

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

D25319  
Y/cb

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Submitted - November 4, 2009

REINALDO E. RIVERA, J.P.  
JOSEPH COVELLO  
DANIEL D. ANGIOLILLO  
JOHN M. LEVENTHAL  
SHERI S. ROMAN, JJ.

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2008-05757

DECISION & ORDER

The People, etc., respondent,  
v Jose Ramirez, appellant.

(Ind. No. 07-01461)

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Randall Richards, Bronxville, N.Y., for appellant.

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

Appeal by the defendant from a judgment of the Supreme Court, Westchester County (Molea, J.), rendered May 22, 2008, convicting him of attempted burglary in the second 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., COVELLO, ANGIOLILLO, LEVENTHAL and ROMAN, JJ., concur.

ENTER:

  
James Edward Pelzer

December 8, 2009

PEOPLE v RAMIREZ, JOSE

Clerk of the Court

December 8, 2009

PEOPLE v RAMIREZ, JOSE