

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

D16309  
G/cb

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

Submitted - September 5, 2007

REINALDO E. RIVERA, J.P.  
GABRIEL M. KRAUSMAN  
ANITA R. FLORIO  
EDWARD D. CARNI  
RUTH C. BALKIN, JJ.

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2006-05719

DECISION & ORDER

The People, etc., respondent,  
v John Guerra, appellant.

(S.C.I. No. 113/06)

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Arza Feldman, Uniondale, N.Y., for appellant.

William V. Grady, District Attorney, Poughkeepsie, N.Y. (Bridget Rahilly Steller of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Dutchess County (Hayes, J.), rendered May 15, 2006, convicting him of criminal possession of a weapon 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).

RIVERA, J.P., KRAUSMAN, FLORIO, CARNI and BALKIN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

September 25, 2007

PEOPLE v GUERRA, JOHN