

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

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Submitted - September 3, 2008

REINALDO E. RIVERA, J.P.  
ANITA R. FLORIO  
DANIEL D. ANGIOLILLO  
WILLIAM E. McCARTHY  
CHERYL E. CHAMBERS, JJ.

2006-06471  
2006-06473

DECISION & ORDER

The People, etc., respondent,  
v Dale Rodriguez, appellant.

(Ind. Nos. 04-00554, 04-00658)

Steven A. Feldman, Uniondale, N.Y., for appellant.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Andrew R. Kass of counsel),  
for respondent.

Appeals by the defendant from two amended judgments of the County Court, Orange County (DeRosa, J.), both rendered June 29, 2006, revoking sentences of probation previously imposed by the same court, upon a finding that he had violated a condition thereof, after a hearing, and imposing sentences of imprisonment upon his previous convictions of aggravated unlicensed operation of a motor vehicle in the first degree under Indictment No. 04-00554 and operating a motor vehicle under the influence of alcohol in the first degree under Indictment No. 04-00658.

ORDERED that the amended 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).

RIVERA, J.P., FLORIO, ANGIOLILLO, McCARTHY and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

September 23, 2008

PEOPLE v RODRIGUEZ, DALE