

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

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Submitted - February 1, 2012

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

2009-05498

DECISION & ORDER

The People, etc., respondent,  
v George F. Cardwell, appellant.

(S.C.I. No. 1175/09)

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

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano and Merri Turk Lasky of counsel; Andrew Dykens on the brief), for respondent.

Appeal by the defendant from a judgment of the Supreme Court, Queens County (Chin-Brandt, J.), rendered May 29, 2009, convicting him of attempted criminal possession of a weapon 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 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) (*see Matter of Giovanni S. [Jasmin A.]*, 89 AD3d 252), and we have also reviewed the defendant's pro se supplemental brief. Counsel has informed this Court that the defendant "[does] not wish to seek plea withdrawal," and, thus, does not wish for counsel to raise any issues relating to the validity of his plea of guilty. Upon an independent review of the record, we conclude that there are no remaining 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 Belton*, 74 AD3d 834; *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