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

D35366
C/hu

_____AD3d_____ Submitted - May 24, 2012

MARK C. DILLON, J.P.
RUTH C. BALKIN
ARIEL E. BELEN
CHERYL E. CHAMBERS, JJ.

2010-08956 DECISION & ORDER

The People, etc., respondent,
v Bashan Rudolph, appellant.

(Ind. No. 65/10)

Thomas N.N. Angell, Poughkeepsie, N.Y. (Steven Levine of counsel), for appellant.

Appeal by the defendant from a judgment of the County Court, Dutchess County (Forman, J.), rendered August 31, 2010, convicting him of assault in the second 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 he 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).

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

ENTER:

Aprilanne Agostino
Clerk of the Court

June 27, 2012

PEOPLE v RUDOLPH, BASHAN