

**ORDERED** that the application by petitioner seeking to vacate and annul a determination by respondent is respectfully transferred to the Appellate Division, First Department, for disposition, pursuant to CPLR 7804(g). This proceeding involves an issue as to whether a determination made as a result of a hearing held, and at which evidence was taken, pursuant to direction of law is, on the entire record, supported by substantial evidence (CPLR 7803(4)).

The Clerk is directed to transfer the file to the Appellate Division, First Department, upon service of a copy of this order with notice of entry.

The foregoing shall constitute the decision and order of this court.

Dated: \_\_\_\_\_

**ENTER:**

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**J.S.C.**