

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

D16302  
Y/hu

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

Submitted - September 5, 2007

STEPHEN G. CRANE, J.P.  
DAVID S. RITTER  
STEVEN W. FISHER  
JOSEPH COVELLO  
THOMAS A. DICKERSON, JJ.

---

2006-08251

DECISION & ORDER

The People, etc., respondent,  
v Anthony R. Messina, appellant.

(Ind. No. 06-00401)

---

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.

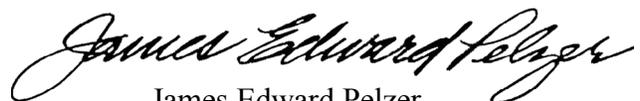
Appeal by the defendant from a judgment of the County Court, Orange County (DeRosa, J.), rendered August 17, 2006, convicting him of burglary in the third degree, upon his plea of guilty, and imposing sentence.

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., RITTER, FISHER, COVELLO and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

September 25, 2007

PEOPLE v MESSINA, ANTHONY R.