



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: 0211987170 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- JAIME E BARAHONA Hearing Date: 02/24/2026 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
0211987170	Dismissed	05/22/2025	1016 5 AVENUE 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

Respondent, BARAHONA JAIME E, appeared by attorney Michael Nacmias, Esq., to answer the charge of § 19-190(b) of the Administrative Code of the City of New York (Code), for failing to yield to a pedestrian. In the summons, the issuing officer (IO) affirmed that, at the time and place of occurrence, "ped states she was walking on the crosswalk unk if the light was in her favor when respondent struck ped with vehicle. Ped sustained injuries to right side of her body." The summons was issued on May 22, 2025. Petitioner, Police Department, did not appear at the hearing.

Respondent's attorney moved to dismiss the summons, arguing (i) the summons failed to make out a prima facie case since the violation does not allege that Respondent was in the motor vehicle, and does not allege right of way or failure to yield; (ii)

the summons failed to make out a prima facie case since physical injury is not adequately defined and does not allege substantial injury or serious impairment; and (iii) the summons should be dismissed since the IO did not personally observe the incident.

Respondent's representative is correct that the summons does not state a prima facie case for the charge because material elements are missing from the sworn details, such as whether the pedestrian sustained a substantial injury or impairment.

Accordingly, the summons is dismissed.

03/05/2026

03/05/2026

Anna Stebbins, Judicial Hearing Officer

Date