

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

D20517
Y/prt

_____AD3d_____

ANITA R. FLORIO, J.P.
HOWARD MILLER
MARK C. DILLON
DANIEL D. ANGIOLILLO, JJ.

2004-10104

DECISION & ORDER

The People, etc., respondent,
v Shree Moore, a/k/a Shariff Moore,
appellant.

(Ind. No. 2912/03)

Shree Moore, a/k/a Shariff Moore, Auburn, N.Y., appellant pro se.

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

Beverly Van Ness, 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 February 6, 2007 (*People v Moore*, 37 AD3d 498), affirming a judgment of the Supreme Court, Nassau County, rendered November 12, 2004.

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).

FLORIO, J.P., MILLER, DILLON and ANGIOLILLO, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

October 7, 2008

PEOPLE v MOORE, SHREE, a/k/a MOORE, SHARIFF