

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX: IA 17 X
NEGRON, RUDOLPH

Plaintiff(s),

Index No. 24098-05

- against -

DECISION/ORDER

Present:

Hon. JANICE L. BOWMAN

Justice

RECEIVED
APR 26 2007
GENERAL COUNSEL'S OFFICE

FILED
MAR 23 2007
BRONX COUNTY CLERK

NEW YORK STATE DIVISION OF

Defendant(s). X

The following papers numbered 1 to 5 Read on this OSC, ARTICLE 78
Noticed on January 10, 2006 and duly submitted as No. 21 on the Motion Calendar of _____

	<u>PAPERS NUMBERED</u>
Notice of Motion-Order to Show Cause - Exhibits and Affidavits Annexed-----	1-2, 3
Answering Affidavit and Exhibits-----	4-5
Replying Affidavit and Exhibits-----	
Affidavit-----	
Pleadings - Exhibit-----	
Stipulation - Referee's Report -Minutes-----	
Filed papers-----	

This petition has been referred to this Court for decision by the Supreme Court Justice at IA Part 3:(City Part) on **November 17, 2006**. Upon the foregoing papers and due deliberation thereof, the Decision/ Order on this petition is decided as follows:

Petitioner submitted the instant petition seeking judicial review of an order issued by the Acting Regional Director of the State Division of Human Rights. CPLR 7803(3) provides that the only question that may be raised in a proceeding under this article is whether a determination was made in violation of lawful procedure, was affected by an error of law or was arbitrary and capricious. In this matter petitioner has failed to establish entitlement to reversal of the respondent's decision. Specifically, petitioner did not provide evidence establishing that the decision complained of was contrary to the law or arbitrary and capricious. Accordingly, the petition is denied.

The foregoing constitutes the decision and ORDER of the Court.

Dated: 3/21/07

Hon. JL
JANICE L. BOWMAN, J.S.C.