

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

D19540  
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Submitted - May 14, 2008

ROBERT A. SPOLZINO, J.P.  
DAVID S. RITTER  
MARK C. DILLON  
RUTH C. BALKIN  
JOHN M. LEVENTHAL, JJ.

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2005-05357  
2005-11133

DECISION & ORDER

The People, etc., respondent,  
v Leonard Moriah, appellant.

(Ind. Nos. 04-00088, 04-00876)

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Patricia M. Sullivan, White Plains, N.Y., for appellant, and appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Richard Longworth Hecht and Anthony J. Servino of counsel; Daniel R. Flecha on the brief), for respondent.

Appeals by the defendant from two judgments of the County Court, Westchester County (Loehr, J.), each rendered April 25, 2005, convicting him of robbery in the second degree under Westchester County Indictment No. 04-00088, and attempted rape in the first degree under Westchester County Indictment No. 04-00876, upon his pleas of guilty, and imposing sentences.

ORDERED that the judgments are 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).

June 3, 2008

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The defendant has not, nor could he have, raised any nonfrivolous issues in his supplemental pro se brief.

SPOLZINO, J.P., RITTER, DILLON, BALKIN and LEVENTHAL, 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