

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

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Submitted - January 5, 2011

MARK C. DILLON, J.P.
JOHN M. LEVENTHAL
ARIEL E. BELEN
JEFFREY A. COHEN, JJ.

2009-10839

DECISION & ORDER

The People, etc., respondent,
v Daniel N. Smith, appellant.

(Ind. No. 784/09)

Martin Geoffrey Goldberg, Franklin Square, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Tammy J. Smiley of counsel;
Matthew C. Frankel on the brief), for respondent.

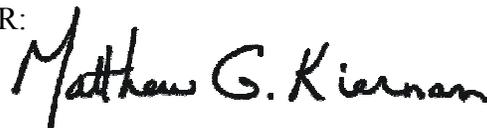
Appeal by the defendant from a judgment of the County Court, Nassau County (Grella, J.), rendered October 27, 2009, convicting him of burglary in the second degree (14 counts), upon his plea of guilty, and imposing sentence.

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., LEVENTHAL, BELEN and COHEN, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

January 18, 2011

PEOPLE v SMITH, DANIEL N.