

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

D33749
G/prt

_____AD3d_____

WILLIAM F. MASTRO, A.P.J.
REINALDO E. RIVERA
MARK C. DILLON
ANITA R. FLORIO, JJ.

2004-02304

DECISION & ORDER

The People, etc., respondent,
v Ligio R. Lopez, appellant.

(Ind. No. 298-03)

Ligio R. Lopez, Marcy, N.Y., appellant pro se.

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

Robert C. Mitchell, Riverhead, N.Y. (James H. Miller III 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 March 21,
2005 (*People v Lopez*, 16 AD3d 1182), affirming a sentence of the County Court, Suffolk County,
imposed October 29, 2003.

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, A.P.J., RIVERA, DILLON and FLORIO, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 31, 2012

PEOPLE v LOPEZ, LIGIO R.