



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: 0206085469 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- WANGWANG ZHANG Hearing Date: 03/14/2025 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
0206085469	Dismissed	01/23/2025	73 Avenue and Parsons 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

Michael Nacmias, Attorney for Respondent, WANGWANG ZHANG appeared for a hearing by telephone on March 14, 2025. Petitioner, New York City Police Department, did not appear. Respondent is charged with a violation of Section 19-176.2(b). The Issuing Officer states that he observed Respondent making deliveries on a black moped on an NYC street. The Affidavit of Service was left blank.

Respondent's counsel argues that the summons fails to make out a prima facie case, as it does not state that an motorized scooter was being used. In addition, he makes a motion to dismiss based on defective service.

I credit the summons, however it makes no mention of a motorized scooter. In addition, the Affidavit of Service is blank rendering service defective.

Accordingly, the Summons is dismissed



03/24/2025

03/24/2025

Amita Rodriguez, Hearing Officer

Date