



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: 0218871016 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- JOSEPH CARIDI Hearing Date: 06/02/2025 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
0218871016	Dismissed	01/04/2025	1 Avenue and St Marks Place Manhattan

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

Findings of Fact & Conclusions of Law

This is a hearing by phone held June 2, 2025. Respondent, Joseph Caridi, appeared by Michael Nacmias, Esq. Petitioner, Police Department, did not appear.

Summons 0218871016 alleges a violation of § 19-190(b) of the New York City Administrative Code for failure to yield – physical injury.

Respondent's attorney moved to dismiss the summons arguing that the summons failed to make out a prima facie case since the summons fails to (i) allege that Respondent was driving a motor vehicle and (ii) fails to establish a physical injury.

I find that Respondent's attorney is correct that the summons does not state a prima facie case for the charge because materials elements are missing from the worn details, namely, that Respondent was driving a motor vehicle and the standard of physical injury. I also find the summons fails to mention whether pedestrian had the right of way.

Accordingly, the summons is dismissed.

<i>Sarah Axtell</i>	06/02/2025
Sarah Axtell, Hearing Officer	Date