

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

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_____AD3d_____

Submitted - March 18, 2009

ROBERT A. SPOLZINO, J.P.
FRED T. SANTUCCI
DANIEL D. ANGIOLILLO
JOHN M. LEVENTHAL, JJ.

2007-10941

DECISION & ORDER

The People, etc., respondent,
v Marilyn Mateo, appellant.

(Ind. No. 11534/93)

Steven Banks, New York, N.Y. (Bonnie B. Goldberg of counsel), for appellant.

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Edward F. X. Hart and
Jane L. Gordon of counsel), for respondent.

Appeal by the defendant from an amended judgment of the Supreme Court, Queens County (Wong, J.), rendered November 16, 2007, revoking a sentence of probation previously imposed by the same court upon a finding that she had violated a condition thereof, upon her admission, and imposing a sentence of eight months imprisonment upon her previous conviction of criminal possession of marijuana in the third degree.

ORDERED that the amended 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., SANTUCCI, ANGIOLILLO and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 9, 2009

PEOPLE v MATEO, MARILYN