

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

D28706
C/prt

_____AD3d_____

Submitted - October 6, 2010

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

2009-08762

DECISION & ORDER

The People, etc., respondent,
v Michael L. Jones, appellant.

(S.C.I. No. 09-00360)

Clement S. Patti, Jr., White Plains, N.Y., for appellant.

Janet DiFiore, District Attorney, White Plains, N.Y. (Valerie A. Livingston and Anthony J. Servino of counsel; Sarah Caragiulo on the brief), for respondent.

Appeal by the defendant from a judgment of the County Court, Westchester County (Capeci, J.), rendered August 12, 2009, convicting him of attempted assault 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).

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

ENTER:


Matthew G. Kiernan
Clerk of the Court

October 26, 2010

PEOPLE v JONES, MICHAEL L.