

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

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Submitted - October 7, 2009

PETER B. SKELOS, J.P.  
JOSEPH COVELLO  
FRED T. SANTUCCI  
CHERYL E. CHAMBERS  
LEONARD B. AUSTIN, JJ.

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2008-09362

DECISION & ORDER

The People, etc., respondent,  
v Russell Knight, appellant.

(Ind. No. 08-00125)

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Feldman, Kleidman & Coffey, LLP, Fishkill, N.Y. (David R. Zagon of counsel), for appellant.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Elizabeth L. Guinup and Andrew R. Kass of counsel), for respondent.

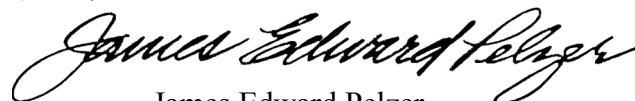
Appeal by the defendant from a judgment of the County Court, Orange County (DeRosa, J.), rendered September 30, 2008, convicting him of criminal sale of a controlled substance in or near school grounds, upon his plea of guilty, and imposing sentence.

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).

SKELOS, J.P., COVELLO, SANTUCCI, CHAMBERS and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

November 4, 2009

PEOPLE v KNIGHT, RUSSELL