

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

D15463  
C/gts

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

Submitted - May 16, 2007

ROBERT W. SCHMIDT, J.P.  
GABRIEL M. KRAUSMAN  
GLORIA GOLDSTEIN  
JOSEPH COVELLO  
DANIEL D. ANGIOLILLO, JJ.

2006-06779

DECISION & ORDER

The People, etc., respondent,  
v Lloyd Pendleton, appellant.

(Ind. No. 2923/05)

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 a judgment of the County Court, Suffolk County  
(Hudson, J.), rendered June 30, 2006, convicting him of driving while intoxicated, 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., KRAUSMAN, GOLDSTEIN, COVELLO and ANGIOLILLO, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

June 12, 2007

PEOPLE v PENDLETON, LLOYD