

**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

Webber, J.P., Shulman, Higgitt, Rosado, Hagler, JJ.

5985	THE PEOPLE OF THE STATE OF NEW YORK, Respondent,  -against-	Ind. Nos. 1505/17 1665/17 Dkt. No. 027529/17 Case No. 2019-3112
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BRIAN ZWINGMAN,  
Defendant-Appellant.

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The Legal Aid Society, New York (Harold V. Ferguson, Jr. of counsel), for appellant.

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Judgment, Supreme Court, Bronx County (Marsha Michael, J.), rendered February 05, 2019, 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: March 3, 2026

A handwritten signature in black ink, reading "Susanna Molina Rojas". The signature is written in a cursive, flowing style with a large initial "S".

Susanna Molina Rojas  
Clerk of the Court