

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

D22781
Y/kmg

_____AD3d_____

Submitted - March 11, 2009

REINALDO E. RIVERA, J.P.
MARK C. DILLON
JOSEPH COVELLO
RANDALL T. ENG, JJ.

2007-09467

DECISION & ORDER

The People, etc., respondent,
v Richard Ray, appellant.

(Ind. No. 2440/07)

Robert C. Mitchell, Riverhead, N.Y. (James H. Miller III of counsel), 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
(Toomey, J.), rendered September 6, 2007, convicting him of grand larceny in the fourth 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, COVELLO and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

April 21, 2009

PEOPLE v RAY, RICHARD