

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

D32131  
C/kmb

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Submitted - June 23, 2011

PETER B. SKELOS, J.P.  
ARIEL E. BELEN  
L. PRISCILLA HALL  
SHERI S. ROMAN, JJ.

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2008-06237

DECISION & ORDER

The People, etc., respondent,  
v Rafael Pantoja, appellant.

(Ind. No. 07-00265)

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Diane E. Selker, Peekskill, N.Y., for appellant, and appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Richard Longworth Hecht and Anthony J. Servino of counsel; Justin L. Tolbert on the brief), for respondent.

Appeal by the defendant from a judgment of the County Court, Westchester County (Hubert, J.), rendered March 14, 2008, convicting him of grand larceny in the first degree and grand larceny in the second degree, upon his plea of guilty, and imposing sentence. Assigned counsel has submitted a brief in accordance with *Anders v California* (386 US 738), in which he moves to be relieved as counsel for the appellant.

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).

The defendant has not raised, nor could he have raised, any nonfrivolous issues in his pro se supplemental brief.

SKELOS, J.P., BELEN, HALL and ROMAN, JJ., concur.

ENTER:   
Matthew G. Kiernan

August 2, 2011

PEOPLE v PANTOJA, RAFAEL

Clerk of the Court

August 2, 2011

PEOPLE v PANTOJA, RAFAEL