

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

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_____AD3d_____

WILLIAM F. MASTRO, J.P.
DANIEL D. ANGIOLILLO
L. PRISCILLA HALL
PLUMMER E. LOTT, JJ.

2008-08396

DECISION & ORDER

The People, etc., respondent,
v Dwayne Riggins, appellant.

(Ind. No. 07-00494)

Dwayne Riggins, Stormville, N.Y., appellant pro se.

Janet DiFiore, District Attorney, White Plains, N.Y. (Lois Cullen Valerio 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 June 29, 2010 (*People v Riggins*, 74 AD3d 1368), affirming a judgment of the County Court, Westchester County, rendered August 21, 2008.

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., ANGIOLILLO, HALL and LOTT, JJ., concur.

ENTER:


Matthew G. Kiernan
Clerk of the Court

October 11, 2011

PEOPLE v RIGGINS, DWAYNE