

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

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W/kmg

_____AD3d_____

A. GAIL PRUDENTI, P.J.
FRED T. SANTUCCI
ANITA R. FLORIO, JJ.
HOWARD MILLER

1999-01794

DECISION & ORDER

The People, etc., respondent,
v Hector Rodriguez, a/k/a Hector Bello, appellant.

(Ind. No. 7355/97)

Hector Rodriguez, a/k/a Hector Bello, Napanoch, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Karol B. Mangum of counsel), for respondent.

Lynn W. L. Fahey, New York, 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 January 8, 2001 (*People v Rodriguez*, 279 AD2d 484), affirming a judgment of the Supreme Court, Kings County, rendered February 24, 1999.

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., SANTUCCI, FLORIO and MILLER, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

January 8, 2008

PEOPLE v RODRIGUEZ, HECTOR, a/k/a BELLO, HECTOR