



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
Hearings Division

**DECISION**

|                                                                                                       |                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Michael Nacmias, Esq. - Nacmias Law Firm</b><br>592 Pacific Street 1st Floor<br>Brooklyn, NY 11217 | <b>Summons No: 0220216343 et al. (1 Summons)</b><br><br><b>NEW YORK CITY POLICE DEPT,</b><br><br><b>-against-</b><br><br><b>DAVITI GUERESHIDZE</b><br><br><b>Hearing Date: 02/17/2026</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$0.00</b>          |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>            |
|------------------|----------------------------|---------------------------|---------------------------------------|
| 0220216343       | Dismissed                  | 12/28/2025                | BATH AVENUE & BAY PARKWAY<br>Brooklyn |

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

**Findings of Fact & Conclusions of Law**

On December 28, 2025, the New York City Police Department issued Summons No. 0220216343 to Daviti Gureshloze ("the Respondent"), charging a violation of the Administrative Code of the City of New York ("Code") Section 19-190(b), alleging that the Respondent failed to yield the right of way, thereby causing injury, by Bath Avenue and Bay Parkway, Brooklyn, NY. The Issuing Officer ("IO") stated that at 7:15 PM on December 28, 2025, "At t/p/o I/O was informed by Gureshidze, Daviti that he failed to yield to pedestrian in crosswalk."

On February 17, 2026, Michael Nacmias, counsel for the Respondent, appeared at hearing on behalf of the Respondent. No one from the NYPD appeared.

Respondent's counsel argued the Petitioner failed to provide proof of service, as the affidavit of service is blank. The Respondent's counsel also argued that the IO failed to establish a prima facie code violation, as the summons does not allege the Respondent was a motorist or that the Respondent caused physical injury.

Failed to provide proof of service- 2000420, no PF, doesn't allege motorist or physical injury

In this matter, the affidavit of service is completely blank and unsigned, and so I find that service was defective here. However, even if Respondent had been properly served, I find that the IO did not establish a prima facie 19-190(b) violation. 19-190(b) refers to 19-190(a), which states in pertinent part: "...any driver of a motor vehicle who fails to yield to a pedestrian or person riding a bicycle when such pedestrian or person has the right of way shall be guilty of a traffic infraction." 19-190(b) incorporates 19-190(a) but pertains to "...any driver of a motor vehicle who violates subdivision a of this section and whose motor vehicle causes contact with a pedestrian or person riding a bicycle and thereby causes physical injury."

The IO provided minimal detail in the summons, and did not allege that the pedestrian had the right of way or whether the Respondent caused injury to the pedestrian.

Accordingly, the Code charge Section 19-190(b) is dismissed.



02/17/2026

02/17/2026

Ashley Mitchell, Judicial Hearing Officer

Date