OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn,NY 11217	**Summons No: 0216281432 et al. (1 Summons)** **NEW YORK CITY POLICE DEPT,** **-against-** **DAVID P JEAN** **Hearing Date: 09/30/2026** **Hearing Location: Remote** **Type of Hearing: By Telephone**

Total Penalty Amount:**$0.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0216281432	Dismissed	08/11/2026	HOLLIS AVE & I/O SPRINGFIELD BLV Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AN22	A.C. 24-228.1	Dismissed	$0.00

Findings of Fact & Conclusions of Law

Respondent, DAVID P JEAN, appeared by his authorized representative, Michael Anthony Sargo, Esq., and petitioner, NYPD did not appear.

The Summons alleged a violation of § 24-228 1 of the Administrative Code of the City of New York for causing or permitting unreasonable noise from engine noise.

Respondent moved to dismiss for defective service and stated that the allegations did not make out a prima facie case for the cited section of law.

As to service:

Motion granted. I find the affirmation of service is blank and petitioner cannot sustain its burden.

As to merits:

Motion granted. I find that allegations merely restate the law.

Per Section 6-08(c)(2) of the Rules of the City of New York, the Summons must contain "[a] clear and concise statement sufficient to inform the Respondent with reasonable certainty and clarity of the essential facts alleged to constitute the violation or the violations charged, including the . . . place . . . where such facts were observed . . . ." I find the Summons fails to provide a concise statement sufficient to inform the Respondent with reasonable certainty and clarity of the essential facts alleged to constitute the violation.

Accordingly, I dismiss.

Linda Agoston

10/02/2026

10/02/2026

Linda Agoston, Judicial Hearing Officer **Date**