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

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A. GAIL PRUDENTI, P.J.
ROBERT A. LIFSON
FRED T. SANTUCCI
JOSEPH COVELLO, JJ.

2002-07572 DECISION & ORDER

The People, etc., respondent,
v Aly Dominique, appellant.

(Ind. No. 2825/00)

Aly Dominique, Dannemora, N.Y., appellant pro se.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Andrea M. DiGregorio 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 January 9, 2007 (*People v Dominique,* 36 AD3d 624), affirming a judgment of the County Court, Nassau County, rendered July 23, 2002.

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., LIFSON, SANTUCCI and COVELLO, JJ., concur.

ENTER:

James Edward Pelzer
Clerk of the Court

November 12, 2008

PEOPLE v DOMINIQUE, ALY