

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

D35314
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_____AD3d_____

Submitted - May 23, 2012

PETER B. SKELOS, J.P.
THOMAS A. DICKERSON
L. PRISCILLA HALL
SHERI S. ROMAN
JEFFREY A. COHEN, JJ.

2009-06557

DECISION & ORDER

The People, etc., respondent,
v Bradley Dieffenbacher, appellant.

(Ind. No. 828/08)

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

Michael A. Cardozo, Corporation Counsel, New York, N.Y. (Leonard Koerner and
Kristin M. Helmers of counsel), for respondent.

Appeal by the defendant from an amended judgment of the Supreme Court, Queens
County (Wong, J.), rendered June 16, 2009, revoking a sentence of probation previously imposed
by the same court upon a finding that he violated a condition thereof, upon his admission, and
imposing a sentence of imprisonment upon his previous conviction of attempted use of a child in
sexual performance. 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 amended 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*

June 20, 2012

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PEOPLE v DIEFFENBACHER, BRADLEY

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).

SKELOS, J.P., DICKERSON, HALL, ROMAN and COHEN, 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