

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

D56184  
O/hu

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

Submitted - April 10, 2018

ALAN D. SCHEINKMAN, P.J.  
SHERI S. ROMAN  
SANDRA L. SGROI  
JOSEPH J. MALTESE, JJ.

---

2017-01665

DECISION & ORDER

People of State of New York, respondent,  
v Rod Gilbert, appellant.

---

Laurette D. Mulry, Riverhead, NY (Kirk R. Brandt of counsel), for appellant.

Timothy D. Sini, District Attorney, Riverhead, NY (Glenn Green of counsel), for respondent.

Appeal by the defendant from an order of the County Court, Suffolk County (Barbara Kahn, J.), dated January 4, 2017, which, after a hearing, designated him a level three sex offender pursuant to Correction Law article 6-C. 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 defendant.

ORDERED that the order is affirmed, without costs or disbursements.

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.*; *People v Walker*, 157 AD3d 726, 726; *People v Vosper*, 156 AD3d 919, 920; *Matter of Giovanni S. [Jasmin A.]*, 89 AD3d 252, 255; *cf. People v Parker*, 135 AD3d 966, 967-968).

SCHEINKMAN, P.J., ROMAN, SGROI and MALTESE, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

July 25, 2018

PEOPLE OF STATE OF NEW YORK v GILBERT