

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

D24863  
C/kmg

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Submitted - October 7, 2009

WILLIAM F. MASTRO, J.P.  
MARK C. DILLON  
THOMAS A. DICKERSON  
ARIEL E. BELEN  
PLUMMER E. LOTT, JJ.

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2008-04014

DECISION & ORDER

The People, etc., respondent,  
v Octavious Cooper, appellant.

(Ind. No. 07-00191)

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Steven A. Feldman, Uniondale, N.Y., for appellant, and appellant pro se.

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

Appeal by the defendant from a judgment of the County Court, Orange County (DeRosa, J.), rendered April 25, 2008, convicting him of criminal possession of a controlled substance in the third degree, upon his plea of guilty, and imposing sentence.

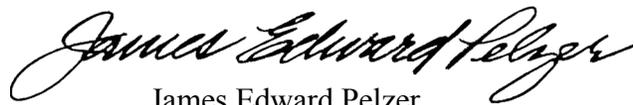
ORDERED that the judgment is affirmed.

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 (*see People v Williams*, 63 AD3d 1183; *People v Moriah*, 52 AD3d 534).

MASTRO, J.P., DILLON, DICKERSON, BELEN and LOTT, JJ., concur.

ENTER:

  
James Edward Pelzer

November 4, 2009

PEOPLE v COOPER, OCTAVIOUS

Clerk of the Court

November 4, 2009

PEOPLE v COOPER, OCTAVIOUS