

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

D13779
C/hu

_____AD3d_____

A. GAIL PRUDENTI, P.J.
REINALDO E. RIVERA
GABRIEL M. KRAUSMAN
ANITA R. FLORIO, JJ.

2002-11005

DECISION & ORDER

The People, etc., respondent,
v Kasiem Callender, appellant.

(Ind. No. 02-00008)

Kasiem Callender, Malone, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Valerie A. Livingston, Richard Longworth Hecht, and Anthony J. Servino of counsel), for respondent.

Stephen J. Pittari, White Plains, N.Y. (Jacqueline F. Oliva of counsel), former appellate counsel.

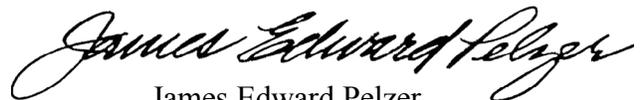
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this court dated June 1, 2004 (*People v Callender*, 8 AD3d 294), affirming a judgment of the Supreme Court, Westchester County, rendered November 20, 2002.

ORDERED that the application is denied.

The appellant has failed to establish that he was denied the effective assistance of appellate counsel (*see Jones v Barnes*, 463 US 745; *People v Stultz*, 2 NY3d 277).

PRUDENTI, P.J., RIVERA, KRAUSMAN and FLORIO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

February 6, 2007

PEOPLE v CALLENDER, KASIEM