

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

D21192
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_____AD3d_____

Submitted - October 3, 2008

WILLIAM F. MASTRO, J.P.
PETER B. SKELOS
RUTH C. BALKIN
ARIEL E. BELEN, JJ.

2007-05552

DECISION & ORDER

In the Matter of Semen Milman, appellant,
v Yeugeniy Shehupak, respondent.

(Docket No. O-08666-06)

Leighton M. Jackson, New York, N.Y., for appellant.

Michael C. Director, Garden City, N.Y., for respondent (no brief filed).

In a family offense proceeding pursuant to Family Court Act article 8, Semen Milman appeals from an order of the Family Court, Kings County (Hepner, J.), dated May 23, 2007, which, after a hearing, denied the petition and dismissed the proceeding. Assigned counsel has submitted a brief in accordance with *Anders v California* (386 US 738), in which he moves to be relieved of the assignment to prosecute this appeal.

ORDERED that the order is affirmed, without costs or disbursements.

We have reviewed the record and agree with the appellant's assigned counsel that there are no nonfrivolous issues which could be raised on appeal (*see e.g. Matter of Bodouva v Bodouva*, 53 AD3d 483; *Matter of Burke v Burke*, 45 AD3d 591, 592; *Matter of Hodges v Hodges*, 40 AD3d 639; *Matter of Lane v Lane*, 8 AD3d 486). Counsel's application for leave to withdraw as counsel is therefore granted (*see Matter of Ingle v Ingle*, 19 AD3d 420; *Matter of Mejias v Aleman*, 10 AD3d 421; *see also Anders v California*, 386 US 738).

MASTRO, J.P., SKELOS, BALKIN and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 25, 2008

MATTER OF MILMAN v SHEHUPAK