



Office of Administrative Trials and Hearings

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons# : 0220487740 et al. (1 summonses) NEW YORK CITY POLICE DEPT, -against- NICHOLAS RUGGIERO Hearing Date : 4/6/2026 Hearing Location : Remote Type of Hearing : By Telephone
---	---

Total Penalty Amount : 0.00	Community Service(Hr): Not Applicable
------------------------------------	--

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0220487740	Dismissed	02/15/2026	IFO WINDSOR / TERRACE, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AD6L	AC 19-190(B)	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

Petitioner did not appear. Respondent appeared through attorney Michael Nacmias.

Summons 0220487740 charged a violation of Administrative Code § 19-190(b) for failing to yield at a crosswalk resulting in physical injury to a pedestrian or cyclist.

The issuing officer wrote, "At TPO Deft did fail to yield to pedestrian riding a bicycle causing cyclist to have minor injury on knee." No penalty amount is written in the maximum penalty space. On the second page, the "Affidavit (Certificate) of Service" is blank.

Respondent moved to dismiss the charge for service, and for failure to allege a failure to yield, failure to plead who had the right of way, and because the injury described does not meet the definition of physical injury.

Section 19-190(b) imposes a fine on a motor vehicle that fails to yield to a pedestrian, comes in contact with the pedestrian, and causes a physical injury.

Before turning to the merits of the summons, service must be established. Per 48 RCNY § 6-08(a)(1), Petitioner is required to file proof of service before the hearing. Here, Petitioner has filed the summons without proof of service. Accordingly, the summons is dismissed.



04/06/2026

04/06/2026

Theresa Leary, Hearing Officer

Date