

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

D28520
C/nl

_____AD3d_____

Submitted - September 22, 2010

MARK C. DILLON, J.P.
RUTH C. BALKIN
CHERYL E. CHAMBERS
SANDRA L. SGROI, JJ.

2007-09476

DECISION & ORDER

The People, etc., respondent,
v Jermaine Barrett, appellant.

(Ind. No. 5623/05)

Lynn W. L. Fahey, New York, N.Y., for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Thomas M. Ross of counsel; Robert Ho on the brief), for respondent.

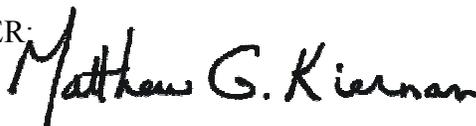
Appeal by the defendant from a judgment of the Supreme Court, Kings County (Tomei, J.), rendered March 7, 2007, convicting him of murder in the second degree, upon his plea of guilty, and imposing sentence.

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).

DILLON, J.P., BALKIN, CHAMBERS and SGROI, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

October 5, 2010

PEOPLE v BARRETT, JERMAINE