

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

D26339  
C/ct

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

Submitted - January 27, 2010

STEVEN W. FISHER, J.P.  
FRED T. SANTUCCI  
DANIEL D. ANGIOLILLO  
L. PRISCILLA HALL  
PLUMMER E. LOTT, JJ.

2009-01322

DECISION & ORDER

The People, etc., respondent,  
v Richard Maldonado, appellant.

(Ind. No. 1910N-08)

Judah Maltz, Kew Gardens, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Andrew Fukuda of counsel,  
Matthew C. Frankel on the brief), for respondent.

Appeal by the defendant from a judgment of the County Court, Nassau County (Ayres, J.), rendered January 27, 2009, convicting him of burglary in the second degree and reckless endangerment in the first degree, upon his plea of guilty, and imposing sentence. Assigned counsel has submitted a brief in accordance with *Anders v California* (386 US 738) in which he moves to be relieved of the assignment to prosecute this appeal.

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).

FISHER, J.P., SANTUCCI, ANGIOLILLO, HALL and LOTT, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

March 2, 2010

PEOPLE v MALDONADO, RICHARD