

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

D25654
O/kmg

_____AD3d_____

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
FRED T. SANTUCCI
ANITA R. FLORIO, JJ.

1995-03906

DECISION & ORDER

The People, etc., respondent,
v Hector Martinez, appellant.

(Ind. No. 93-01763)

Hector Martinez, Ossining, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Laurie Sapakoff, Richard Longworth Hecht, and Anthony J. Servino 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 July 6, 1998 (*People v Martinez*, 252 AD2d 507), affirming a judgment of the Supreme Court, Westchester County, rendered December 19, 1994.

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 FLORIO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

January 12, 2010

PEOPLE v MARTINEZ, HECTOR