

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

D24142  
O/kmg

\_\_\_\_\_AD3d\_\_\_\_\_

Submitted - June 17, 2009

ROBERT A. SPOLZINO, J.P.  
FRED T. SANTUCCI  
DANIEL D. ANGIOLILLO  
JOHN M. LEVENTHAL  
PLUMMER E. LOTT, JJ.

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2008-04637

DECISION & ORDER

The People, etc., respondent,  
v Lamar Sims, appellant.

(Ind. No. 981/07)

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Robert C. Mitchell, Riverhead, N.Y. (Alfred J. Cicale of counsel), for appellant.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Steven A. Hovani of counsel),  
for respondent.

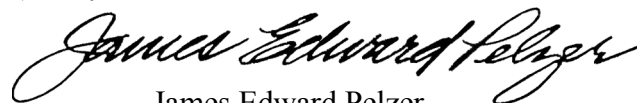
Appeal by the defendant from a judgment of the County Court, Suffolk County  
(Hudson, J.), rendered February 4, 2008, convicting him of manslaughter in the first degree, upon his  
plea of guilty, and imposing sentence.

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).

SPOLZINO, J.P., SANTUCCI, ANGIOLILLO, LEVENTHAL and LOTT, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

September 22, 2009

PEOPLE v SIMS, LAMAR