

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

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Submitted - October 20, 2010

REINALDO E. RIVERA, J.P.  
JOSEPH COVELLO  
RANDALL T. ENG  
JOHN M. LEVENTHAL  
LEONARD B. AUSTIN, JJ.

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2009-08427

DECISION & ORDER

The People, etc., respondent,  
v Jason R. Schoonmaker, appellant.

(Ind. No. 09-00342)

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Thomas T. Keating, White Plains, N.Y. (Joseph M. Angiolillo of counsel), for appellant.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Elizabeth L. Guinup and Andrew R. Kass of counsel), for respondent.

Appeal by the defendant from a judgment of the County Court, Orange County (DeRosa, J.), rendered August 31, 2009, convicting him of operating a motor vehicle while under the influence of alcohol, 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., COVELLO, ENG, LEVENTHAL and AUSTIN, JJ., concur.

ENTER:



Matthew G. Kiernan

November 3, 2010

PEOPLE v SCHOONMAKER, JASON R.

Clerk of the Court

November 3, 2010

PEOPLE v SCHOONMAKER, JASON R.