



Appeal

Addendum to Section C

Summons Number: 

The original judge made mistakes of law and fact when reaching his guilty verdict. The verdict should be reversed.

**I raised the following defenses at my original hearing:**

"Dear Honorable Judge,

I certify as follows:

I am not guilty of this no-parking violation because:

-I pulled to the curb in our "neighborhood loading zone" to drop off my two children (ages 11 and 9).

-Earlier that afternoon, I picked them up from school.

-I stopped at the curb, opened the trunk, jumped out, and helped unload my children's things (heavy school backpacks, small computer, jackets, etc.)

Meanwhile, we finished the entire process promptly.

However, I saw this ticket on the windshield when I got back into the driver's seat and was about to drive away to look for a parking space.

I never noticed the TEA put the ticket on my car.

I have submitted a series of exhibits in support of my defense.

Due to these circumstances, please dismiss this parking ticket.

Thank you.

-I certify that my testimony is true to the best of my knowledge. I fully understand that if my testimony is willfully false, I am subject to punishment

-I certify that the images and photo in my exhibits are true and accurate reproductions of the originals as they existed on the date/time this parking ticket was issued.

Respectfully,



**The original judge found me guilty because:**

"The respondent has been charged with violating Traffic Rule 4-08(d) which prohibits parking a vehicle in violation of the restrictions posted on signs, markings or traffic control devices.

Respondent claimed that this is a neighborhood loading zone. They had picked up their children from school and were parked here while dropping them off at home which is at 627 E. 11 Street. They claimed that they opened the trunk and exited the vehicle to help their children unload their backpacks, computer, jackets, etc.

Respondent claimed that this took about five minutes and when they returned to the vehicle they found this summons.

Respondent submitted photos of the cited sign and the neighborhood loading zone sign attached to the same pole. The sign listed the rules of the loading zone. A map showing the sign was also submitted.

Respondent's statement and evidence do not persuasively establish that the vehicle was being actively unloaded at the time of summons issuance.

Guilty.

**Argument**

I offered my:

- Certified testimony
- Exhibits

Firstly, the original judge made a material mistake of fact when he wrongly stated that I left my car unattended after helping my children's unload their things from the trunk (heavy school backpacks, small computer, jackets, etc.).

But rather, I walked from the trunk to the front passenger side door, and got back into my car (to move it to a legal parking space). While my children walked the short distance from the neighborhood loading zone to our house.

"I stopped at the curb, opened the trunk, jumped

out and helped unload my children's things from the trunk (heavy school backpacks, small computer, jackets, etc.)

Meanwhile, we finished the entire process in less than 5-minutes.

However, when I walked back to the driver's seat, and was about to drive away to look for a parking space, I saw this ticket on the windshield.

I never saw the TEA put the ticket on my car."

(See, Exhibit 1 below):

**Exhibit 1**

This is the online image of the no-parking ticket. I am not guilty of this violation because:

-We live at 627 E 11th Street in NYC.

-I stopped in our "neighborhood loading zone" to drop off my two children (ages 11 and 9) from school.

I stopped at the curb, opened the trunk, jumped out and helped unload my children's things from the trunk (heavy school backpacks, small computer, jackets, etc.)

Meanwhile, we finished the entire process in less than 5-minutes.

However, when I walked back to the driver's seat, and was about to drive away to look for a parking space, I saw this ticket on the windshield.

I never saw the TEA put the ticket on my car.

The City of New York Notice of Parking Violation					
YOU MUST ANSWER WITHIN 30 DAYS OF THE DATE OF THIS TICKET. IF YOU DO NOT RESPOND, PENALTIES AND INTEREST WILL BE ADDED AND YOUR VEHICLE MAY BE BOOTED OR TOWED.					
Permit Displayed	Permit Number	Type			
N/S	N/A	N/A			
Name of the Operator, if present. If not present: OWNER OF THE VEHICLE BEARING LICENSE					
Plate	CD	Exp. Date	State	Plate Type	
AADX	B	04/04/23	NY	SRF	
Make	Color	Year	Body Type		
TESL	BL	2018	4DSD		
VIN #					
5YJ3E1EBXJF054195					
THE OPERATOR AND OWNER OF THE ABOVE VEHICLE ARE CHARGED AS FOLLOWS					
In Violation of NYC Traffic Rules, Section: 4-08(d)					
No Parking DAYSHRS: MON-FRI/8A-6P					
Place of Occurrence					
Front of 646 E 11th St					
VC	Meter # / Zone	Operational	Limit	County	Pct.
20				NY	009
Date/Time of Offense			Date/Time 1st Observed		
09/07/22 04:14 PM			N/A		
Complainant's Comments: No, Deiver, permit					
<b>FINE AMOUNT: \$ 65.00</b>					
Agency	Command	Tax Reg #	Device ID		
TRAFFIC	T-102	363147	HA6740		
Complainant's Name					
RAHMAN, M.					
Signature of Complainant					
X <i>Rahman</i>					

