

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

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A. GAIL PRUDENTI, P.J.
ROBERT A. SPOLZINO
PETER B. SKELOS
ANITA R. FLORIO, JJ.

2003-10108

DECISION & ORDER

The People, etc., respondent,
v Taino Ayala, appellant.

(Ind. No. 10/02)

Taino Ayala, Malone, N.Y., appellant pro se.

Adam B. Levy, District Attorney, Carmel, N.Y. (Christopher York of counsel), for
respondent.

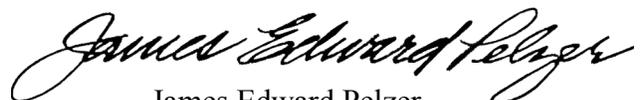
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated May 29, 2007 (*People v Ayala*, 40 AD3d 1116), affirming a judgment of the County Court, Putnam County, rendered July 16, 2003.

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., SPOLZINO, SKELOS and FLORIO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 2, 2009

PEOPLE v AYALA, TAINO