

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

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A. GAIL PRUDENTI, P.J.
HOWARD MILLER
STEPHEN G. CRANE
WILLIAM F. MASTRO, JJ.

1995-00042

DECISION & ORDER

The People, etc., respondent,
v Robert D'Lucca, appellant.

(Ind. No. 3723/94)

Robert D'Lucca, Wallkill, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Joyce Slevin of counsel), for respondent.

Jeffrey A. Rabin, Brooklyn, N.Y., 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 October 6, 1997 (*People v D'Lucca*, 243 AD2d 487), affirming a judgment of the Supreme Court, Kings County, rendered December 19, 1994.

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., MILLER, CRANE and MASTRO, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 19, 2007

PEOPLE v D'LUCCA, ROBERT