



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: 0218368150 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- RAVOL ISROILV Hearing Date: 11/13/2024 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
0218368150	Dismissed	08/25/2024	417 BRIDGEWATER CT Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AX25	AC 10-125	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

The summons alleges that respondent committed a violation of the New York City Administrative Code section 10-125 with the following statement: "20oz margargarita .strawberry in car."

Michael Nacmias, attorney, appeared on behalf of Respondent. The Police Department did not appear.

Mr. Nacmias firstly moved to dismiss for defective service, noting that the affidavit of service is blank.

Mr. Nacmias also argued that the details do not make out a prima facie case, as they do not indicate who the beverage

belongs to or that it is an alcoholic beverage.

I credit the allegations contained in the summons. I find that the details are too vague to make out a prima facie violation. Furthermore, petitioner has failed to establish proper service as the affidavit of service is blank. Respondent's motion to dismiss for defective service is granted and the summons is dismissed.

Ricardo Luiggi

11/14/2024

11/14/2024

Ricardo Luiggi, Hearing Officer

Date