



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                              |                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Mr. Michael Nacmias, Esq.</b><br>592 Pacific Street<br>Brooklyn, NY 11217 | <b>Summons No: 0216225828 et al. (1 Summons)</b><br><br><b>NEW YORK CITY POLICE DEPT,</b><br><br><b>-against-</b><br><br><b>FRANCISCO MORALES</b><br><br><b>Hearing Date: 04/30/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$0.00</b>          |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>           |
|------------------|----------------------------|---------------------------|--------------------------------------|
| 0216225828       | Dismissed                  | 03/10/2025                | 87th Road and 148th Street<br>Queens |

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

**Findings of Fact & Conclusions of Law**

Respondent received an NYPD summons for a violation of Section 19-190(B) of the New York City Administrative Code for failure to yield. In the summons, the issuing officer (IO) stated that on March 10, 2025 at 10:10 AM, "right of way failure to yield personal injury" at 87th Road and 148th Street, Queens, NY.

In a phone in hearing, Mr. Michael Nacmias, attorney for Respondent, appeared. He made two motions to dismiss. The first motion was for defective service as the affidavit of service is blank. The second motion was failure to state a prima facie case as the summons does not indicate a pedestrian was injured and does not establish a connection between the Respondent and the alleged incident.

Here, I grant both motions to dismiss. The service is defective as the affidavit of service is blank. I also dismiss on the grounds that it fails to establish a prima facie case. As such, based on the foregoing, I dismiss the violation.



04/30/2025

04/30/2025

Lori Costello, Hearing Officer

Date