

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

D33475
H/kmb

_____AD3d_____

Submitted - December 14, 2011

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

2010-02027
2010-07442

DECISION & ORDER

The People, etc., respondent,
v Mike White, appellant.

(Ind. No. 2317/08)

Andrew E. MacAskill, Westbury, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Ilisa T. Fleischer of counsel;
Flora diMonda on the brief), for respondent.

Appeal by the defendant from (1) a judgment of the County Court, Nassau County (Donnino, J.), rendered February 9, 2010, convicting him of robbery in the first degree (three counts), robbery in the second degree (three counts), and criminal possession of stolen property in the third degree, upon his plea of guilty, and imposing sentence, and (2) a resentence of the same court imposed July 1, 2010. 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 and the resentence 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

December 27, 2011

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631; cf. *People v Gonzalez*, 47 NY2d 606).

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

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court