

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

D19084  
Y/kmg

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Submitted - April 9, 2008

REINALDO E. RIVERA, J.P.  
ROBERT A. LIFSON  
HOWARD MILLER  
EDWARD D. CARNI  
RANDALL T. ENG, JJ.

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2007-04087

DECISION & ORDER

The People, etc., respondent,  
v Clifford Burgess, appellant.

(Ind. No. 722/06)

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Russell C. Morea, Smithtown, N.Y., for appellant.

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

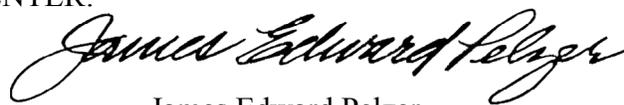
Appeal by the defendant from a judgment of the Supreme Court, Nassau County (Honorof, J.), rendered April 13, 2007, convicting him of robbery in the first degree (three counts) and criminal use of a firearm in the first degree (three counts), upon his plea of guilty, and imposing sentence.

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., LIFSON, MILLER, CARNI and ENG, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 6, 2008

PEOPLE v BURGESS, CLIFFORD