

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: September 13, 2012

104381

THE PEOPLE OF THE STATE OF
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

JAMAL A. ANDERSON,

Appellant.

Calendar Date: July 30, 2012

Before: Peters, P.J., Spain, Malone Jr., Kavanagh and
Egan Jr., JJ.

Paul R. Corradini, Elmira, for appellant.

Weeden A. Wetmore, District Attorney, Elmira (Weeden A.
Wetmore of counsel), for respondent.

Appeal from a judgment of the County Court of Chemung
County (Hayden, J.), rendered April 8, 2011, convicting defendant
upon his plea of guilty of the crime of criminal possession of a
controlled substance in the third degree.

In satisfaction of an indictment, as well as other pending
charges, defendant pleaded guilty to one count of criminal
possession of a controlled substance in the third degree. In
accordance with the plea agreement, he was thereafter sentenced
as a second felony offender to two years in prison followed by a
period of postrelease supervision. Defendant now appeals.

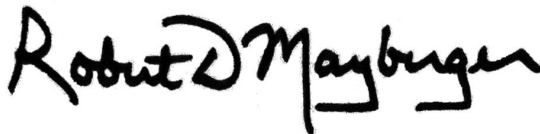
Appellate counsel seeks to be relieved of his assignment on
the ground that there are no nonfrivolous issues to be raised on
appeal. Based upon our review of the record and counsel's brief,

we agree. Therefore, the judgment is affirmed and counsel's application for leave to withdraw is granted (see People v Cruwys, 113 AD2d 979, 980 [1985], lv denied 67 NY2d 650 [1986]; see generally People v Stokes, 95 NY2d 633 [2001]).

Peters, P.J., Spain, Malone Jr., Kavanagh and Egan Jr., JJ., concur.

ORDERED that the judgment is affirmed, and application to be relieved of assignment granted.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger
Clerk of the Court