



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: 0217048490 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- ILYA AYZENBERG Hearing Date: 01/22/2025 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
0217048490	Dismissed	09/07/2024	AVENUE X / E 26 STREET 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

Michael Nacmias, Esq. appeared for Respondent. Petitioner NYPD did not appear.

Respondent was cited for violating AC 19-190(b) for failure to yield causing physical injury. The summons alleges that the motorist failed to yield to pedestrian.

Mr. Nacmias stated that the Certificate of Service is blank and argued defective service. He cited Appeal No. 2000420. On the merits, he argued the summons does not establish a prima facie case as it fails to allege physical injury.

I find service is defective. The summons also fails to establish a prima facie case. The summons is dismissed.

Viven Chiu

01/22/2025

01/22/2025

Viven Chiu, Hearing Officer

Date