

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

D30669
C/kmb

_____AD3d_____

A. GAIL PRUDENTI, P.J.
MARK C. DILLON
DANIEL D. ANGIOLILLO
ANITA R. FLORIO, JJ.

2006-08283

DECISION & ORDER

The People, etc., respondent,
v Rashad Hudyih, appellant.

(Ind. No. 05-01079)

Rashad Hudyih, Wallkill, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (William C. Milaccio, Lois Cullen Valerio, and Richard Longworth Hecht 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 March 31, 2009 (*People v Hudyih*, 60 AD3d 1084), affirming a judgment of the County Court, Westchester County, rendered August 1, 2006.

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., DILLON, ANGIOLILLO and FLORIO, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

April 5, 2011

PEOPLE v HUDYIH, RASHAD