

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

D32783  
G/prt

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Submitted - October 19, 2011

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

2009-03974

DECISION & ORDER

The People, etc., respondent,  
v Joseph Navarro, appellant.

(Ind. No. 2378B/07)

Robert C. Mitchell, Riverhead, N.Y. (Alfred J. Cicale of counsel), for appellant.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Michael J. Miller of counsel),  
for respondent.

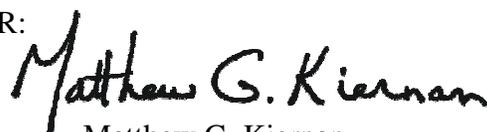
Appeal by the defendant from a judgment of the Supreme Court, Suffolk County (Hinrichs, J.), rendered March 17, 2009, convicting him of murder in the second degree, upon his plea of guilty, and imposing sentence. Assigned counsel has submitted a brief in accordance with *Anders v California* (386 US 738), in which he moves for leave to withdraw 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).

DILLON, J.P., DICKERSON, LEVENTHAL, AUSTIN and MILLER, JJ., concur.

ENTER:



Matthew G. Kiernan  
Clerk of the Court

November 1, 2011

PEOPLE v NAVARRO, JOSEPH