

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

D30507
G/kmb

_____AD3d_____

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

1997-06716

DECISION & ORDER

The People, etc., respondent,
v Roland Smith, appellant.

(Ind. No. 33/97)

Roland Smith, Napanoch, N.Y., appellant pro se.

Charles J. Hynes, District Attorney, Brooklyn, N.Y. (Leonard Joblove and Diane R. Eisner 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, 2000 (*People v Smith*, 278 AD2d 259), affirming a judgment of the Supreme Court, Kings County, rendered July 14, 1997.

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

March 22, 2011

PEOPLE v SMITH, ROLAND