

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

D18612
Y/prt

_____AD3d_____

Submitted - February 27, 2008

PETER B. SKELOS, J.P.
FRED T. SANTUCCI
JOSEPH COVELLO
WILLIAM E. McCARTHY
CHERYL E. CHAMBERS, JJ.

2007-01723

DECISION & ORDER

The People, etc., respondent,
v Thomas Elluzzi, appellant.

(Ind. No. 2984-06)

Robert C. Mitchell, Riverhead, N.Y. (Kirk R. Brandt 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
(Hinrichs, J.), rendered February 8, 2007, convicting him of petit larceny, 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).

SKELOS, J.P., SANTUCCI, COVELLO, McCARTHY and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

April 1, 2008

PEOPLE v ELLUZZI, THOMAS