Meanwhile, it is difficult to find curbside parking in my neighborhood which makes the neighborhood loading zone a great space to safely drop off my children, unload their gear, and then search for a legal parking space.

I presented substantial, certified evidence that cannot be characterized as unpersuasive in support of my defense that I used the NLZ correctly for its intended purpose. (See, Young v City of New York Dept. of Fin. Parking Violations Adjudications 2007 NY Slip Op 51460(U) [16 Misc 3d 1117(A)] Decided on June 13,

2007 Supreme Court, New York County Goodman).

I offered this Exhibit in support of my defense:

**Exhibit 2**

The screenshot displays the DOT Parking Regulations Map interface. On the left, a sidebar shows a search for '648 E 11th Street, NYC' and a list of 24 signs. A bar chart indicates the number of signs for various categories: No Stopping (0), Bus Stop (1), Street Clearing (1), Other Curb Side (0), and No Parking (Non-ASP) (1). The 'Showing 24 Signs' section includes filters for 'Signs On Same Support' and 'Signs Nearby Each Other'. A red arrow points from the 'Showing 24 Signs' section to a callout box on the map. The callout box contains the following text:

There are 2 signs on same support

- NEIGHBORHOOD LOADING ZONE RULES SIGN 75 FT from AVENUE C On the South side of EAST 11 STREET
- NEIGHBORHOOD LOADING ZONE SIGN (SYMBOL) 75 FT from AVENUE C On the South side of EAST 11 STREET

The map shows the intersection of East 11th Street and Avenue C. A red pin is located at the intersection. The New York City DOT logo is visible in the bottom right corner of the map area.

This is the DOT Parking Regulations Map. I searched for the place of occurrence, Front 648 E 11th Street, NYC. This area was our neighborhood loading zone.

**Exhibit 3**



This is the DOT Parking Regulations Map, Street View. I searched for the place of occurrence, Front 648 E 11th Street. This is the neighborhood loading zone where I dropped off my children.

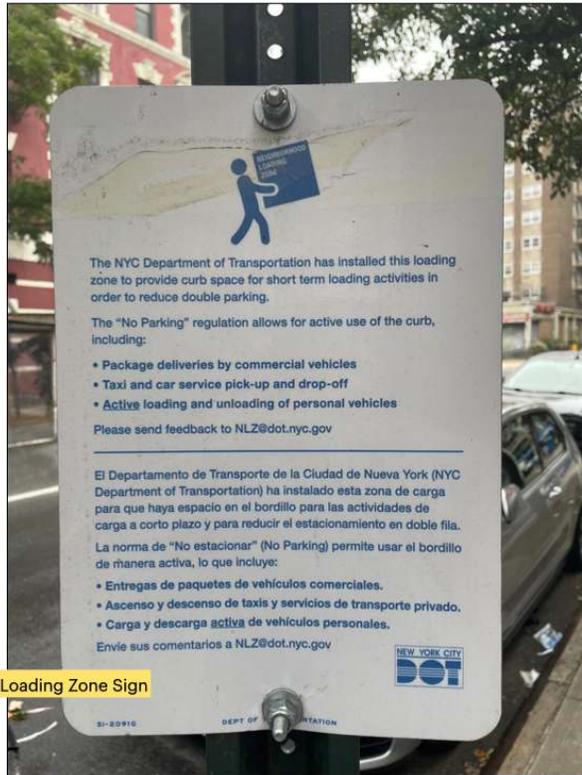
**Exhibit 4**



A closer view of the neighborhood loading zone sign

**Exhibit 5**

I took a photo of the neighborhood loading zone sign after getting this no-parking ticket.



Neighborhood Loading Zone Sign

Please right this wrong and dismiss the parking ticket.

Respectfully submitted,

