

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

D33857
G/kmb

_____AD3d_____

Submitted - January 5, 2012

DANIEL D. ANGIOLILLO, J.P.
ANITA R. FLORIO
CHERYL E. CHAMBERS
L. PRISCILLA HALL, JJ.

2009-06289
2009-06293

DECISION & ORDER

The People, etc., respondent,
v Garfield Bentley, appellant.

(Ind. Nos. 08-00050, 08-00817)

Gary E. Eisenberg, New City, N.Y., for appellant.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Andrew R. Kass of counsel),
for respondent.

Appeals by the defendant from (1) a judgment of the County Court, Orange County (De Rosa, J.), rendered June 22, 2009, convicting him of criminal sale of a controlled substance in or near school grounds under Indictment No. 08-00050, upon his plea of guilty, and imposing sentence, and (2) a judgment of the same court, also rendered June 22, 2009, convicting him of coercion in the first degree under Indictment No. 08-00817, 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 judgments are affirmed.

We are satisfied with the sufficiency of the brief filed by the defendant's assigned counsel pursuant to *Anders v California* (386 US 738), and, upon an independent review of the record, we conclude that there are no nonfrivolous issues which could be raised on appeal. Counsel's application for leave to withdraw as counsel is, therefore, granted (*see Anders v California*, 386 US 738; *Matter of Giovanni S. [Jasmin A.]*, 89 AD3d 252; *People v Paige*, 54 AD2d

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

ANGIOLILLO, J.P., FLORIO, CHAMBERS and HALL, 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