



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: 0207658761 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- THOMAS T CHAVIS Hearing Date: 01/03/2025 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
0207658761	Dismissed	11/14/2024	20-43 Crest Road Queens

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

Findings of Fact & Conclusions of Law

Respondent, THOMAS T. CHAVIS, appeared by his attorney, Michael Nacmias, Esq. in response to the above issued summons for an alleged violation of New York City Administrative Code 19-190(b). Petitioner, Police Department, did not appear.

Mr. Nacmias moved to dismiss the summons for defective service due to the blank affidavit of service. He also argued that the summons failed to state a prima facie case as no physical injury was alleged. Both the mail-in and maximum penalties are missing in the summons.

Motion to dismiss for defective service is granted. I find *NYPD v. Barrett Cherelle*, Appeal No. 2000420, to be on point and controlling in this matter. Accordingly, summons is dismissed for deficient service, and it is unnecessary to address the merits, or any other arguments made at the hearing.



01/07/2025

01/07/2025

Kiara Ampuero, Hearing Officer

Date