



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, CA 11217	Summons No: 0219920810 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- MINXING QUI Hearing Date: 04/21/2025 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
0219920810	Dismissed	03/01/2025	barclay and 149th street 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

This hearing was conducted remotely by telephone. Michael Nachmias, Esq. appeared for Respondent. Petitioner was not present. Respondent was charged with a violation of Administrative Code 19.176.2(b).

Mr. Nachmias argued that the affidavit of summons was not signed and therefore the service is defective.

The summons is defective as the affidavit of service page is blank. The Board has stated in NYPD v. Ajaz B. Kiani, Appeal No. 1801238 (June 18, 2020), that upon Respondent's challenge to service, Petitioner failed to establish proper service where 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. Additionally, the time on the summons is unclear and thus I find that it does not establish a prima facie case. Accordingly, the summons is dismissed.



04/21/2025

04/21/2025

Genna Rosten, Hearing Officer

Date