

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

D26542
C/kmg

_____AD3d_____

Submitted - March 3, 2010

PETER B. SKELOS, J.P.
JOSEPH COVELLO
RANDALL T. ENG
CHERYL E. CHAMBERS
SANDRA L. SGROI, JJ.

2008-06724

DECISION & ORDER

The People, etc., respondent,
v Frank Genco, appellant.

(Ind. No. 08-00183)

Judith E. Permutt, Scarsdale, N.Y., for appellant.

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

Appeal by the defendant from a judgment of the County Court, Westchester County (Cacace, J.), rendered June 12, 2008, convicting him of criminal possession of stolen property in the fourth degree and unauthorized use of a motor vehicle 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).

SKELOS, J.P., COVELLO, ENG, CHAMBERS and SGROI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 16, 2010

PEOPLE v GENCO, FRANK