

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

D24279
G/kmg

_____AD3d_____

REINALDO E. RIVERA, J.P.
FRED T. SANTUCCI
JOSEPH COVELLO
RUTH C. BALKIN, JJ.

2004-05424

DECISION & ORDER

The People, etc., respondent,
v Ray Eastwood, appellant.

(Ind. No. 03-901)

Ray Eastwood, Ossining, N.Y., appellant pro se.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Lauren E. Dunnock and 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 February 13, 2008 (*People v Eastwood*, 48 AD2d 591), affirming a judgment of the County Court, Orange County, rendered June 10, 2004.

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., SANTUCCI, COVELLO and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 25, 2009

PEOPLE v EASTWOOD, RAY