

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

D33482
W/kmb

_____AD3d_____

Submitted - December 14, 2011

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

2011-00764

DECISION & ORDER

The People, etc., respondent,
v Kyle R. Miles, appellant.

(Ind. No. 1285/10)

Steven A. Feldman, Uniondale, N.Y., 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 County Court, Suffolk County (Braslow, J.), rendered February 3, 2011, convicting him of burglary in the first degree (two counts), robbery in the first degree, burglary in the second degree, robbery in the second degree, and conspiracy in the fourth degree (five counts), 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:



Aprilanne Agostino
Clerk of the Court

December 27, 2011

PEOPLE v MILES, KYLE R.