

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

D21690
Y/hu

_____AD3d_____

Submitted - December 3, 2008

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

2007-07373

DECISION & ORDER

The People, etc., respondent,
v Saul Hernandez, appellant.

(Ind. No. 1102-06)

Donna England, Centereach, 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 County Court, Suffolk County
(Hudson, J.), rendered October 20, 2006, convicting him of burglary in the second 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).

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

ENTER:



James Edward Pelzer
Clerk of the Court

January 20, 2009

PEOPLE v HERNANDEZ, SAUL