

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

D13194  
G/hu

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - November 15, 2006

ROBERT W. SCHMIDT, J.P.  
STEPHEN G. CRANE  
REINALDO E. RIVERA  
PETER B. SKELOS  
ROBERT J. LUNN, JJ.

---

2005-01710

DECISION & ORDER

The People, etc., respondent,  
v J.R. Keys, appellant.

(Ind. No. 363/01)

---

John M. Schwarz, Jr., Suffern, N.Y., for appellant.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Andrew R. Kass of counsel),  
for respondent.

Appeal by the defendant from a judgment of the County Court, Orange County (Berry, J.), rendered February 1, 2005, convicting him of attempted criminal sale of a controlled substance in the third degree, upon his plea of guilty, and imposing sentence.

ORDERED that the judgment is affirmed.

We have reviewed the record and agree with the defendant's assigned counsel that there are no nonfrivolous issues which could be raised on appeal. Counsel's application for leave to withdraw as counsel is granted (*see Anders v California*, 386 US 738; *People v Paige*, 54 AD2d 631; *cf. People v Gonzalez*, 47 NY2d 606).

SCHMIDT, J.P., CRANE, RIVERA, SKELOS and LUNN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 19, 2006

PEOPLE v KEYS, J.R.