

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

Decided and Entered: August 3, 2017

107815

THE PEOPLE OF THE STATE OF
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

JENNELL CARR,

Appellant.

Calendar Date: June 12, 2017

Before: Peters, P.J., McCarthy, Devine, Clark and Mulvey, JJ.

Donnial K. Hinds, Albany, for appellant.

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

Appeal from a judgment of the Supreme Court (Breslin, J.), rendered August 5, 2015 in Albany County, convicting defendant upon her plea of guilty of the crime of forgery in the second degree.

In satisfaction of an eight-count indictment, defendant pleaded guilty to forgery in the second degree. Pursuant to the plea agreement, defendant waived her right to appeal and executed a written waiver of appeal. She was sentenced within the agreed-upon range to a prison term of 1 $\frac{2}{3}$ to 5 years and now appeals.

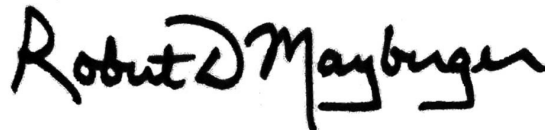
Appellate counsel seeks to be relieved of his assignment of representing defendant on the ground that there are no nonfrivolous issues to be raised on appeal. Based upon our review of the record and counsel's brief, we agree. Therefore, the judgment is affirmed and counsel's request for leave to

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]).

Peters, P.J., McCarthy, Devine, 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