

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

D26860  
G/prt

\_\_\_\_\_AD3d\_\_\_\_\_

A. GAIL PRUDENTI, P.J.  
PETER B. SKELOS  
FRED T. SANTUCCI  
RUTH C. BALKIN, JJ.

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2004-00682  
2004-00683

DECISION & ORDER

The People, etc., respondent,  
v Juan Nadal, a/k/a John Nadal, appellant.

(Ind. Nos. 02-01123, 03-00155)

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Juan Nadal, Romulus, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Maria I. Wager and Richard Longworth Hecht of counsel), for respondent.

John P. Savoca, White Plains, 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 December 2, 2008 (*People v Nadal*, 57 AD3d 574), modifying two judgments of the Supreme Court, Westchester County, both rendered January 6, 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).

PRUDENTI, P.J., SKELOS, SANTUCCI and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

April 6, 2010

PEOPLE v NADAL, JUAN, a/k/a NADAL, JOHN