



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: 0216625851 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- KENY VIVENES Hearing Date: 10/28/2025 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
0216625851	Dismissed	05/17/2025	10 AVE / POST AVE Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AN31	A.C. 24-233(A)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Michael Nacmias, Esq. appeared via Court Call on 10/28/25. Petitioner, NYPD, did not appear.

Summons #0216625851 was issued on 05/17/25 in violation of §24-233(A).

Mr. Nacmias makes a motion to dismiss based on a blank affidavit of service. Mr. Nacmias further asserts that the summons lacks a prima facie case as no distance was recorded.

I credit Mr. Nahmias's testimony. Based on the facts and law this summons is dismissed based on defective service.

Malka Daniel

10/29/2025

10/29/2025

Malka Daniel, Judicial Hearing Officer

Date