



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: 0212243947 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- MAGED AL-SHOHATEE Hearing Date: 09/18/2025 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
0212243947	Dismissed	07/29/2025	IN FRONT OF FULTON ST / CRESENT ST Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AN46	A.C. 24-236(A)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Petitioner did not appear. Respondent appeared through attorney Michael Nacmias.

Summons 0212243947 charged a violation of Administrative Code § 24-236(a). The issuing officer observed Respondent driving vehicle with modified exhaust that was audible from over 250 feet away.

Respondent argued that the summons should be dismissed because the summons does not describe the vehicle adequately. He also argues that there is a different code section that applies to sounds heard over 200 feet away. Respondent offered no rebuttal of the merits.

The code states, "Motor vehicles, other than motorcycles, with a maximum gross weight of 10,000 lbs. or less. No person shall cause or permit any motor vehicle, other than a motorcycle, with a maximum gross weight of 10,000 lbs. or less to operate on a public right-of-way where the muffler or exhaust generates a sound that is plainly audible to another individual at a distance of 150 feet or more from the motor vehicle."

I grant Respondent's motion to dismiss. Administrative Code § 24-236 contains different subsections for different types of vehicles. Petitioner failed to plead the details, such as weight, that would indicate which subsection of the code is appropriate.

Accordingly, the summons is dismissed.



09/22/2025

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Theresa Leary, Hearing Officer

Date