



Office of Administrative Trials and Hearings

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons# : 0219082380 et al. (1 summonses) NEW YORK CITY POLICE DEPT, -against- DENNIS HOSPEDALES Hearing Date : 4/6/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount :	0.00	Community Service(Hr):	Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0219082380	Dismissed	02/13/2026	1380 ROCKAWAY PARKWAY, 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 0219082380 charged a violation of "§ 19-190(b)" for failing to yield at a crosswalk resulting in physical injury to a pedestrian or cyclist. No body of law is indicated.

The issuing officer wrote, "Failure to yield right of way to Pedestrian causing physical injury." No penalty amount is written in either the minimum or maximum penalty space. On the second page, the "Affidavit (Certificate) of Service" is blank. Respondent asked that the blank Affidavit of Service be considered.

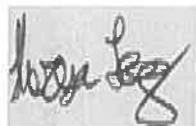
Section 19-190(b) imposes a fine on a motor vehicle that fails to yield to a pedestrian, comes in contact with the pedestrian, and causes a physical injury.

Respondent moved to dismiss the summons based on service, failure to plead the penalty, and failure to plead the body of law.

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.

Had service been effective, the summons would still be dismissed for failure to plead the body of law and penalty. A summons must contain a clear and concise statement sufficient to inform the Respondent with reasonable certainty and clarity of the essential facts alleged to constitute the violation or the violations charged, including the date, time where applicable, and place when and where such facts were observed. See 48 RCNY § 6-08(c)(2).

The summons is dismissed.



04/06/2026

04/06/2026

Theresa Leary, Hearing Officer

Date