

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

Decided and Entered: September 23, 2021

110217

THE PEOPLE OF THE STATE OF
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

EVELYN YUNG, Also Known as
EVELYN JUNG,

Appellant.

Calendar Date: September 3, 2021

Before: Garry, P.J., Lynch, Aarons, Reynolds Fitzgerald and
Colangelo, JJ.

Lisa A. Burgess, Indian Lake, for appellant.

Karen A. Heggen, Special Prosecutor, Ballston Spa, for
respondent.

Appeal from a judgment of the County Court of Washington
County (McKeighan, J.), rendered January 5, 2018, convicting
defendant upon her plea of guilty of the crime of offering a
false instrument for filing in the second degree.

Defendant entered an Alford plea to the reduced charge of
offering a false instrument for filing in the second degree and
waived her right to appeal. County Court sentenced defendant,
in accordance with the terms of the plea agreement, to a
conditional discharge of one year. Defendant appeals.

Appellate counsel seeks to be relieved of her 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. Accordingly, 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, Aarons, Reynolds Fitzgerald and Colangelo, 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