

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

D36791
G/kmb

_____AD3d_____

Submitted - November 28, 2012

MARK C. DILLON, J.P.
L. PRISCILLA HALL
SHERI S. ROMAN
JEFFREY A. COHEN, JJ.

2011-06738

DECISION & ORDER

The People, etc., respondent,
v Shawn Turner, appellant.

(S.C.I. No. 2145/07)

Alan Katz, Garden City Park, N.Y., for appellant.

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

Appeal by the defendant from a judgment of the Supreme Court, Nassau County (Gulotta, Jr., J.), rendered June 22, 2011, convicting him of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the seventh 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 the 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

December 19, 2012

Page 1.

PEOPLE v TURNER, SHAWN

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

DILLON, J.P., HALL, ROMAN and COHEN, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court