

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

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_____AD3d_____

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
ROBERT A. SPOLZINO, JJ.

1990-06759
1991-08137

DECISION & ORDER

The People, etc., respondent,
v Gilbert Hibbert, appellant.

(Ind. No. 70876, S.C.I. No. 71772)

Gilbert Hibbert, Marianna, Florida, appellant pro se.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Jason P. Weinstein 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 November 4, 1991 (*People v Hibbert*, 177 AD2d 506), affirming two judgments of the County Court, Nassau County, both rendered July 24, 1989.

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., MASTRO, RIVERA and SPOLZINO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

April 29, 2008

PEOPLE v HIBBERT, GILBERT