

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

D22611
C/kmg

_____AD3d_____

Submitted - March 4, 2009

REINALDO E. RIVERA, J.P.
MARK C. DILLON
HOWARD MILLER
RUTH C. BALKIN
JOHN M. LEVENTHAL, JJ.

2007-07513

DECISION & ORDER

The People, etc., respondent,
v Herman Vasquez, appellant.

(Ind. No. 818/07)

John F. McGlynn, Rockville Centre, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Tammy J. Smiley of counsel;
Craig T. Lutterbein on the brief), for respondent.

Appeal by the defendant from a judgment of the County Court, Nassau County
(Calabrese, J.), rendered July 12, 2007, convicting him of criminal sexual act in the first 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., DILLON, MILLER, BALKIN and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

April 7, 2009

PEOPLE v VASQUEZ, HERMAN