



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 0218288144 et al. (1 summonses)

NEW YORK CITY POLICE DEPT,

-against-

ABUL HOSSAIN

Hearing Date : 4/6/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 0.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0218288144	Dismissed	02/14/2026	629 CHURCH AVE, Brooklyn

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

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

Petitioner did not appear. Respondent appeared through attorney Michael Nacmias.

Summons 0218288144 charged a violation of Administrative Code § 19-190(b) for failing to yield at a crosswalk resulting in physical injury to a pedestrian or cyclist.

The issuing officer wrote, "Right of Way – Failure to Yield. Physical Injury." On the second page, the "Affidavit (Certificate) of Service" is blank.

Respondent moved to dismiss the charge for failure to plead a prima facie case. The description does not plead facts linking the Respondent to physical conduct.

Section 19-190(b) imposes a fine on a motor vehicle that fails to yield to a pedestrian, comes in contact with the pedestrian, and causes a physical injury.

Before turning to the merits of the summons, service must be established. Per 48 RCNY § 6-08(a)(1), Petitioner is required to file proof of service before the hearing. Here, Petitioner has filed the summons without proof of service. Accordingly, the summons is dismissed.

Had service been effective, the summons would still be subject to dismissal for failure to plead a prima facie case. Petitioner has plead a conclusion of law without any facts.

The summons is dismissed.



04/06/2026

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Theresa Leary, Hearing Officer

Date