



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Sargo 592 Pacific Street 1 Floor Brooklyn, NY 11217	Summons No: 0218876617 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- BADRI MUSHKUDIANI Hearing Date: 06/06/2025 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
0218876617	Dismissed	04/16/2025	9TH STREET AND AVE AVE A Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AD6L	AC 19-190(B)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

This matter was heard remotely, via telephonic conference, on June 6, 2025. Respondent appeared via Michael Sargo, identified as the attorney for the named respondent. Petitioner did not appear.

The summons alleges a violation of NYC AC 19-190(b). The date of occurrence was April 16, 2025, at 6:07am.

Respondent requested that I review the affidavit of service, to see if it was filled out; I confirmed that it was not. Respondent moves to dismiss, on these grounds.

Respondent further moves to dismiss, on the grounds that the summons fails to state a prima facie case, as it does not allege an injury "with specificity."

I credit respondent's testimony, and find that, as a matter of law, this summons must be dismissed, as the affidavit of service, attached to the summons, is completely blank, and not filled in at all. OATH rules require that a petitioner submit both a valid summons, and proof of service; otherwise, OATH cannot assert jurisdiction over the matter.

As such, the summons is hereby dismissed.



06/06/2025

06/06/2025

Craig Messing, Hearing Officer

Date