

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

D13359
O/mv

_____AD3d_____

Submitted - December 6, 2006

STEPHEN G. CRANE, J.P.
WILLIAM F. MASTRO
FRED T. SANTUCCI
ROBERT A. LIFSON, JJ.

2005-09927

DECISION & ORDER

The People, etc., respondent,
v Clinton Marsh, appellant.

(Ind. No. 05-00518)

Edward C. Bruno, Pine Bush, N.Y., for appellant.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Daniel M. Reback of counsel),
for respondent.

Appeal by the defendant from a judgment of the County Court, Orange County (DeRosa, J.), rendered October 19, 2005, convicting him of criminal possession 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).

CRANE, J.P., MASTRO, SANTUCCI and LIFSON, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

January 16, 2007

PEOPLE v MARSH, CLINTON