

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

D22860
G/kmg

_____AD3d_____

Submitted - March 18, 2009

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

2008-03610

DECISION & ORDER

The People, etc., respondent,
v Federico Ordaz-Ceja, appellant.

(Ind. No. 07-01254)

William E. Penny, Scarsdale, N.Y., for appellant.

Janet DiFiore, District Attorney, White Plains, N.Y. (Lois Cullen Valerio and Anthony J. Servino of counsel; Joseph A. Barca III on the brief), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Westchester County (Molea, J.), rendered March 18, 2008, convicting him of rape 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, COVELLO and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

April 21, 2009

PEOPLE v ORDAZ-CEJA, FEDERICO