

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

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Submitted - October 3, 2008

WILLIAM F. MASTRO, J.P.
PETER B. SKELOS
RUTH C. BALKIN
ARIEL E. BELEN, JJ.

2005-02628

DECISION & ORDER

The People, etc., respondent,
v Quashon Miller, appellant.

(Ind. No. 4233/03)

Lynn W. L. Fahey, New York, N.Y. (Barry Stendig of counsel), for appellant, and appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove, Jodi L. Mandel, and Steven A. Mann of counsel), for respondent.

Appeal by the defendant from a judgment of the Supreme, Kings County (Tomei, J.), rendered February 8, 2005, convicting him of murder in the second degree, upon his plea of guilty, and imposing sentence.

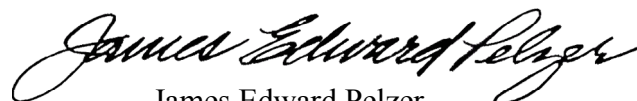
ORDERED that the judgment is affirmed.

We have reviewed the record and agree with the defendant's assigned counsel that there are no nonfrivolous issues which could be raised on appeal. Counsel's application for leave to withdraw as counsel is granted (*see Anders v California*, 386 US 738; *People v Paige*, 54 AD2d 631; *cf. People v Gonzalez*, 47 NY2d 606).

The defendant has not, nor could he have, raised any nonfrivolous issues in his supplemental pro se brief.

MASTRO, J.P., SKELOS, BALKIN and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

November 18, 2008

PEOPLE v MILLER, QUASHON