

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

D32605
O/kmb

_____AD3d_____

Submitted - October 5, 2011

MARK C. DILLON, J.P.
THOMAS A. DICKERSON
JOHN M. LEVENTHAL
LEONARD B. AUSTIN
ROBERT J. MILLER, JJ.

2010-09701
2010-09703

DECISION & ORDER

The People, etc., respondent,
v Kenneth Lowman, appellant.

(S.C.I. Nos. 10-00249, 10-00572)

Steven C. Davidson, White Plains, N.Y., for appellant.

Janet DiFiore, District Attorney, White Plains, N.Y. (Laurie Sapakoff and Richard Longworth Hecht of counsel; Andrew W. Buder on the brief), for respondent.

Appeals by the defendant from two judgments of the County Court, Westchester County (Colangelo, J.), both rendered August 30, 2010, convicting him of attempted robbery in the third degree under S.C.I. No. 10-00249 and attempted promoting prison contraband in the first degree under S.C.I. No. 10-00572, upon his pleas of guilty, and imposing sentences. Assigned counsel has submitted a brief in accordance with *Anders v California* (386 US 738), in which he moves for leave to withdraw as counsel for the appellant.

ORDERED that the judgments are 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., DICKERSON, LEVENTHAL, AUSTIN and MILLER, JJ., concur.

ENTER: 
Matthew G. Kiernan
Clerk of the Court

October 18, 2011

PEOPLE v LOWMAN, KENNETH