

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

Decided and Entered: January 27, 2022

111129

---

THE PEOPLE OF THE STATE OF  
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

SONYA L. LABARE,

Appellant.

---

Calendar Date: December 30, 2021

Before: Egan Jr., J.P., Lynch, Aarons, Pritzker and  
Colangelo, JJ.

---

Lisa A. Burgess, Indian Lake, for appellant.

Craig P. Carriero, District Attorney, Malone (Jennifer M.  
Hollis of counsel), for respondent.

---

Appeal from a judgment of the County Court of Franklin  
County (Main Jr., J.), rendered December 17, 2018, convicting  
defendant upon her plea of guilty of the crime of burglary in  
the second degree.

Defendant pleaded guilty to burglary in the second degree  
and waived her right to appeal. County Court sentenced  
defendant, as a second felony offender, to a prison term of five  
years, to be followed by five years of postrelease supervision,  
with the sentence to run concurrently with the sentence that  
defendant was already serving. Defendant appeals.

Appellate counsel seeks to be relieved of her assignment of representing defendant on the basis that there are no nonfrivolous issues to be raised on appeal. Based upon our review of the record and counsel's brief, we agree. Consequently, 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]).

Egan Jr., J.P., Lynch, Aarons, Pritzker 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