Model Anders Letter

ATTORNEY'S LETTERHEAD

DATE

DEFENDANT'S ADDRESS

RE: *People v DEFENDANT'S NAME*
App. Div. Docket No.: YYYY-#####

Dear DEFENDANT'S NAME:

As your assigned appellate counsel I have carefully reviewed the record of the proceedings of your case in the trial court for the purpose of preparing a brief for you on appeal. The result of that review is that I have been unable to find any non-frivolous issues that can be raised on your behalf. Accordingly I am filing the enclosed brief with the Appellate Division pursuant to the case of *Anders v California* (386 US 738 [1967]). In that brief I have asked to be relieved as your attorney because I could not find a non-frivolous issue.

If the court accepts my analysis, it will grant my motion to be relieved from representing you and will affirm the JUDGMENT OF CONVICTION/ORDER from which you appealed. It is very important, therefore, that you be aware that you have the right to file a *pro se* supplemental brief with the Appellate Division setting forth any points that you think ought to be raised on your appeal. The court will conduct its own review of the record and any supplemental brief from you, and if it concludes that a non-frivolous ground exists for reversal or modification of the JUDGMENT/ORDER, it will assign new appellate counsel to represent you.

If you wish to file a *pro se* supplemental brief, you must notify the court in writing within 30 days from the date of mailing of this letter of your intention to do so (22 NYCRR 670.12[g][2]). Mail your letter to:

Assigned Counsel Clerk
Appellate Division, Second Department
45 Monroe Place
Brooklyn, NY 11201

Yours truly,

ATTORNEY'S NAME