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

D28416
W/kmg

_____AD3d_____ Submitted - September 8, 2010

WILLIAM F. MASTRO, J.P.
ANITA R. FLORIO
THOMAS A. DICKERSON
ARIEL E. BELEN
PLUMMER E. LOTT, JJ.

2009-03626 DECISION & ORDER

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

(Ind. No. 08-00559)

Mark J. Fitzmaurice, White Plains, N.Y., for appellant.

Janet DiFiore, District Attorney, White Plains, N.Y. (Hae Jin Liu, Richard Longworth Hecht, and Anthony J. Servino of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Westchester County (Zambelli, J.), rendered February 3, 2009, convicting him of predatory sexual assault (two counts), upon his plea 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).

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

ENTER:

Matthew G. Kiernan
Clerk of the Court

October 5, 2010

PEOPLE v BROWN, RICHARD