

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

D29780
G/hu

_____AD3d_____

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
MARK C. DILLON
JOSEPH COVELLO, JJ.

2002-09629

DECISION & ORDER

The People, etc., respondent,
v Robert Clark, appellant.

(Ind. No. 2386-01)

Robert Clark, Dannemora, N.Y., appellant pro se.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Thomas C. Costello 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 December 4, 2007 (*People v Clark*, 46 AD3d 566), modifying a judgment of the Supreme Court, Suffolk County, rendered September 20, 2002.

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).

MASTRO, J.P., RIVERA, DILLON and COVELLO, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

January 18, 2011

PEOPLE v CLARK, ROBERT