

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

D32572
C/prt

_____AD3d_____

WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
PETER B. SKELOS
RUTH C. BALKIN, JJ.

2005-03011

DECISION & ORDER

The People, etc., respondent,
v Olvin Ortiz, appellant.

(Ind. No. 1095-04)

Olvin Ortiz, Stormville, N.Y., appellant pro se.

Thomas J. Spota, District Attorney, Riverhead, N.Y. (Guy Arcidiacono of counsel),
for respondent.

Robert C. Mitchell, Riverhead, N.Y. (John M. Dowden of counsel), former appellate
counsel.

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 Ortiz*, 46 AD3d 580), affirming a judgment of the Supreme Court, Suffolk County,
rendered February 28, 2005.

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, SKELOS and BALKIN, JJ., concur.

ENTER:



Matthew G. Kiernan
Clerk of the Court

October 18, 2011

PEOPLE v ORTIZ, OLVIN