

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

D33019  
W/ct

\_\_\_\_\_AD3d\_\_\_\_\_

WILLIAM F. MASTRO, J.P.  
REINALDO E. RIVERA  
ANITA R. FLORIO  
LEONARD B. AUSTIN, JJ.

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2007-10093

DECISION & ORDER

The People, etc., respondent,  
v Melvin Green, appellant.

(Ind. No. 07-00040)

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Melvin Green, Auburn, N.Y., appellant pro se.

Francis D. Phillips II, District Attorney, Goshen, N.Y. (Elizabeth L. Guinup and Andrew R. Kass of counsel), for respondent.

Richard P. Ferris, Utica, N.Y., 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 May 4, 2010 (*People v Green*, 73 AD3d 805), affirming a judgment of the County Court, Orange County, rendered October 23, 2007.

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, FLORIO and AUSTIN, JJ., concur.

ENTER:

  
Matthew G. Kiernan  
Clerk of the Court

November 22, 2011

PEOPLE v GREEN, MELVIN