

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

D27110  
W/prt

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

A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
PETER B. SKELOS, JJ.

1995-05038

DECISION & ORDER

The People, etc., respondent,  
v Mark Cross, appellant.

(Ind. No. 8476/94)

Bernard H. Udell, Brooklyn, N.Y., for appellant.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Victor Barall 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 March 2, 1998 (*People v Cross*, 248 AD2d 398), affirming a judgment of the Supreme Court, Kings County, rendered May 16, 1995.

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, RIVERA and SKELOS, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

April 27, 2010

PEOPLE v CROSS, MARK