

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

D34128  
C/kmb

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

REINALDO E. RIVERA, J.P.  
DANIEL D. ANGIOLILLO  
ANITA R. FLORIO  
CHERYL E. CHAMBERS, JJ.

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2007-06025

DECISION & ORDER

The People, etc., respondent,  
v Adalberto Lucas, appellant.

(Ind. No. 07-00039)

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Adalberto Lucas, Fishkill, N.Y., appellant pro se.

Thomas P. Zugibe, District Attorney, New City, N.Y. (Itamar J. Yeger of counsel),  
for respondent.

Diane E. Selker, Peekskill, 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 October 14, 2008 (*People v Lucas*, 55 AD3d 753), affirming a judgment of the County Court, Rockland County, rendered June 19, 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).

RIVERA, J.P., ANGIOLILLO, FLORIO and CHAMBERS, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

February 28, 2012

PEOPLE v LUCAS, ADALBERTO