

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

Decided and Entered: March 23, 2017

107879

---

THE PEOPLE OF THE STATE OF  
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

EDDIE L. BUCKLEY,

Appellant.

---

Calendar Date: January 24, 2017

Before: McCarthy, J.P., Garry, Lynch, Clark and Mulvey, JJ.

---

G. Scott Walling, Schenectady, for appellant.

J. Anthony Jordan, Fort Edward (Sara E. Fischer of counsel), for respondent.

---

Appeal from a judgment of the County Court of Washington County (McKeighan, J.), rendered August 21, 2015, convicting defendant upon his plea of guilty of the crime of attempted promoting prison contraband in the first degree.

Defendant pleaded guilty to attempted promoting prison contraband in the first degree. In accordance with the terms of the plea agreement, he was sentenced as a second felony offender to 1½ to 3 years in prison to run consecutively to the sentence he was then serving. Defendant now appeals.

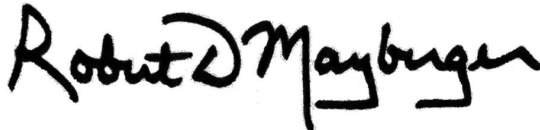
Appellate counsel seeks to be relieved of his assignment of representing defendant on the ground that there are no nonfrivolous issues that may be raised on appeal. Based upon our review of the record and counsel's brief, we agree. Therefore, the judgment is affirmed and counsel's request for leave to

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]).

McCarthy, J.P., Garry, Lynch, Clark and Mulvey, 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