



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: 0209368767 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- LIAN HUANG GUO Hearing Date: 01/15/2025 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
0209368767	Dismissed	11/27/2024	85th Street & Astoria Blvd Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	ADQ2	19-176 .2(B)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Respondent, Guo Lian Huang was issued the above summons allegedly violating the New York City Administrative Code §19-176.2(b). Michael Nacmias, Esq. appeared remotely as Respondent's counsel. Petitioner did not appear.

The details of the summons allege that the Respondent operated a motorized scooter on a NYC street.

As to the merits, Respondent's counsel argued that the summons fails to allege that the scooter was capable or propelling without human power and therefore meets the definition of a motorized scooter and subject to the statute.

Additionally, counsel argued that service was defective since the affidavit of service on the summons was blank.

I credit counsel's argument regarding service and find the summons is defective for failing to establish proper service. As to the merits, I find the summons as written alleges the Respondent was operating a motorized scooter and therefore establishes a prima facie case.

Accordingly, the summons is dismissed for defective service.

Christine

01/22/2025

01/22/2025

Christine Corrado, Hearing Officer

Date