



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: 0219780110 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- MILTON GUAMA Hearing Date: 05/19/2025 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
0219780110	Dismissed	03/20/2025	92-13 ROOSEVELT AVENUE Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AN04	24-218 (A)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Respondent was charged with a violation of AC 24-218(A). The Respondent's attorney Michael Namias appeared. The Petitioner did not appear. Respondent's attorney waived the right to the issuing officer/inspector. Respondent's attorney argues that the summons is defective as the affidavit of service page is blank. Respondent's attorney further argued that the summons is illegible and does not establish a prima facie case.

The Summons is illegible in that the location of the occurrence, time of occurrence, and details of charge are illegible. Further the summons is defective as the affidavit of service page is blank. The Board has stated in NYPD v. Ajaz B. Kiani, Appeal No. 1801238 (June 18, 2020), 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. Accordingly , the summons is defective on its face and it is dismissed.



05/19/2025

05/19/2025

Genna Rosten, Hearing Officer

Date