

**APPELLATE DIVISION OF THE SUPREME COURT OF THE STATE OF NEW
YORK, FIRST DEPARTMENT**

People v. Nieves

2022 NY Slip Op 00259 (App. Div. 2022) · No. Ind. No. 1175N/16; Appeal No. 15049; Case No. 2018-441 ·
Decided January 13, 2022

SUMMARY

The Appellate Division, First Department, unanimously affirmed the judgment of Supreme Court, New York County, convicting Juan Nieves. The court granted assigned counsel's application to withdraw under *Anders v. California*, finding no nonfrivolous issues for appeal, and advised the defendant regarding an application for leave to appeal to the Court of Appeals.

OPINION

PER CURIAM.

People v Nieves (2022 NY Slip Op 00259) People v Nieves 2022 NY Slip Op 00259 Decided on January 13, 2022 Appellate Division, First Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports. Decided and Entered: January 13, 2022 Before: Acosta, P.J., Manzanet-Daniels, González, Mendez, Rodriguez, JJ. Ind No. 1175N/16 Appeal No. 15049 Case No. 2018-441 [*1]The People of The State of New York, Respondent, vJuan Nieves, Defendant-Appellant.

Janet E. Sabel, The Legal Aid Society, New York (DÉsirÉE Sheridan of counsel), for appellant. Judgment, Supreme Court, New York County (Michael Sonberg, J.), rendered March 20, 2017, unanimously affirmed. Application by defendant's counsel to withdraw as counsel is granted (see *Anders v California*, 386 US 738 [1967]; *People v Saunders*, 52 AD2d 833 [1st Dept 1976]).

We have reviewed this record and agree with defendant's assigned counsel that there are no non-frivolous points which could be raised on this appeal. Pursuant to Criminal Procedure Law § 460.20, defendant may apply for leave to appeal to the Court of Appeals by making application to the Chief Judge of that Court and by submitting such application to the Clerk of that Court or to a Justice of the Appellate Division of the Supreme Court of this Department on reasonable notice to the respondent within thirty (30) days after service of a copy of this order.

Denial of the application for permission to appeal by the judge or justice first applied to is final and no new application may thereafter be made to any other judge or justice. THIS

CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE
DIVISION, FIRST DEPARTMENT. ENTERED: January 13, 2022

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