

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

D23300
G/kmg

_____AD3d_____

REINALDO E. RIVERA, J.P.
ROBERT A. SPOLZINO
PETER B. SKELOS
MARK C. DILLON, JJ.

1991-07788

DECISION & ORDER

The People, etc., respondent,
v Leonard Holland, appellant.

(Ind. No. 802/89)

Leonard Holland, Wallkill, N.Y., appellant pro se.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Glenn Green of counsel), for respondent.

Robert C. Mitchell, Riverhead, N.Y. (James H. Miller III of counsel), 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 May 2, 1994 (*People v Holland*, 204 AD2d 349), affirming a judgment of the County Court, Suffolk County, rendered August 8, 1991.

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).

RIVERA, J.P., SPOLZINO, SKELOS and DILLON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 2, 2009

PEOPLE v HOLLAND, LEONARD