

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

D18571  
Y/hu

\_\_\_\_\_AD3d\_\_\_\_\_

REINALDO E. RIVERA, J.P.  
PETER B. SKELOS  
STEVEN W. FISHER  
FRED T. SANTUCCI, JJ.

---

2001-08521

DECISION & ORDER

The People, etc., respondent,  
v William Mitchell, appellant.

(Ind. No. 1943-00)

---

William Mitchell, Marcy, N.Y., appellant pro se.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Guy Arcidiacono 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 March 3, 2003 (*People v Mitchell*, 303 AD2d 422), affirming a judgment of the County Court, Suffolk County, rendered August 23, 2001.

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).

RIVERA, J.P., SKELOS, FISHER and SANTUCCI, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

March 25, 2008

PEOPLE v MITCHELL, WILLIAM