

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

D34096  
O/kmb

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

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

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2001-04980

DECISION & ORDER

The People, etc., respondent,  
v Michael A. McKinney, appellant.

(Ind. No. 78/00)

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John F. Clennan, Ronkonkoma, N.Y., for appellant.

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 11, 2007 (*People v McKinney*, 46 AD3d 705), affirming a judgment of the County Court, Dutchess County, rendered May 21, 2001.

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

April 3, 2012

PEOPLE v MCKINNEY, MICHAEL A.