

**BEFORE THE  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

DEPARTMENT OF  
TRANSPORTATION  
SAFETY OPERATIONS

012 DEC -7 P 11:21

**In the Matter of:**

**LEX EXPRESS, INC. dba  
LEX EXPRESS,  
U.S. DOT # 824116**

**Petitioner.**

**Docket No. FMCSA-2012-0459  
(Midwestern Service Center)**

**SECOND INTERIM ORDER ON  
PETITION FOR REVIEW OF SAFETY RATING**

On October 31, 2012, Lex Express, Inc. dba Lex Express (Petitioner) filed a Petition for Administrative Review of a proposed Unsatisfactory safety rating. Petitioner's Unsatisfactory safety rating arose from an October 16, 2012 compliance review (CR) conducted by the Illinois State Police. On November 19, 2012, the Field Administrator for the Midwestern Service Center issued an Order to Cease All Transportation in Interstate and Intrastate Commerce and Revocation of Registration (Order to Cease), effective December 7, 2012 at 12:01 am.

Petitioner filed a Request for Immediate Stay of the Order to Cease on December 7, 2012, seeking a stay of the Order until the Agency has reached a determination on its petitions under 49 CFR 385.15 and 385.17. Petitioner argues that that the Agency should have rendered a decision on its 385.15 petition by December 2, 2012. Petitioner contends that it "cannot sustain loss in revenues and customers"<sup>1</sup> until a decision is issued.

Petitioner's allegations warrant a response from the Field Administrator for

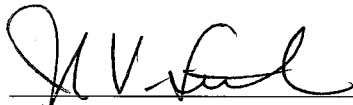
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<sup>1</sup> Petitioner's Request for Immediate Stay for Order to Cease All Transportation in Interstate Commerce and Revocation of Registration at 2.

FMCSA's Midwestern Service Center.

Accordingly, it is hereby ORDERED that the Field Administrator for FMCSA's Midwestern Service Center respond to Petitioner's Request for Stay no later than the close of business on Monday, December 10, 2012.

*It Is So Ordered.*



John Van Steenburg  
Assistant Administrator  
Federal Motor Carrier Safety Administration

12/7/12  
Date

**CERTIFICATE OF SERVICE**

This is to certify that on this 7 day of December, 2012, the undersigned mailed or delivered, as specified, the designated number of copies of the foregoing document to the persons listed below.

Robert L. Frazier  
Lex Express, Inc. dba Lex Express  
310 Tiffany Court  
Champaign, IL 61822

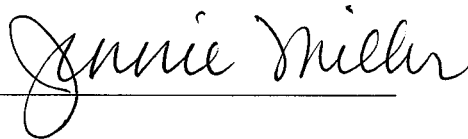
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Peter Snyder, Esq.  
Peter Hines, Esq.  
Office of Chief Counsel (MC-CCE)  
Federal Motor Carrier Safety Administration  
Midwestern Service Center  
4749 Lincoln Mall Drive  
Suite 300A  
Matteson, IL 60443

One Copy  
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U.S. Department of Transportation  
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West Building Ground Floor  
Room W12-140  
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Washington, DC 20590

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