

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
DAVID S. RITTER, JJ.

1992-04806

DECISION & ORDER

The People, etc., respondent,
v Miguel DeFreitas, appellant.

(Ind. No. 77897)

Langone & Associates, PLLC, Massapequa, N.Y. (Richard M.Langone of counsel),
for appellant.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Douglas Noll 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, an opinion and order of this Court dated August 14,
1995 (*People v DeFreitas*, 213 AD2d 96), affirming a judgment of the County Court, Nassau
County, rendered June 9, 1992.

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 RITTER, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 31, 2009

PEOPLE v DeFREITAS, MIGUEL