

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

D21712  
O/kmg

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

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

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1995-02496

DECISION & ORDER

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

(Ind. No. 86801)

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William Nealy, Dannemora, N.Y., appellant pro se.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Robert A. Schwartz and Lauren Del Giorno 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 October 26, 1998 (*People v Nealy*, 254 AD2d 505), modifying a judgment of the County Court, Nassau County, rendered March 2, 1995.

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

December 30, 2008

PEOPLE v NEALY, WILLIAM