



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 0218974856 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- ERNESTO MARTINEZ Hearing Date: 05/20/2026 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
0218974856	Dismissed	03/30/2026	102 ST AND ASTORIA BLVD Queens

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

Findings of Fact & Conclusions of Law

The hearing was conducted via telephone conference call on May 20, 2026.

Michael Nacmias, attorney for Respondent, appeared at the hearing. No appearance on behalf of petitioner NYPD.

The summons charges AC 19-190(B) for failure to yield causing serious injury. Respondent's representative motioned to dismiss for no jurisdiction as the affidavit of service was blank and for failure to establish a prima facie case as the summons does not allege any serious injuries.

I find that service was proper in that the section "Unless otherwise indicated on the back, I did personally serve a true copy of the Summons on the Respondent named therein." was checked off by the IO.

However, this summons is dismissed for failure to establish a prima facie case as there was no description of any serious injuries or who had the right of way.



05/29/2026

05/29/2026

Alex Chung, Judicial Hearing Officer

Date