

# Two Summonses and Writing Class

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I am a sidewalk vendor, and in March of this year I received two summonses. I was shocked because I never had violations at my job. The first summons listed a violation: no hot water at time of inspection. Penalty for violation: two hundred dollars. The second summons listed: vending two feet, four inches from the crosswalk, and a certain penalty for violation.

I showed my two summonses to my son and my daughters. They thought these violations could not be dismissed. One of my friends who is a sidewalk vendor, too, advised me to ask a lawyer for help. He told me of a lawyer who appeared with him for hearings two times before. His first violation was dismissed, but the second one was admitted.

One day, when I went to the lawyer's office, his assistant met me and asked me about the real situation and copied my two summonses. She said when the lawyer came back, he would call me. I had to wait and wait. There wasn't any phone call back. In that time an idea struck me. I had to do it on my own. I thought our writing class would support me. The teachers and my classmates could back me up. I was fully confident that I could write a detailed statement based on the facts about each notice of violation. I handed it in to my teacher for correction, and then I read it in the class.

Here are my statements:

## Statement 1

Usually after English class at noon I make mini cakes on the street for sale. Every time when I start to work, I ignite to heat the water in the tank. For several years there was no problem on inspection.

On March 1st, 2006, it was different. After I went to see a doctor, I came back to work late. When I started to work there were four women in line to buy my cakes. I was surprised that the second woman was an inspector. She showed me her badge (license). I said to her, "You know, I just opened."

She checked the hot water and said, "No hot water."

I said, "I just opened and the weather is so cold. It takes time to warm up the water."

She took my blue paper (a permit) and then left. Several minutes later, she came back.

I told her, "Look, the water is hot and steaming now."

She went to open the cover of the tank and took a look. A lot of steam came out. She asked me to sign the paper and then gave me a summons (a ticket).

I asked her, "Why did you give me a ticket?"

She said, "The judge decides."

This is a fact: It is reasonable to take time to warm up the water.

## Statement 2

My processing cart was assigned to a particular spot on the sidewalk by the Fifth Police Precinct in Manhattan. I have worked there for five years without violation until March 28, 2006 at noon. When I pushed my cart to my spot, a big truck stayed there and was unloading rice for a store. The trucker driver knew that and said “sorry” to me and asked me to move a little temporarily.

I started to work for a short time. When the inspector came, I said I would move back right now. He said it was too late and gave me a ticket.

After he left I moved back to my original spot. He came back and asked me to sign the paper and gave me a summons.

I moved my cart a bit away from my spot not on purpose, and just temporarily.

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I appeared on the date of the hearing and in front of the judge read my statement in person. After my reading, the administrative law judge said he understood me and told me to wait for three weeks. He would send me the decision.

After some time, I received two letters saying the violations were dismissed.

I was very happy and lucky. I appreciate the two judges who gave me the judgment without bias and without favor. I thank the writing class, which gives me a very, very good chance to improve my English writing. I wish to express special acknowledgment of the teacher June and student-teacher Kristen for their corrections of my statement. Finally, very special thanks to my classmates for their support.