

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

D35247
O/kmb

_____AD3d_____

Submitted - May 11, 2012

PETER B. SKELOS, J.P.
RUTH C. BALKIN
JOHN M. LEVENTHAL
SHERI S. ROMAN, JJ.

2011-06733
2011-06734

DECISION & ORDER

The People, etc., respondent,
v Forrestene Hubbard, appellant.

(S.C.I. Nos. 8/07, 2322/07)

Martin Geduldig, Garden City, N.Y., for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Tammy J. Smiley of counsel;
Matthew C. Frankel on the brief), for respondent.

Appeals by the defendant from (1) an amended judgment of the Supreme Court, Nassau County (Gulotta, Jr., J.), rendered June 27, 2011, revoking a sentence of probation previously imposed by the same court, upon a finding that she had violated a condition thereof, upon her admission, and imposing a sentence of imprisonment upon her previous conviction of criminal sale of a controlled substance in the fourth degree, and (2) a judgment of the same court, also rendered June 27, 2011, convicting her of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the seventh degree, upon her 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 amended judgment and the judgment 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 the appeals. 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).

SKELOS, J.P., BALKIN, LEVENTHAL and ROMAN, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court