

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

Decided and Entered: November 3, 2022

112192

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THE PEOPLE OF THE STATE OF  
NEW YORK,

Respondent,

v

MEMORANDUM AND ORDER

LONSDALE STUFFLE,

Appellant.

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Calendar Date: October 7, 2022

Before: Garry, P.J., Lynch, Clark, Reynolds Fitzgerald and  
McShan, JJ.

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Thomas J. Butler, Albany, for appellant.

J. Anthony Jordan, District Attorney, Fort Edward (Taylor  
R. Fitzsimmons of counsel), for respondent.

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Appeal from a judgment of the County Court of Washington  
County (Kelly S. McKeighan, J.), rendered October 4, 2019,  
convicting defendant upon his plea of guilty of the crime of  
criminal sale of a controlled substance in the third degree.

In satisfaction of a four-count indictment, defendant  
pleaded guilty to criminal sale of a controlled substance in the  
third degree and waived his right to appeal. County Court  
sentenced defendant, pursuant to the terms of the plea  
agreement, to a prison term of two years followed by one year 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 that may 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 Washburn*, 76 AD3d 1120, 1121 [3d Dept 2010], *lv denied* 16 NY3d 864 [2011]; *see generally People v Beaty*, 22 NY3d 490 [2014]; *People v Stokes*, 95 NY2d 633 [2001]; *People v Cruwys*, 113 AD2d 979, 980 [3d Dept 1985], *lv denied* 67 NY2d 650 [1986]).

Garry, P.J., Lynch, Clark, Reynolds Fitzgerald and McShan, 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