

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

D34007
O/kmb

_____AD3d_____

WILLIAM F. MASTRO, A.P.J.
REINALDO E. RIVERA
PETER B. SKELOS
ANITA R. FLORIO, JJ.

2005-01534

DECISION & ORDER

The People, etc., respondent,
v Mauro Caballero, appellant.

(Ind. No. 2232/03)

Mauro Caballero, Attica, N.Y., appellant pro se.

Richard A. Brown, District Attorney, Kew Gardens, N.Y. (Gary Fidel and Edward D. Saslaw 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 November 21, 2006 (*People v Caballero*, 34 AD3d 690), affirming a judgment of the Supreme Court, Queens County, rendered January 31, 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, A.P.J., RIVERA, SKELOS and FLORIO, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 21, 2012

PEOPLE v CABALLERO, MAURO