



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: 0217942919 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- LOURDES MONTERO Hearing Date: 12/17/2025 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
0217942919	Dismissed	09/24/2025	47-02 99 St Queens

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 matter was heard remotely, via telephonic conference, on December 17, 2025. Respondent appeared via Michael Sargo, identified as the attorney for the named respondent. Petitioner did not appear.

The summons alleges a violation of NYC AC 18-190(b). The date of occurrence was September 24, 2025, at 5:30pm.

Respondent requested that I examine the affidavit of service, for this summons; I noted that it was blank. Respondent moved to dismiss, on these grounds. Moreover, respondent asserts that a claim under 19-190(b) requires that an injury be stated "with particularity," and moves to dismiss on these grounds as well.

I credit respondent's testimony, and find that, as a matter of law, this summons must be dismissed, as respondent correctly notes that the affidavit of service, attached to the summons, is completely blank, and not filled in at all. OATH rules require that a petitioner submit both a valid summons, and proof of service; otherwise, OATH cannot assert jurisdiction over the matter.

As such, the summons is hereby dismissed.



12/17/2025

12/17/2025

Craig Messing, Judicial Hearing Officer

Date