



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn, NY 11217	Summons No: 0216370780 et al. (1 Summons) DEPT OF PARKS, -against- AKASH NAIM Hearing Date: 08/28/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0216370780	Dismissed	04/24/2026	Heyen Marshall Playground (East Elmhurst) Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AA13	56RCNY 1-04(C)(3)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

A remote phone hearing was held on Summons Number 0216370780 on 8/28/2026.

Officer Jordan Ndubueze appeared at the hearing on behalf of the Petitioner, Department of Parks. Respondent was represented by Michael Anthony Sargo, Esq.

The handwritten summons that was issued to the Respondent alleges a violation of 56 RCNY 1-04(C)(3) for dumping garbage bag(s) on parks property. Officer Ndubueze relied on the narrative on the sworn-to-summons.

Mr. Sargo denied the charge on behalf of the Respondent and submitted Respondent's affidavit which states, among other things, that English was not his primary language and that he did not understand what the Issuing Officer was telling him at the time that the summons was being issued by the officer. He also denied dumping any garbage bags in the park.

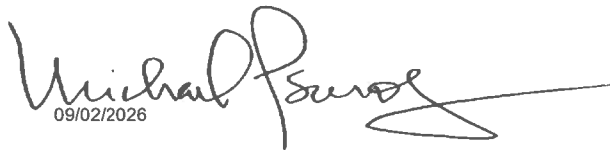
The rule written on the handwritten summons is illegible. It appears that the officer wrote over the rule number several times thereby making it difficult to decipher what the actual rule number is that is alleged to have been violated.

Under §5-04 of the OATH Rules ("Contents of Summons"), a summons must contain, at a minimum, all information required by the Rules of the City of New York. If the summons fails to provide the required information, a Hearing Officer, may dismiss the summons without prejudice.

Chapter 6-08 of the Rules of the City of New York requires that the information that a summons must contain is not only the date, time and location of the alleged violation, but a description of the nature of the violation sufficient to inform the Respondent of the prohibited conduct, the correct Rule or Administrative Code Section alleged to have been violated as well as the possible fine that the Respondent is facing if found guilty.

As the summons that was issued to Respondent fails to inform him as to the rule alleged to have been violated, I find the summons to be defective on its face and dismiss it.

DISMISSED.


09/02/2026

09/02/2026

Michael Psaros, Judicial Hearing Officer

Date