

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

D56871  
Q/mm

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

Submitted - May 29, 2018

MARK C. DILLON, J.P.  
JOHN M. LEVENTHAL  
SHERI S. ROMAN  
COLLEEN D. DUFFY, JJ.

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2016-11873

DECISION & ORDER

The People, etc., respondent,  
v Sean Faircloth, appellant.

(Ind. No. 41/16)

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Yasmin Daley Duncan, Brooklyn, NY, for appellant, and appellant pro se.

William V. Grady, District Attorney, Poughkeepsie, NY (Kirsten A. Rappleyea of counsel), for respondent.

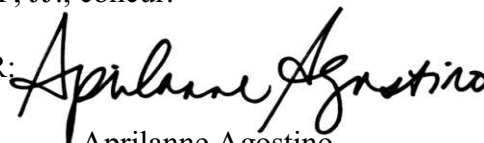
Appeal by the defendant from a judgment of the County Court, Dutchess County (Edward T. McLoughlin, J.), rendered October 21, 2016, convicting him of criminal sale of controlled substance in the third degree, upon his plea of guilty, and imposing sentence. Assigned counsel has submitted a brief in accordance 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), and we have also reviewed the defendant's pro se supplemental brief. 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 id.*; *People v Kim*, 149 AD3d 871; *Matter of Giovanni S. [Jasmin A.]*, 89 AD3d 252).

DILLON, J.P., LEVENTHAL, ROMAN and DUFFY, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

October 17, 2018

PEOPLE v FAIRCLOTH, SEAN