

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

D15782  
C/gts

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Submitted - May 30, 2007

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

2004-08418

DECISION & ORDER

People of State of New York, respondent,  
v Richard Windham, appellant.

Andrew S. Worgan, Kew Gardens, N.Y. (Anne J. D'Elia of counsel), for appellant.

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

Appeal by the defendant from an order of the County Court, Suffolk County (Hudson, J.), dated August 30, 2004, which, after a hearing, designated him a level three sex offender pursuant to Correction Law article 6-C.

ORDERED that the order is affirmed, without costs or disbursements.

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

July 10, 2007

PEOPLE OF STATE OF NEW YORK v WINDHAM