

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

D19364

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_____AD3d_____

Submitted - April 23, 2008

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

2004-10461

DECISION & ORDER

The People, etc., respondent,
v Ronald Haynes, appellant.

(Ind. No. 6705/03)

Lynn W. L. Fahey, New York, N.Y. (Winston McIntosh of counsel), for appellant,
and appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Karol B.
Mangum of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Del
Giudice, J.), rendered May 13, 2004, 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).

May 20, 2008

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The issues raised by the defendant in his supplemental pro se brief are precluded by his knowingly, intelligently, and voluntarily executed waiver of his right to appeal (*see People v Lopez*, 6 NY3d 248; *People v Silent*, 37 AD3d 625; *People v Burke*, 25 AD3d 722).

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

ENTER:

A handwritten signature in black ink that reads "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court