

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

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_____AD3d_____

Submitted - November 29, 2006

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

2005-01752
2005-01753

DECISION & ORDER

The People, etc., respondent,
v Emanuel Moweta, appellant.

(Ind. Nos. 419-04, 537-04)

Robert C. Mitchell, Riverhead, N.Y. (Alfred J. Cicale of counsel), for appellant.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Steven A. Hovani of counsel),
for respondent.

Appeal by the defendant from two judgments of the County Court, Suffolk County (Gazzillo, J.), both rendered January 21, 2005, convicting him of burglary in the first degree under Indictment No. 419-04, and criminal sale of a controlled substance in the second degree under Indictment No. 537-04, upon his pleas of guilty, and imposing sentences.

ORDERED that the judgments are 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 the appeals. 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., RIVERA, SKELOS and LUNN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

December 26, 2006

PEOPLE v MOWETA, EMANUEL