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

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_____AD3d_____

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
RANDALL T. ENG
L. PRISCILLA HALL, JJ.

2007-03044 DECISION & ORDER

The People, etc., respondent,
v David Clanton, appellant.

(Ind. No. 1619/06)

David Clanton, Stormville, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (John M. Castellano, Nicolette J. Caferri, and Jennifer Hagan of counsel), for respondent.

Lynn W. L. Fahey, New York, N.Y. (Reyna E. Marder of counsel), 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 January 12, 2010 (*People v Clanton,* 69 AD3d 754), affirming a judgment of the Supreme Court, Queens County, rendered March 12, 2007.

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, ENG and HALL, JJ., concur.

ENTER:

Matthew G. Kiernan
Clerk of the Court

January 18, 2011

PEOPLE v CLANTON, DAVID