



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn, NY 11217	Summons No: 0221322247 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- JUAN BALICO SEDILLOS Hearing Date: 07/20/2026 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
0221322247	Dismissed	05/31/2026	WEBSTER AVE & SETON PLACWE Brooklyn

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

Findings of Fact & Conclusions of Law

Summons 0221322247 alleges a violation of § 19-190(b) of the Administrative Code of the City of New York (Code), for failing to yield to a pedestrian.

Petitioner, Police Department, did not appear at the hearing.

Respondent, Juan Balico Sedillos, appeared by attorney Michael Anthony Sargo, Esq.

Respondent's attorney moved to dismiss the summons, arguing that service was defective because the IO failed to sign or fill

in anything on the affidavit/certificate of service located on the reverse side of the summons. On the merits, he argued the summons failed to make out a prima facie case for the charge where they failed to allege any physical injury within the meaning of the statute.

Code § 19-190(b) provides, in pertinent part, “[A]ny driver of a motor vehicle who violates subdivision a of this section and whose motor vehicle causes contact with a pedestrian or person riding a bicycle and thereby causes physical injury . . . shall [] be subject to a civil penalty.” (Emphasis added.)

Code § 19-190(a) provides, in pertinent part, “Except as provided in subdivision b of this section, any driver of a motor vehicle who fails to yield to a pedestrian or person riding a bicycle when such pedestrian or person has the right of way . . . shall be subject to a civil penalty.”

I find that Petitioner failed to establish proper service. Here, the purported proof of service on the reverse side of the summons was left blank and not signed and Petitioner did not appear at the hearing to supplement its proof of service. See *NYPD v. Barrett Cherelle*, Appeal No. 2000420 (June 18, 2020).

On this record, I find that the IO’s statements on the summons fail to establish a *prima facie* violation because, although they allege that Respondent’s vehicle struck a pedestrian in a crosswalk, they do not allege that Respondent caused any physical injury to the pedestrian. See *NYPD v. Janet A. Feldberg*, Appeal No. 1800024 (Mar. 2, 2018)

Accordingly, the summons is dismissed.

K. Lawner

07/20/2026

07/20/2026

Kevin Lawner, Judicial Hearing Officer

Date