



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: 0211688236 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- RAUL MARTINEZ Hearing Date: 12/11/2024 Hearing Location: Remote Type of Hearing: By Telephone
---	---

Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0211688236	Dismissed	06/10/2024	5102 AVENUE N Brooklyn

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

Findings of Fact & Conclusions of Law

Michael Nacmias, Esq. appeared for Respondent. Petitioner NYPD did not appear and relied on the summons.

Respondent was cited for violating 10-125 open container. The details of charges is blank.

Mr. Nacmias challenged service. He cited Appeal No. 2000420. On the merits, he argued that the allegation section is blank. The summons also does not indicate the section of law (admin code, rules of city of NY,...).

The certificate of service is blank (Hearing Officer Exhibit 1). I find the service was defective. The summons is also defective

for not completing the allegation section and indicating the source of the cited section. The summons is dismissed.

<i>Viven Chiu</i>	
12/12/2024	12/12/2024
Viven Chiu, Hearing Officer	Date