



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: 0211660470 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- ANDREW MEGGS Hearing Date: 10/24/2024 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
0211660470	Dismissed	09/02/2024	Eastern Parkway Brooklyn

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

Findings of Fact & Conclusions of Law

The hearing was conducted via telephone conference call October 24, 2024.

Michael Nacmias, attorney for Respondent, Andrew Meggs, appeared at the hearing. No appearance on behalf of Petitioner NYPD.

Summons 0211660470 charges 19-190(B) for right of way/failure to yield causing injury.

Mr. Nacmias stated that Petitioner failed to provide proof of service because the affidavit of service on the back of the

summons was left blank. He also stated that the summons does not describe an injury and it states "right a way" and not right-of-way.

The Board finds that upon Respondent's challenge to service, Petitioner failed to establish proper service where the purported proof of service on the reverse side of the summons was left blank and not signed and Petitioner did not appear at the hearing to supplement its proof of service. See *NYPD v. Ajaz B. Kiani*, Appeal No. 1801238 (June 18, 2020) and *NYPD v. Barrett Cherelle*, Appeal No. 2000420 (June 18, 2020).

I find that upon Respondent's challenge to service, Petitioner failed to establish proper service since the affidavit of service on the back of the summons was blank and Petitioner did not appear at the hearing to provide additional proof. Because I am dismissing the summons due to failure to establish service, I will not address the other arguments made by Mr. Nacmias that challenge other aspects of the face of the summons.

For this reason, this summons is dismissed.

 Jennifer Cook, Esq.	
10/28/2024	10/28/2024
Jennifer Cook, Hearing Officer	Date