.

Pursuant to 49 C.F.R. § 386.14(c), because CHRISTOPHER ESTRADA failed to reply to the Notice of Claim within thirty (30) days of the service of the Notice of Claim, CHRISTOPHER ESTRADA is in default. The default causes the Notice of Claim, including the civil penalty proposed in the Notice of Claim, to automatically become the Final Agency Order in this proceeding. The Final Agency Order is effective five (5) days after the service of this Order. **In this case the Final Agency Order is effective on February 24, 2009.** The default constitutes an admission of all facts and violations alleged in the Notice of Claim and a waiver of CHRISTOPHER ESTRADA's opportunity to contest the claim. These violations shall constitute a history of prior offenses in any future civil penalty proceeding and may lead to higher penalties in future enforcement actions and adverse future SafeStat rankings.

Payment of the outstanding balance in the amount of **\$440.00** is due and payable **on February 24, 2009**. You may pay electronically through our SAFER website at <http://safer.fmcsa.dot.gov> by selecting "Online Fine Payment" option under the FMCSA Service section. Alternatively, you can mail your

**cashier's check, certified check or money order payable to the **Federal Motor Carrier Safety Administration**. The payment should be mailed to:**

Federal Motor Carrier Safety Administration  
Midwestern Service Center  
19900 Governors Drive, Suite 210  
Olympia Fields, IL 60461

Pursuant to 49 C.F.R. § 386.14(c)(3), failure to pay the civil penalty as directed in this Order constitutes a violation of the Order, and subjects CHRISTOPHER ESTRADA to additional penalties as prescribed in the regulations. Additionally, CHRISTOPHER ESTRADA may be liable for interest and administrative penalties.

If CHRISTOPHER ESTRADA fails to pay this debt, CHRISTOPHER ESTRADA will be prohibited from operating in interstate commerce pursuant to 49 C.F.R. § 386.83. If CHRISTOPHER ESTRADA is registered as a for-hire motor carrier, freight forwarder, or broker, CHRISTOPHER ESTRADA's registration will be suspended in accordance with 49 C.F.R. § 386.84. CHRISTOPHER ESTRADA may, in accordance with State laws, be subject to additional penalties such as suspension and/or revocation of State vehicle registration privileges. Additionally, the Order will be referred to the United States Department of Treasury for collection, and may also be referred to the Attorney General for an action to be brought in the United States District Court to enforce the Final Agency Order and collect the civil penalty.

Pursuant to 49 C.F.R. § 386.64, CHRISTOPHER ESTRADA may file a petition for reconsideration of the Final Agency Order within 20 days after the service of this Order. The original petition for reconsideration must be filed in accordance with 49 C.F.R. § 386.7 with the Assistant Administrator by personal delivery or mail addressed as follows:

U.S. Department of Transportation  
Docket Operations, M-30  
West Building Ground Floor, Room W12-140  
1200 New Jersey Avenue, SE  
Washington, DC 20590

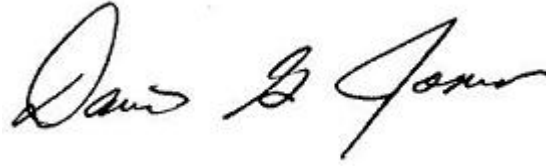
Copies of the petition for reconsideration must also be served on all persons listed in the Certificate of Service of this Notice of Default and Final Agency Order, pursuant to 49 C.F.R. §§ 386.6 and 386.7. The petition must include the following, which must also be provided to all persons on the Certificate of Service:

- (a) A copy of the Notice of Claim served on **January 14, 2009** in this case,
- (b) A copy of the Notice of Default and Final Agency Order served on **February 19, 2009**,
- (c) All evidence you are relying upon in support of the petition for reconsideration,<sup>[1]</sup> and
- (d) A Certificate of Service as required by 49 C.F.R. § 386.6(c).<sup>[2]</sup>

**Pursuant to 49 C.F.R. § 386.64(b), the only issue that will be considered upon reconsideration by the Assistant Administrator is whether a default has occurred under 49 C.F.R. § 386.14(c). The Final Agency Order may be vacated (set aside) where you can demonstrate excusable neglect, a meritorious defense, or due diligence in seeking relief to the Notice of Claim. If CHRISTOPHER ESTRADA files a petition for reconsideration in accordance with 49 C.F.R. § 386.64, the entire action will be stayed unless the Assistant Administrator orders otherwise.**

For questions regarding this Order, you may contact an Enforcement Program Specialist at (708) 283-3577.

Sincerely,

A handwritten signature in black ink, appearing to read "Darin G. Jones". The signature is fluid and cursive, with the first name "Darin" being the most prominent.

Darin G Jones, Field Administrator  
Federal Motor Carrier Safety Administration  
Midwestern Service Center  
19900 Governors Drive, Suite 210  
Olympia Fields, IL 60461

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[1] All written evidence shall be submitted in the following forms (a) a written statement of a person having personal knowledge of the facts alleged, or (b) documentary evidence in the form of exhibits attached to a written statement identifying the exhibit and giving its source. See 49 C.F.R. § 386.49.  
[2] A Certificate of Service shall accompany all documents served in a Civil Penalty Proceeding under 49 C.F.R. § 386. The certificate of service must show the date and manner of service, be signed by the person making service, and list the persons served. See 49 C.F.R. § 386.6(c).

## CERTIFICATE OF SERVICE

This is to certify that on February 19, 2009, the undersigned mailed or delivered, as specified, the designated number of copies of the **Notice of Default And Final Agency Order** to each of the parties listed below.

Each party listed below must receive the designated number of copies of each filing made in this proceeding in the future.

<p>CHRISTOPHER ESTRADA <b>(b)(6); (b)(7)(C)</b> Case # OH-2009-0054-US1211 U.S. DOT #</p>	<p>One Copy by:  FEDEX Tracking Number: 7963 5616 8164</p>
<p>LINDA GILLIAM, Division Administrator Ohio Division U.S. Department of Transportation Federal Motor Carrier Safety Administration 200 N HIGH STREET, ROOM 609 COLUMBUS, OH 43215</p>	<p>One Copy Internal Mail</p>
<p>Trial Attorney Federal Motor Carrier Safety Administration Midwestern Service Center 1990 Governors Drive, Suite 210 Olympia Fields, IL 60461</p>	<p>One Copy Internal Mail</p>
<p>U.S. Department of Transportation Federal Motor Carrier Safety Administration FMCSA Docket Clerk Midwestern Service Center 1990 Governors Drive, Suite 210 Olympia Fields, IL 60461</p>	<p>One Copy Internal Mail</p>

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