

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

D22581
W/kmg

_____AD3d_____

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
ROBERT A. SPOLZINO
FRED T. SANTUCCI, JJ.

2001-02482

DECISION & ORDER

The People, etc., respondent,
v James J. Cox, appellant.

(Ind. No. 00-00336)

James J. Cox, Walden, N.Y., appellant pro se.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Andrew R. Kass 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 15, 2002 (*People v Cox*, 298 AD2d 461), affirming a judgment of the County Court, Orange County, rendered March 14, 2001.

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).

MASTRO, J.P., RIVERA, SPOLZINO and SANTUCCI, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 24, 2009

PEOPLE v COX, JAMES J.