

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

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WILLIAM F. MASTRO, J.P.  
ANITA R. FLORIO  
DANIEL D. ANGIOLILLO  
THOMAS A. DICKERSON, JJ.

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2005-04231

DECISION & ORDER

The People, etc., respondent,  
v Rene Rivera, appellant.

(Ind. No. 04-00206)

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Rene Rivera, Stormville, N.Y., appellant pro se.

Thomas P. Zugibe, District Attorney, New City, N.Y. (Carrie A. Ciganek of counsel),  
for respondent.

Arleen Lewis, Blauvelt, N.Y., 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 March 18, 2008 (*People v Rivera*, 49 AD3d 783), affirming a judgment of the County Court, Rockland County, rendered April 19, 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).

MASTRO, J.P., FLORIO, ANGIOLILLO and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

January 5, 2010

PEOPLE v RIVERA, RENE