

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

D16556
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_____AD3d_____

Submitted - September 5, 2007

HOWARD MILLER, J.P.
STEPHEN G. CRANE
DAVID S. RITTER
ANITA R. FLORIO, JJ.

1992-01472
2006-01514

DECISION & ORDER

The People, etc., respondent,
v Daniel K. Monko, appellant.

(Ind. Nos. 1602/85, 1603/85)

Steven A. Feldman, Uniondale, N.Y., for appellant

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Caren Manzello of counsel),
for respondent.

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 11, 1990 (*People v Monko*, 162 AD2d 553), affirming two judgments of the County Court, Suffolk County, both rendered May 7, 1987.

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).

MILLER, J.P., CRANE, RITTER and FLORIO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 16, 2007

PEOPLE v MONKO, DANIEL K.