



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons# : 0197876425 et al. (1 summonses) NEW YORK CITY POLICE DEPT, -against- HAK TUNA Hearing Date : 7/6/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount :	0.00	Community Service(Hr):	Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0197876425	Dismissed	01/13/2026	Worth St and West Broadway, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AD6L	AC 19-190(B)	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

This matter was heard remotely, via telephonic conference, on July 6, 2026. Respondent appeared via Michael Nacmias, identified as the attorney for the named respondent. Petitioner did not appear.

Also on the line is Faina Savich, a judicial hearing officer with OATH, to observe.

The summons alleges a violation of NYC AC 19-190(b). The date of occurrence was January 13, 2026, at 2:00pm.

Respondent requested that I review the affidavit of service, for this summons, I noted that it was not filled out. Respondent moved to dismiss, on these grounds. Respondent cites to Appeal No. 2000420 NYPD v. Barrett Cherelle (June 18, 2020.)

Respondent further testifies that the summons does not allege that respondent was in a motor vehicle, nor speak to the victim's right of way, nor fully describe their physical injury.

I credit respondent's testimony, but find that, as a matter of law, the summonses must be dismissed, as the affidavit of service is blank, and not filled out as all, and is therefore defective on its face.

As such, the summons is hereby dismissed.

 07/06/2026	07/06/2026
Craig Messing, Hearing Officer	Date