

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

D26448
W/prt

_____AD3d_____

Submitted - February 24, 2010

REINALDO E. RIVERA, J.P.
ANITA R. FLORIO
THOMAS A. DICKERSON
ARIEL E. BELEN
SHERI S. ROMAN, JJ.

2008-11296

DECISION & ORDER

The People, etc., respondent, v
Anthony Lee Freeman, Jr., appellant.

(Ind. No. 1258/08)

Robert C. Mitchell, Riverhead, N.Y. (Alfred J. Cicale of counsel), for appellant.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Steven A. Hovani of counsel),
for respondent.

Appeal by the defendant from a judgment of the County Court, Suffolk County
(Gazzillo, J.), rendered December 3, 2008, convicting him of attempted criminal sale 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).

RIVERA, J.P., FLORIO, DICKERSON, BELEN and ROMAN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 9, 2010

PEOPLE v FREEMAN, ANTHONY LEE, JR.