

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

D14343  
G/hu

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

Submitted - February 28, 2007

STEPHEN G. CRANE, J.P.  
FRED T. SANTUCCI  
ANITA R. FLORIO  
MARK C. DILLON  
RUTH C. BALKIN, JJ.

---

2004-05782

DECISION & ORDER

The People, etc., respondent,  
v Eric Brooks, appellant.

(Ind. No. 2860-03)

---

William R. Weiselberg, Centereach, N.Y., for appellant.

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

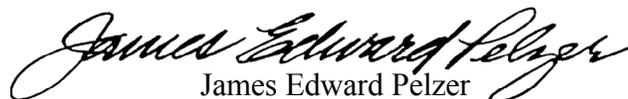
Appeal by the defendant from a judgment of the County Court, Suffolk County  
(Gazzillo, J.), rendered May 2, 2004, convicting him of attempted criminal sale of a controlled  
substance in the third degree, upon his plea of guilty, and imposing sentence.

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).

CRANE, J.P., SANTUCCI, FLORIO, DILLON and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

March 20, 2007

PEOPLE v BROOKS, ERIC