

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

Decided and Entered: May 23, 2019

109800

THE PEOPLE OF THE STATE OF
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

JANELLE MOORE,

Appellant.

Calendar Date: April 19, 2019

Before: Garry, P.J., Lynch, Mulvey, Devine and Rumsey, JJ.

G. Scott Walling, Slingerlands, for appellant, and
appellant pro se.

Robert M. Carney, District Attorney, Schenectady (Peter H.
Willis of counsel), for respondent.

Appeal from a judgment of the County Court of Schenectady
County (Sypniewski, J.), rendered August 29, 2017, convicting
defendant upon her plea of guilty of the crime of robbery in the
first degree.

In satisfaction of an 11-count indictment, defendant
pleaded guilty to robbery in the first degree and waived her
right to appeal, both orally and in writing. She was sentenced,
in accordance with the terms of the plea agreement, to eight
years in prison followed by five years of postrelease
supervision. She now appeals.

Appellate counsel seeks to be relieved of his assignment of representing defendant on the ground that there are no nonfrivolous issues to be raised on appeal. Based upon our review of the record, counsel's brief and defendant's pro se submission, 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 Beaty, 22 NY3d 490 [2014]; People v Stokes, 95 NY2d 633 [2001]).

Garry, P.J., Lynch, Mulvey, Devine and Rumsey, 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