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

D30132
Y/kmb

_____AD3d_____

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

2000-05579 DECISION & ORDER

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

(Ind. No. 184/99)

David Gonzalez, Malone, N.Y., appellant pro se.

Daniel M. Donovan, Jr., District Attorney, Staten Island, N.Y. (Michael Shollar 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 November 13, 2001 (*People v Gonzalez*, 288 AD2d 321), affirming a judgment of the Supreme Court, Richmond County, rendered May 31, 2000.

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

February 22, 2011