

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

D16464
O/kmg

_____AD3d_____

Submitted - September 19, 2007

FRED T. SANTUCCI, J.P.
GLORIA GOLDSTEIN
MARK C. DILLON
DANIEL D. ANGIOLILLO, JJ.

2006-08594

DECISION & ORDER

The People, etc., respondent,
v Brian Giggey, appellant.

(Ind. No. 123/05)

Bruce A. Petito, Poughkeepsie, 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 August 15, 2006, convicting him of manslaughter in the second degree and arson in the second 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).

SANTUCCI, J.P., GOLDSTEIN, DILLON and ANGIOLILLO, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

October 9, 2007

PEOPLE v GIGGEY, BRIAN