



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street Brooklyn, NY 11217	Summons No: 0215806810 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- RODERICK E. MARTIN Hearing Date: 01/14/2026 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
0215806810	Dismissed	11/24/2025	WB - Queens Blvd and 40 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

Petitioner, the NYC Police Department was not present. Respondent, RODERICK E. MARTIN, appeared by his attorney, Michael Nacmias, Esq. in response to the above issued summons for an alleged violation of New York City Administrative Code 19-190(b). The date of occurrence was November 24, 2025.

Respondent's counsel waived the presence of the issuing officer and a formal reading of the summons.

Respondent's counsel moved to dismiss the summons for defective service due to the blank affidavit of service. Respondent's counsel argued there is no jurisdiction on the Respondent. As to the merits, Respondent's counsel stated there is no prima

facie case. The summons does not allege a physical injury or who had the right of way.

Motion to dismiss for defective service is granted. I find *NYPD v. Barrett Cherelle*, Appeal No. 2000420, to be on point and controlling in this matter. Accordingly, summons is dismissed for deficient service, and it is unnecessary to address the merits, or any other arguments made at the hearing.



01/14/2026

01/14/2026

Kiara Ampuero, Judicial Hearing Officer

Date