

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

Decided and Entered: August 3, 2017

107660

THE PEOPLE OF THE STATE OF
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

RAKEEM LEWIS,

Appellant.

Calendar Date: June 12, 2017

Before: Peters, P.J., Rose, Devine, Clark and Pritzker, JJ.

Jeffrey L. Zimring, Albany, for appellant.

P. David Soares, District Attorney, Albany (Christopher D. Horn of counsel), for respondent.

Appeal from a judgment of the County Court of Albany County (Herrick, J.), rendered May 15, 2015, convicting defendant upon his plea of guilty of the crime of robbery in the second degree.

In satisfaction of a two-count indictment, defendant pleaded guilty to robbery in the second degree and waived his right to appeal. He was sentenced to a prison term of 5½ years, followed by three years of postrelease supervision. Defendant appeals.

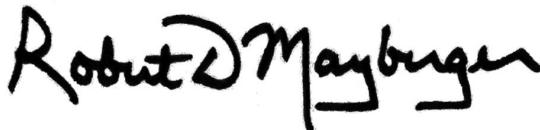
Appellate counsel seeks to be relieved of his assignment of representing defendant on the ground that there are no nonfrivolous issues to be raised on appeal. Upon our review of the record and defense counsel's brief, we agree. Therefore, the judgment is affirmed and counsel's request for leave to withdraw

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]).

Peters, P.J., Rose, Devine, Clark and Pritzker, 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