

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

D34180
Y/prt

____AD3d____

Submitted - February 15, 2012

MARK C. DILLON, J.P.
RUTH C. BALKIN
ARIEL E. BELEN
LEONARD B. AUSTIN, JJ.

2011-01816

DECISION & ORDER

People of State of New York, respondent,
v Georvie A. Madrigal, appellant.

Robert C. Mitchell, Riverhead, N.Y. (James H. Miller III of counsel), for appellant.

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

Appeal by the defendant from an order of the County Court, Suffolk County (Kahn, J.), dated January 20, 2011, which, after a hearing, designated him a level two sex offender pursuant to Correction Law article 6-C. 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 defendant.

ORDERED that the order is affirmed, without costs or disbursements.

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 (*id.*; see *Matter of Giovanni S. [Jasmin A.]*, 89 AD3d 252; *People v Paige*, 54 AD2d 631; *cf. People v Gonzalez*, 47 NY2d 606).

DILLON, J.P., BALKIN, BELEN and AUSTIN, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

March 6, 2012

PEOPLE OF STATE OF NEW YORK v MADRIGAL