

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

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_____AD3d_____

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
FRED T. SANTUCCI
HOWARD MILLER, JJ.

1998-00550

DECISION & ORDER

The People, etc., respondent,
v Prince Backman, appellant.

(Ind. No. 96-01560)

Prince Backman, Auburn, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Maria I. Wager 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 November 15, 1999 (*People v Backman*, 266 AD2d 399), affirming a judgment of the Supreme Court, Westchester County, rendered November 18, 1997.

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., MASTRO, SANTUCCI and MILLER, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 27, 2009

PEOPLE v BACKMAN, PRINCE