

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D57197
T/htr

_____AD3d_____

Submitted - September 25, 2018

RUTH C. BALKIN, J.P.
SANDRA L. SGROI
ROBERT J. MILLER
FRANCESCA E. CONNOLLY, JJ.

2016-09469

DECISION & JUDGMENT

In the Matter of Gregory Bilotto, appellant,
v New York State Department of Motor Vehicles,
respondent.

(Index No. 1060/16)

Gregory Bilotto, White Plains, NY, appellant pro se.

Barbara D. Underwood, Attorney General, New York, NY (Steven C. Wu and Mark H. Shawhan of counsel), for respondent.

Proceeding pursuant to CPLR article 78 to review a determination of the New York State Department of Motor Vehicles Appeals Board dated September 21, 2015, affirming a determination of an Administrative Law Judge dated March 6, 2015, which, after a hearing, found that the petitioner violated Vehicle and Traffic Law § 1180(d)(2).


ADJUDGED that the determination is confirmed, the petition is denied, and the proceeding is dismissed on the merits, with costs.

Contrary to the petitioner's contention, the determination that he violated Vehicle and Traffic Law § 1180(d)(2) by speeding is supported by substantial evidence (*see Matter of Molinsky v New York State Dept. of Motor Vehs.*, 105 AD3d 960; *Matter of Kobel v State of N.Y. Dept of Motor Vehs. Appeals Bd.*, 85 AD3d 916).

The petitioner's remaining contentions are not properly before this Court, since they

were not raised at the administrative hearing (*see Matter of Molinsky v New York State Dept. of Motor Vehs.*, 105 AD3d at 960).

BALKIN, J.P., SGROI, MILLER and CONNOLLY, JJ., concur.

ENTER: 

Aprilanne Agostino
Clerk of the Court