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:** 0222256953 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- TRACE D GORDON **Hearing Date:** 10/16/2026 **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
0222256953	Dismissed	07/16/2026	100 Sullivan Place 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

The summons is dismissed.

The Respondent, TRACE D GORDON, appeared by its counsel, Michael Nacmias, Esq., Nacmias Law Firm. The Petitioner, NYC POLICE DEPARTMENT, did not appear.

The summons alleges a violation of NYC Administrative Section 19-190(b) for a failure to yield to a pedestrian in a crosswalk leading to an injury. The Issuing Officer's statement in the violation details repeats the legal description of the violation.

Respondent counsel moved to dismiss the summons for defective service and failure to establish a prima facie case.

The motion is granted. The Petitioner is required by NYC OATH Rules to file an original or a copy of the summons, together with proof of service, with the Tribunal prior to the first scheduled hearing date. (NYC OATH Rules Section 6-08(1). There is no evidence in the record that Petitioner filed a completed proof of service for the instant violation. Therefore, the violation must be dismissed.

If I were not dismissing the violation for the agency failing to file a copy of a completed proof service, I would dismiss the summons for failing to establish a prima facie case.

The summons is dismissed.

Jamin R. Sewell

10/16/2026

10/16/2026

Jamin Sewell, Judicial Hearing Officer **Date**