



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: 000875687P et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- CS TRUCKING LLC Hearing Date: 06/26/2025 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
000875687P	Dismissed	02/12/2024	222 Broadway Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA11	24-163 (F)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Summons: 000875687P

Hearing date: 6/26/25

Appearing for petitioner: NA (Waived)

Witness(es):

Appearing for respondent: J. Santis, as authorized representative

Witness(es):

The charge dated 2/12/2024, was idling for more than one minute adjacent to a school, first offense. Petitioner stated it relied on the summons and sworn statement of the issuing inspector.

Respondent there was no school on the block. Respondent testified it had viewed Petitioner's video tape and Google images.

Findings of Fact and Conclusions of Law:

Petitioner waived its appearance and relied on the summons as written. The court has not been presented with the videotape that respondent has seen.

I credit respondent's evidence.

On this record, I find that respondent has refuted the statement of facts as set out in the summons.

Accordingly, I dismiss the charge.

quit

06/26/2025

06/26/2025

Clive Morrick, Hearing Officer

Date