

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

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A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
PETER B. SKELOS, JJ.

2008-03085

DECISION & ORDER

The People, etc., respondent,
v Daniel Martin, appellant.

(Ind. No. 59681)

Daniel Martin, Comstock, N.Y., appellant pro se.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Douglas Noll and Robert A. Schwartz of counsel), for respondent.

Valerie Van Leer-Greenberg, 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 June 27, 1988 (*People v Martin*, 141 AD2d 854), affirming a judgment of the County Court, Nassau County, rendered August 5, 1985.

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 SKELOS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 23, 2008

PEOPLE v MARTIN, DANIEL