



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                                                                     |                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Michael Nacmias, Esq. - Nacmias Law Firm</b><br><b>592 Pacific Street 1st Floor</b><br><b>Brooklyn, NY 11217</b> | <b>Summons No: 0215803538 et al. (1 Summons)</b><br><br><b>NEW YORK CITY POLICE DEPT,</b><br><br><b>-against-</b><br><br><b>LIONEL A TORRES</b><br><br><b>Hearing Date: 01/15/2026</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$0.00</b>          |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b> |
|------------------|----------------------------|---------------------------|----------------------------|
| 0215803538       | Dismissed                  | 11/25/2025                | 58 St and 43 Ave Queens    |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | AD6L                 | AC 19-190(B)                 | Dismissed     | \$0.00         |

**Findings of Fact & Conclusions of Law**

This matter was heard remotely, via telephonic conference, on January 15, 2026. Respondent appeared via Michael Nacmias, identified as the attorney for the named respondent. Petitioner did not appear.

The summons alleges a violation of NYC AC 19-190(b). The date of occurrence was November 25, 2025, at 7:52pm.

Respondent requests that I examine the affidavit of service, for this summons; I noted that it was not filled out. Respondent moves to dismiss, on these grounds. Respondent cites to NYPD v. Barrett Cherelle, Appeal No. 2000420 (June 18, 2020), in support of their motion to dismiss.

Respondent testifies that there is no allegation of a physical injury, and moves to dismiss for a failure to make out a prima facie case on the face of the summons.

I credit respondent's testimony, and find that, as a matter of law, this summons must be dismissed, as 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.



01/15/2026

01/15/2026

Craig Messing, Judicial Hearing Officer

Date