

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

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O/kmg

_____AD3d_____

REINALDO E. RIVERA, J.P.
ROBERT A. SPOLZINO
THOMAS A. DICKERSON
RANDALL T. ENG, JJ.

2005-10477

DECISION & ORDER

The People, etc., respondent,
v Christopher Buniek, appellant.

(Ind. No. 04-00653)

Christopher Buniek, Napanoch, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (William C. Milaccio and Richard Longworth Hecht of counsel), for respondent.

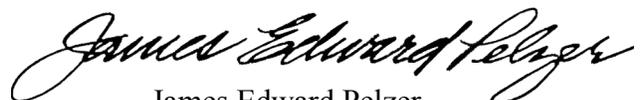
Application by the appellant for a writ of error coram nobis to vacate, on the ground of ineffective assistance of appellate counsel, a decision and order of this Court dated June 10, 2008 (*People v Buniek*, 52 AD3d 621), affirming a judgment of the Supreme Court, Westchester County, rendered February 8, 2005.

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, DICKERSON and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 22, 2009

PEOPLE v BUNIEK, CHRISTOPHER