

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

D24484  
Y/prt

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - September 8, 2009

STEVEN W. FISHER, J.P.  
RUTH C. BALKIN  
L. PRISCILLA HALL  
LEONARD B. AUSTIN, JJ.

---

2005-08996

DECISION & ORDER

The People, etc., respondent,  
v James R. Belter, appellant.

(Ind. No. 04-00919)

---

Kenneth Lyle Bunting, White Plains, N.Y., for appellant, and appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Maria I. Wager, Richard Longworth Hecht, and Anthony J. Servino of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Westchester County (Alessandro, J.), rendered August 30, 2005, convicting him of attempted 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).

The defendant has not, nor could he have, raised any nonfrivolous issues in his supplemental pro se brief.

FISHER, J.P., BALKIN, HALL and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 6, 2009

PEOPLE v BELTER, JAMES R.