

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

D55242  
O/htr

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - March 28, 2018

JOHN M. LEVENTHAL, J.P.  
LEONARD B. AUSTIN  
JEFFREY A. COHEN  
BETSY BARROS  
LINDA CHRISTOPHER, JJ.

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2017-01078

DECISION & ORDER

The People, etc., respondent,  
v Paul DeMetro, appellant.

(Ind. No. 913/13)

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Laurette D. Mulry, Riverhead, NY (Alfred J. Cicale of counsel), for appellant.

Timothy D. Sini, District Attorney, Riverhead, NY (Michael J. Miller of counsel),  
for respondent.

Appeal by the defendant from a judgment of the County Court, Suffolk County (John J. Toomey, J.), rendered January 3, 2017, convicting him of aggravated driving while intoxicated in violation of Vehicle and Traffic Law § 1192(2-a)(b) (two counts), driving while intoxicated in violation of Vehicle and Traffic Law § 1192(2) and (3), endangering the welfare of a child, failing to stay in a designated lane, unsafe turn, and operating a motor vehicle without an appropriate child-restraint system, 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), 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 id.*; *Matter of*


May 2, 2018

Page 1.

PEOPLE v DeMETRO, PAUL

*Giovanni S. [Jasmin A.]*, 89 AD3d 252; *People v Paige*, 54 AD2d 631; *cf. People v Gonzalez*, 47 NY2d 606).

LEVENTHAL, J.P., AUSTIN, COHEN, BARROS and CHRISTOPHER, JJ., concur.

ENTER:   
Aprilanne Agostino  
Clerk of the Court