

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

D31242
Y/prt

_____AD3d_____

Submitted - April 27, 2011

REINALDO E. RIVERA, J.P.
DANIEL D. ANGIOLILLO
RANDALL T. ENG
CHERYL E. CHAMBERS
SANDRA L. SGROI, JJ.

2009-03517

DECISION & ORDER

The People, etc., respondent,
v Reuben Avent, appellant.

(Ind. No. 01-00157)

Edward Cigna, Stony Point, N.Y., for appellant.

Appeal by the defendant from a resentence of the County Court, Rockland County (Bartlett, J.), imposed April 3, 2009, which, upon his conviction of robbery in the first degree (two counts), robbery in the second degree (four counts), assault in the second degree, criminal possession of a weapon in the second degree, and criminal possession of a weapon in the third degree, upon a jury verdict, imposed a period of postrelease supervision in addition to the determinate terms of imprisonment previously imposed on October 23, 2001. Assigned counsel has submitted a brief in accordance with *Anders v California* (386 US 738) in which he moves to withdraw as counsel.

ORDERED that the resentence 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., ANGIOLILLO, ENG, CHAMBERS and SGROI, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

May 10, 2011

PEOPLE v AVENT, REUBEN