

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

D24707
O/kmg

_____AD3d_____

Submitted - September 23, 2009

STEVEN W. FISHER, J.P.
ANITA R. FLORIO
DANIEL D. ANGIOLILLO
RANDALL T. ENG
SHERI S. ROMAN, JJ.

2008-02965
2008-02967

DECISION & ORDER

The People, etc., respondent,
v John Brown, appellant.

(Ind. Nos. 07-00634, 08-00110)

Thomas F. Diviny, Pearl River, N.Y., for appellant.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Lauren E. Dunnock and Andrew R. Kass of counsel), for respondent.

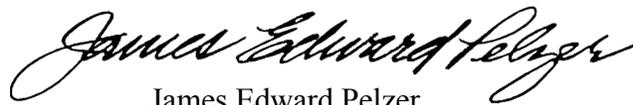
Appeals by the defendant from two judgments of the County Court, Orange County (Freehill, J.), both rendered March 21, 2008, convicting him of criminal sale of a controlled substance in the third degree under Indictment No. 07-00634 and criminal sale of a controlled substance in or near school grounds under Indictment No. 08-00110, upon his pleas of guilty, and imposing sentences.

ORDERED that the judgments are 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 the appeals. 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).

FISHER, J.P., FLORIO, ANGIOLILLO, ENG and ROMAN, JJ., concur.

ENTER:


James Edward Pelzer

October 20, 2009

PEOPLE v BROWN, JOHN

Clerk of the Court

October 20, 2009

PEOPLE v BROWN, JOHN