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

D35224
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_____AD3d_____ Submitted - May 9, 2012

DANIEL D. ANGIOLILLO, J.P.
ANITA R. FLORIO
JOHN M. LEVENTHAL
PLUMMER E. LOTT, JJ.

2010-11922 DECISION & ORDER

The People, etc., respondent,
v Marian Tudor, appellant.

(Ind. No. 673/10)

Lynn W. L. Fahey, New York, N.Y., for appellant.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Daniel Bresnahan, and Katherine Dmochowski of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Queens County (Grosso, J.), rendered November 30, 2010, convicting him of burglary in the third 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 she moves for leave to withdraw as counsel for the appellant.

ORDERED that the judgment is 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

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

ANGIOLILLO, J.P., FLORIO, LEVENTHAL and LOTT, JJ., concur.

ENTER:

Aprilanne Agostino
Clerk of the Court