



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: 0219068612 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- MARK WINKLER Hearing Date: 04/23/2026 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
0219068612	Dismissed	03/04/2026	W. 17 and Surf Avenue Brooklyn

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

Findings of Fact & Conclusions of Law

A hearing was held by telephone on April 23, 2026. The Respondent's attorney Michael Nacmias appeared. The Petitioner did not appear. Respondent was charged with failure to yield injury in violation of 19-190(b). The affidavit of service is blank.

Respondent's attorney argues that the summons is defective as the affidavit of service page is not signed. blank. He further argued that the summons cannot establish a prima facie case there is no allegation made to support a physical injury.

For the reasons stated in NYPD v. Ajaz B. Kiani, Appeal No. 1801238 (June 18, 2020), I find Petitioner failed to establish

proper service where the purported proof of service on the reverse side of the summons was left blank and not signed and Petitioner did not appear at the hearing to supplement its proof of service. Additionally the summons does not allege physical injury as required thus it fails to establish a prima facie case.

Summons is dismissed.



04/23/2026

04/23/2026

Janet Albertson, Judicial Hearing Officer

Date