

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

D22117  
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Submitted - January 21, 2009

ROBERT A. SPOLZINO, J.P.  
DAVID S. RITTER  
JOSEPH COVELLO  
WILLIAM E. McCARTHY  
ARIEL E. BELEN, JJ.

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2007-08048

DECISION & ORDER

The People, etc., respondent, v Gregory Merritt,  
a/k/a Steven Jackson, appellant.

(Index No. 3760/06)

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Lynn W. L. Fahey, New York, N.Y. (Barry Stendig of counsel), for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Jodi L. Mandel of counsel), for respondents

Appeal by the defendant from a judgment of the Supreme Court, Kings County (Lott, J.), rendered August 14, 2007, convicting him of attempted 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).

SPOLZINO, J.P., RITTER, COVELLO, McCARTHY and BELEN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

February 10, 2009

PEOPLE v MERRITT, GREGORY, a/k/a JACKSON, STEVEN