

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

D29336
Y/kmb

_____AD3d_____

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

1997-09480

DECISION & ORDER

The People, etc., respondent,
v Herbert D. Edney, appellant.

(Ind. No. 25827)

Herbert D. Edney, Beacon, N.Y., appellant pro se.

Kathleen M. Rice, District Attorney, Mineola, N.Y. (Robert A. Schwartz and Laurie K. Gibbons 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 April 7, 1975 (*People v Edney*, 47 AD2d 906), affirming a judgment of the County Court, Nassau County, rendered May 3, 1974.

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:


Matthew G. Kiernan
Clerk of the Court

December 7, 2010

PEOPLE v EDNEY, HERBERT D.