



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Mr. Michael Nacmias, Esq. 592 Pacific Street BROOKLYN,NY 11217	Summons No: 0202377735 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- MAMADOU BARRY Hearing Date: 04/30/2025 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
0202377735	Dismissed	12/23/2024	10711 Flatlands Avenue Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AD62	A.C. 19-176(b)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Respondent received an NYPD summons for a violation of Section 19-176(b) of the New York City Administrative Code for riding a bicycle on a public sidewalk. In the summons, the issuing officer (IO) stated that on December 23, 2024 at 0:01 AM, "at T/P/O defendant was observed riding a bicycle on the sidewalk" at 10711 Flatlands Avenue, Brooklyn, NY.

In a phone in hearing, Mr. Michael Nacmias, attorney for Respondent, appeared. He made two motions to dismiss. The first motion as for defective service as the affidavit of service is blank. The second motion was to dismiss on the merits as there was no mention of a sign stating that bicycle riding is unpermitted.

Here, I grant Mr. Nachmias' motion to dismiss on defective service because the affidavit of service is blank. Further, I grant his motion to dismiss on the merits as the summons does not indicate a sign present disallowing bicycle riding. As such, the violation is dismissed.



04/30/2025

04/30/2025

Lori Costello, Hearing Officer

Date