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This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 209 SSM 33
In the Matter of 47 Ave. B. East
Inc.,
Respondent,
v.
New York State Liquor Authority,
Appellant.

Submitted by Scott Weiner, for appellant.
Submitted by Martin P. Mehler, for respondent.

MEMORANDUM:

The order of the Appellate Division should be reversed with costs, and the petition dismissed. The State Liquor Authority (SLA)'s finding that petitioner permitted overcrowding on the premises in violation of SLA rules was supported by substantial evidence (300 Gramatan Ave. Assoc. v State Div. of Human Rights, 45 NY2d 176, 180 [1978]).

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On review of submissions pursuant to section 500.11 of the Rules, order reversed, with costs, and petition dismissed, in a memorandum. Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur. Chief Judge Lippman took no part.

Decided October 22, 2009